

Held at: Brisbane

Between: **JOHN EDWARD MYTTON BARNES and GEOFFREY FREDERICK COOK**

Appellants

And: **SOUTHERN DOWNS REGIONAL COUNCIL**

Respondent

And: **THE CHIEF EXECUTIVE, DEPARTMENT OF ENVIRONMENT AND RESOURCE MANAGEMENT**

First Co-respondent

And: **McCONAGHY GROUP PTY LTD  
ACN 108 353 199**

Second Co-respondent

**Associate Professor Glen Searle– for Appellant ('Barnes and Cook')**

**Ms Annette Doherty for Respondent Council ('the Council')**

**Mr Peter Gill for Second Co-Respondent ('McConaghy Group')**

## **1. STATEMENT TO THE COURT**

- 1.1 In accordance with the orders of the Court in these proceedings, the expert witnesses for town planning called by the Appellants, Respondent and Second Co-respondent held an initial meeting of experts via teleconference in accordance with Part 3 of the *Planning and Environment Court Rules 2010* ("the Rules") on 9 June 2011. Thereafter the meeting process was conducted by email and telephone until conclusions were reached as recorded in this Joint Report of Town Planning Expert Witnesses ("the JRTP").
- 1.2 This document is the joint report prepared in accordance with Part 3 of the Rules:
  - a. stating the joint opinion of experts in relation to an issue in dispute in the proceeding; and
  - b. identifying the matters about which the experts agree or disagree and the reasons for any disagreement.
- 1.3 The Experts acknowledge the following:
  - a. In preparing this Joint Report it is acknowledged that we have been instructed on an Expert's duty in accordance with Rule 27 of the Planning and Environment Court Rules 2010, and that we have understood and discharged that duty;

- b. We verify that no instructions were given or accepted to adopt or reject any particular opinion in preparing this joint written statement.

## **2. ATTACHMENTS**

2.1 Attachment 1 - Locality and Context Plan

2.2 Attachment 2 – Curricula Vitae

## **3. FACTUAL INFORMATION**

3.1 The following is a summary of the facts and matters applicable to the site and proposal which may be agreed.

- 3.1.1 Site Address: 84 Fitzroy Street, Warwick
- 3.1.2 RPD: Lot 1 RP94676
- 3.1.3 Site Area: 736m<sup>2</sup>
- 3.1.4 Site Dimensions (Approximate): 18.3m x 40.4m
- 3.1.5 Proposal: Demolition of part of a Heritage Listed Building (84 Fitzroy Street, Warwick)
- 3.1.6 Definition: defined as "Building Work" under the Integrated Planning Act 1999 (current at the time)
- 3.1.7 Application: Preliminary Approval (Building Works) Demolition of Heritage Listed Buildings (84 Fitzroy Street, Warwick)
- 3.1.8 Date of Application: On or about 18 July 2007
- 3.1.9 Date of Decision: On or about Wednesday 21 October 2009
- 3.1.10 Planning Scheme current at application: Warwick Shire Planning Scheme 1999 ("the planning scheme")
- 3.1.11 Assessment: Impact Assessable
- 3.1.12 Referral Agencies (Concurrence): Department of Environment and Resource Management (DERM) 5 December 2008
- 3.1.13 Submitters: Six

## **4. MATTERS EXCLUDED FROM DISCUSSION**

- 4.1 Heritage: The site is included on the Queensland Heritage Register under the *Queensland Heritage Act 1992* (Reference CC710). The site is included in the Warwick Shire Council Register of Cultural Heritage Places under the planning scheme. While matters of heritage significance and value are of consideration in this matter as a whole, this report acknowledges that such consideration is to be undertaken by the Joint Report of Heritage Experts (JRHE). Accordingly no opinion of matters relating to heritage significance form part of this report, and further no reference has been had to any JRHE.

- 4.2 Structural Condition: The issue of the structural integrity of the buildings is to be considered through the Joint Report of Engineering Experts (JREE), and accordingly no opinion of matters relating to structural integrity form part of this report.

## 5. BACKGROUND AND NATURE OF PROPOSAL

The following is a summary of background matters relating to the site and the proposal which are of relevance in this appeal.

### The Site

- 5.1 The site is situated on the corner of Fitzroy Street and Haig Avenue, at 84 Fitzroy Street Warwick, and described as Lot 1 on RP94676 (refer to Locality Map at Attachment 1).
- 5.2 The primary streetscape frontage of the site is Fitzroy Street, which **Mr Gill** notes is identified as a Principle Street within Section 4.2.5.4 (d) of the planning scheme. Haig Avenue forms the western boundary of the site, and principally is used as access to Rose City Shoppingworld to the south of the site.
- 5.3 The site contains a structure comprising a two storey sandstone component forming the original building on site with primary frontage to Fitzroy Street, extending to later single storey additions to the rear of the site along Haig Avenue.
- 5.4 The entire site and structures are included on both the Queensland Heritage Register, and the Warwick Shire Register of Cultural Heritage Places. The inclusion of the site on the Council Register triggers the requirement for Impact Assessment for the proposal.
- 5.5 For the purposes of this report, while not forming an opinion of heritage significance, it is agreed that the original two storey building and single storey addition (PG notes this is **exclusive** of the component proposed for demolition) are of particular value in heritage terms and should be retained. Conservation measures to restore this component of the buildings on site would be highly desirable from an amenity and streetscape perspective, and would facilitate adaptive reuse of the building.
- 5.6 The buildings on site are currently vacant, and would not appear to be suitable for habitation or use. The structural integrity of the main component of the building is at question and is the subject of separate consideration through the JREE.
- 5.7 Under the planning scheme the site is situated within the City Centre Land Use Area.

### The Proposal

- 5.8 The development application seeks Preliminary Approval for Building Work – Demolition of part of a Heritage Place at 84 Fitzroy Street, Warwick. The proposed demolition comprises a partial demolition only, and is restricted to the demolition of the rear most single storey western wing of the building.
- 5.9 An application for Preliminary Approval only to undertake the proposed demolition was lodged with Council on or about 18 July 2007.
- 5.10 The application, for the purposes of this appeal relates only to the proposed Preliminary Approval for Building Work - Demolition at 84 Fitzroy Street.
- 5.11 The application was referred to DERM as a Concurrence Agency, and as the State Government Agency charged with dealing with Cultural Heritage matters.

5.12 On or about 21 October 2009, Council resolved to approve the application, subject to conditions. Of particular note and relevance to this appeal, Schedule 2 of the conditions comprised DERM conditions enforced through their powers as a Concurrence Agency under the IPA. These conditions are as follows:

- "1. *Prior to commencement of demolition works within the registered place (82 and 84 Fitzroy Street), the applicant must comply with conditions 1.1 to 1.6.*
- 1.1 *Prepare an archival record of the registered place, including all existing buildings, structures and established vegetation in accordance with EPA Guideline: Archival recording of heritage registered places (Draft January 2009).*
- 1.2 *Engage a suitably qualified heritage architect to document conservation works to the building at no. 84 Fitzroy Street (including work associated with the structural stabilisation of building fabric and reconstruction of damage and missing elements), generally in accordance with Conservation Assessment Report, Plumb's Chambers, prepared by Watson Architects, July 2008.*
- 1.3 *Prepare documentation of proposed methods to structurally stabilise the building at 84 Fitzroy Street, and engage an engineer experienced in the conservation of heritage buildings whose appointment is approved by the Manager, Regional and Heritage Council Support, Environmental Protection Agency, to review proposed methods of structural stabilisation of no. 84 Fitzroy Street.*
- 1.4 *The conservation works documentation referred to in 1.2 and the proposed methods of structural stabilisation referred to in 1.3 are to be submitted to the Manager, Regional and Heritage Council Support, Environmental Protection Agency for approval.*
- 1.5 *Conservation works to the building at 84 Fitzroy Street are to be carried out after the approvals in 1.4 is obtained. The conservation works are to include the conservation works referred to in 1.2 and the structural stabilisation referred to in 1.3.*
- 1.6 *On completion of the conservation works referred to in 1.4, the applicant must obtain written confirmation from the Manager, Regional and Heritage Council Support, Environmental Protection Agency that the conservation works to no. 84 referred to in 1.4 have been satisfactorily carried out."*

5.13 This appeal was filed against Council's approval on or about 14 December 2010.

## 6. PLANNING PROVISIONS

6.1 The Warwick Shire Planning Scheme 1999 applies to the site.

6.2 The following provisions of the Planning Scheme are **agreed** to be applicable to the issues in this appeal:

- 4.2.1 City Centre – Key Policy Statements; sub clauses (i) and (ii);
- 4.2.2 City Centre – Policy Intent
- 4.2.4.1 City Centre – Impact Assessment Criteria;
- 4.2.5.1 City Centre Development Code – Application of the Code
- 4.2.5.2 City Centre Development Code – Purpose

4.2.5.4 City Centre Development Code – Development Controls

5.3.3.1 Carrying Out Building Work – Impact Assessment Criteria

### 6.3 Desired Environmental Outcomes (Section 2 of the planning scheme)

6.3.1 Mr Gill and Ms Doherty are of the opinion that DEO No 2.3 The Economy (iii) is relevant in this appeal and is as follows:

(III). *Warwick City will have a strengthened role as the major community and economic centre for the Southern Downs sub-region, by providing:*

- *Higher order retail, professional and commercial services and government facilities within the central city area; and*
- *A range of employment opportunities will be available in identified industrial land within and near the city*

6.3.2 DEO No. 2.4 Cultural, Economic, Physical and Social Wellbeing (ii) is relevant in this appeal and is as follows:

(II). *There will be effective conservation of places of cultural heritage significance in the Shire and new development which sensitively responds to them.*

### 6.4 Shire Wide Measures (SWM) (Section 3 of the planning scheme)

6.4.1 Mr Gill and Ms Doherty are of the opinion that SWM 3.1.4 Landscape and Cultural Heritage (3.1.4.2 Assessment Principles, (ii) and (iii)) is of relevance in this appeal and is as follows:

#### “3.1.4.2 Assessment Principles

(II). *Development proposals will be subject to consideration of their impact on the character of the Shire and the landscape qualities and character of a particular locality, especially when viewed from major transport routes or other public spaces. Council may require the submission of a detailed assessment in this regard.*

*In considering applications for development at or near places listed in the policy, Council will have regard to the heritage qualities of the locality and whether the proposed development will be sympathetic to them. Council may request the submission of a conservation report, as described in the policy.*

(III). *Council may give favourable consideration to a development proposal which may not otherwise have been intended in a particular land use area, providing that it would provide for the active use of a heritage place listed in the policy at the same time as conserving its heritage qualities.*

### 6.5 Measures for the City Centre Land Use Area (Section 4.2 of the planning scheme)

6.5.1 Section 4.2.1 provides the Key Policy Statements for development in the City Centre area. It is of relevance to this appeal and states:

#### 4.2.1 Key Policy Statements

(i). *The city centre will be a socially, culturally and economically vibrant place in which higher order services and facilities that meet the needs of the city, the Shire and the Southern Downs sub-region are available, and in which there is a high level of daytime and night time activity.*

- (ii). *The city centre will have a high standard of amenity, with a cohesive streetscape character in which buildings of heritage significance are protected and new development occurs in a compatible form.*

6.5.2 Section 4.2.2 provides the Policy Intent for development in the City Centre Area. Of relevance to this appeal the first, second, fifth, sixth and ninth paragraphs state:

*“4.2.2 Policy Intent*

*The types of uses considered to be appropriate to the city centre are those which will serve to consolidate its function as the pre-eminent centre for the Southern Downs sub-region.*

*The city centre is the preferred location for commercial activities, government offices and community facilities which serve more than a local level catchment. It is the only land use area in which higher than local order retail and office based uses are likely to be considered appropriate.*

*The buildings of heritage significance within the city centre are listed in Planning Scheme Policy – Cultural Heritage. It is intended that these buildings are to be used for commercial activities, however, development is to be undertaken in such a way as to protect their heritage values.*

*For this reason, the table of development below and that in section 5.3 require that any proposed development which would involve demolition, removal or external works to these buildings will be subject to impact assessment”.*

Associate Professor Searle is of the opinion that the following paragraph of Section 4.2.2 is of relevance to this appeal:

*Development on other premises in the city centre is to occur in a manner which is compatible with buildings listed in the Cultural Heritage policy.*

6.5.3 Section 4.2.4.1 provides the Impact Assessment Criteria for the City Centre, and of relevance includes the following:

*“4.2.4.1 Impact Assessment Criteria*

*In assessing applications for all development requiring impact assessment in the City Centre Land Use Area, Council will consider the following matters in addition to any other relevant provision of this planning scheme:*

- a) *For applications involving the demolition or removal of buildings listed in Planning Scheme Policy No.1, whether a conservation study has demonstrated that:*
- *conservation actions are not feasible or viable; or*
  - *the building is of no significance in terms of its historical, architectural, streetscape and other special value”.*

6.5.4 Section 4.2.5.2 provides the City Centre Development Code Purpose, and of relevance includes the following:

*“4.2.5.2 Purpose*

*The purpose of this code is to retain the heritage qualities of the City Centre through the retention of highly significant and significant heritage places in a streetscape context which provides for sympathetic alterations to existing buildings and the*

*incorporation of new development which is compatible with, and respectful to, the existing streetscape character.*

*In addition, the code seeks to create a built environment which incorporates a standard of design and amenity conducive to the functioning of the area and its role as an important community focus”.*

- 6.5.5 Section 4.2.5.4 provides the City Centre Development Code Development Controls, and of relevance include the following:

*“4.2.5.4 Development Controls*

*a) Heritage Context*

*Performance Objective*

- *To ensure that heritage places are retained in a context which is appropriate to an understanding of their cultural value and respectful of their design qualities.*

*Acceptable Solutions*

- *Development, including external building work to existing buildings which adjoin a place identified as having heritage significance in Planning Scheme Policy No.1, shall incorporate design elements (including building setback, form, scale, proportion, character, materials, and ornamentation) which are compatible, complementary and respectful to the heritage place”.*

6.6 Measures for Carrying Out Building Work (Section 5 of the planning scheme)

- 6.6.1 Section 5.3.3.1 provides the Impact Assessment Criteria for Assessable Building Work, and of relevance include the following:

*“5.3.3.1 Impact Assessment Criteria*

*The criteria set out in the subsections below will be considered by Council in assessing applications for impact assessment for building work.*

*Council will also have regard to other relevant provisions of this planning scheme, including the policy intent and impact assessment criteria set out in section 4.0 for the particular land use area in which the site is located. To this end, the purposes for which the building is intended to be used, or is likely to be suitable for, will be a relevant consideration.*

*a) Demolition or Removal*

*In assessing an application for a proposal to demolish or remove a building listed in Planning Scheme Policy No.1, consideration will be given to whether a conservation study has demonstrated that:*

- *the building is of no significance in terms of its historical, architectural, streetscape and other special value; or*
- *where the building is of significance, that conservation actions are not feasible or viable”.*

## 7. PLANNING ISSUES IN THE APPEAL

7.1 The issues in dispute in this appeal are those listed in the Amended Grounds of Appeal and Further and Better Particulars dated 11 April 2011.

7.2 The planning issues in this appeal arise from the above document, and can broadly be summarised as follows:

- a. Alleged conflict with the planning scheme regarding the proposed reduction or destruction of a heritage place; and
- b. Alleged conflict with the planning scheme provisions regarding streetscape and amenity; and
- c. Alleged conflict with the planning scheme regarding provision of conservation assessment reports and the establishment of 'no feasible and viable alternative' to the demolition proposed.

7.3 Shire Wide Measure (SWM) 3.1.4 Landscape and Cultural Heritage (Section 3 of the planning scheme)

7.3.1 **Mr Gill** notes and agrees with **Ms Doherty's** comments below, and is of the opinion that the most significant contribution of the site to the retention and enhancement of landscape qualities promoted by the planning scheme is to be found in the principle component of the buildings fronting Fitzroy Street. Mr Gill further refers to the findings of the Structural Engineering Assessment prepared by Farr Engineers 9 July 2007, which found this component of the structures to be structurally unsound to the point of possible collapse. **Mr Gill** considers that a "do nothing" approach would result in the ultimate loss of this most visible and iconic component of the building, and the heritage, streetscape and amenity contribution it potentially offers which of itself would fail the overall desire of the planning scheme.

The application, as supported by a "Conservation Assessment Report" prepared by Watson Architects dated July 2008, and a "Heritage Report" prepared by Thomson Adsett dated September 2007, in **Mr Gill's** opinion achieves the planning scheme's intent for conservation of heritage qualities, and contribution to streetscape and amenity measures. The proposal, while being for the demolition of a portion of the buildings on site (comprising a minor component of the extent of those buildings), enshrines (via both supporting documentation and conditions of approval applied by DERM) the retention and restoration of the majority of the heritage building fabric allowing the active use of the site for a range of opportunities.

7.3.2 **Ms Doherty** notes that providing for the reuse of heritage buildings is a theme throughout the planning scheme. The proposal to retain and renovate the more significant parts of the building is a relevant and necessary consideration. Allowing the demolition of the rearmost section of the building subject to the conservation of the more significant parts of the building will assist in achieving compliance with the scheme; i.e. the retention and protection of a building of heritage significance, maintenance of the character of the area, improvement to the amenity of the area, the protection and enhancement of the streetscape, the retention of architectural significance, and the reuse of the building for commercial or other purposes.

7.3.3 **Associate Professor Searle** notes that the rear section of 84 Fitzroy Street is noted in the heritage listing and forms part of the overall listing for the property. The rear section provided service areas that were necessary to the service and function of the whole building and, therefore, contributes to the



historic values of the whole building. The rear section is visible from Fitzroy Street and Haig Avenue and contributes to the streetscape character and associated heritage values of the whole of building. Its demolition would not comply with the scheme's provisions for the retention and protection of a building of heritage significance, maintenance of the character of the area, improvement of the amenity of the area, the protection and enhancement of the streetscape, and the retention of architectural significance.

#### 7.4 Measures for the City Centre Land Use Area (Section 4.2 of the planning scheme)

##### 7.4.1 City Centre Land Use Area – Key Policy Statements

7.4.1.1 As noted previously in this report, the active re-use of heritage buildings is a relevant theme in the planning scheme. The Achievement of this intent in **Mr Gill's** opinion, given the existing dilapidated state of the building on site, and its current state of presentation to both Fitzroy Street and Haig Avenue, will be dependent on significant investment in the site particularly having regard to any conservation measures and or restoration to be undertaken, understanding that retention of any part of the building fabric on site is a desirable outcome in itself. The proposed demolition of a minor component of the site (in **Mr Gill's** opinion), and the opportunity for future effective use of the rear of the site in whatever form that may take, facilitates the investment required to renovate the more significant components of the site.

The application at hand represents a Preliminary Approval for building work. The application and the approval ultimately serve to retain by far the majority of the building fabric on site, comprising in **Mr Gill's** opinion and as discussed elsewhere in this report, the most significant components of the building.

As elsewhere in this report, **Mr Gill** observes that the overall considerations of heritage significance are a matter for the heritage experts. However having regard to the streetscape character is of the opinion that the predominant offer is presented through the Fitzroy Street frontage, having aspect to a "principal street" as identified in the planning scheme, and with significant views from Fitzroy Street itself and from public places, including Leslie Park situated immediately to the north of the site.

While the streetscape value of Haig Avenue is not disregarded, in **Mr Gill's** opinion its relative value diminishes over distance from Fitzroy Street. The Avenue itself currently presents a relatively poor pedestrian environment and streetscape, with no dedicated pedestrian access, and evident structural and safety issues presented by the wall of the main building structure. The rear part of the site is only visible through passing glimpses from the main pedestrian and vehicular thoroughfare of Fitzroy Street.

**Mr Gill** is of the opinion that the proposal achieves compliance with the scheme through the proposed restoration and retention of significant and highly visible heritage buildings, the improvements to streetscape presentation in the areas of highest visibility, safety and amenity, and the opportunity for active re use of heritage buildings.

7.4.1.2 **Ms Doherty** is of the opinion that the renovation and reuse of this building will allow it to contribute to the social, cultural and economic role of the city centre.

The building in its current state has a very poor standard of amenity due to the deterioration of the building. The DERM has conditioned conservation works to the more significant parts of the building (see conditions 1.2-1.5). By allowing the demolition of the rearmost section of the building subject to the renovation of the more significant parts of the building, this will assist in achieving compliance with the scheme by creating a higher standard of amenity and protecting the more significant parts of the building from deterioration.

This site has frontage to both Fitzroy Street and Haig Avenue. **Ms Doherty** is of the opinion (and **Mr Gill** agrees) that Fitzroy Street is the major frontage; not in terms of length, but in terms of prominence and streetscape value.

This section of the building is located at the rear of the building, is not obvious from Fitzroy Street, and does not present as part of the Fitzroy Street streetscape. It is only visible from Fitzroy Street at very acute angles, and it is **Ms Doherty's** opinion that when this part of the building can be viewed it detracts from the streetscape due to its materials, scale and style being in contrast with the remainder of the building and the neighbouring courthouse and police station buildings.

Haig Avenue is a very short narrow street, and the Haig Avenue streetscape is not visible from a distance. What streetscape there is is very limited and mixed, and could not be described as a cohesive streetscape. It comprises this building, a newer commercial shopping centre and the police station. This is the only building on the eastern side of the avenue. **Ms Doherty** is of the opinion that the rearmost part of the building detracts from the streetscape due to its incompatibility with the scale and style of the stone parts of the building.

- 7.4.1.3 **Associate Professor Searle** notes again that the rear section of 84 Fitzroy Street is noted in the heritage listing and forms part of the overall listing for the property. The rear section provided service areas that were necessary to the service and function of the whole building and, therefore, contributes to the historic values of the whole building. Every streetscape is relevant under Section 5.3.3.1 of the planning scheme, and the demolition of the heritage rear section of 84 Fitzroy Street would significantly diminish the existing quality of the Haig Street streetscape by further reducing the built form continuity of the streetscape on that side, and lessen streetscape amenity by significantly increasing the gap in the street frontage.

#### 7.4.2 City Centre Land Use Area – Policy Intent

- 7.4.2.1 **Mr Gill** says that the future use of the site is not the subject of this application, however the planning scheme by its stated intent and attendant tables of use promotes activities such as commercial/office, retail or government service type uses. Any future use importantly would be subject to further development application.

The relative heritage value of buildings on site is a matter for the Heritage Experts to determine, however as discussed previously in this report it is **Mr Gill's** opinion that the principal two storey structure fronting Fitzroy Street represents the primary contribution

to streetscape and aesthetic presentation, and is currently not in a ready state for use for the purposes promoted by the planning scheme.

In **Mr Gill's** opinion the proposal provides opportunity to redevelop the rear of the site, and enhances (and conditions) the opportunity for investment in renovation and re use of the more significant building fabric on site, and in this regard achieves compliance with the planning scheme.

7.4.2.2 **Ms Doherty** says it is intended that heritage buildings within the City Centre Land Use Area will be used for commercial activities. In its current state, the building is not suitable for commercial purposes. Allowing the demolition of the rearmost section of the building, subject to the renovation of the remainder of the building, will achieve compliance with the scheme by encouraging the reuse of the building for commercial purposes, and ensuring the development is undertaken in a way so as to protect the heritage value by conserving the older and more significant parts of the building.

7.4.2.3 **Associate Professor Searle** notes that the rear section of 84 Fitzroy Street, which is heritage listed within the City Centre Land Use Area, is structurally sound and in reasonably good condition. As such, there is no structural impediment to its future re-use for a commercial purpose, while its demolition would remove this opportunity.

#### 7.4.3 City Centre Land Use Area – Impact Assessment Criteria

7.4.3.1 **Mr Gill** says that the heritage value and architectural significance or otherwise of the structures on site is a matter for the Heritage Experts. The application was made having regard to supporting studies as referenced elsewhere in this report. Conservation measures for the renovation of the more significant component of the building fabric were proposed via these reports, and extensive conservation measures are imposed via Schedule 2 of the approval, comprising DERM's conditions of approval as agreed through the course of the application. These conditions require significant investment in architectural assessment and design commitments, and renovation to a useable state prior to any demolition as proposed by the application at appeal, or commencement of new use on the site.

**Mr Gill** has previously provided his opinion regarding streetscape value in Section 7.4.1.1 of this report.

7.4.3.2 **Ms Doherty** says the applicant did provide conservation studies with the application; i.e. "Heritage Report" by Thomson Adsett dated September 2007 and "Conservation Assessment Report" by Watson Architects dated July 2008. Though the issue of heritage significance will be appropriately addressed in the JRHE, the studies by Thomson Adsett and Watson Architects suggest that the rearmost brick and timber addition is of little heritage significance, and that demolition of this section would be of minimal impact.

**Ms Doherty** has previously provided her opinion regarding the significance of the building in terms of streetscape value at 7.4.1.2 of this report.

7.4.3.3 **Associate Professor Searle** has previously provided his opinion of the heritage significance of the rear of 84 Fitzroy Street at 7.4.1.3 of this report. He has previously provided his opinion of the streetscape significance of the rear of the property at 7.4.1.3 of this report.

#### 7.4.4 City Centre Development Code – Purpose

7.4.4.1 **Mr Gill** notes and agrees with **Ms Doherty's** comments below, and adds that while having regard to the desire expressed in the Code Purpose for retention of heritage qualities and streetscape character, notes that the purpose is underpinned by a desire for building and design outcomes in the city centre to contribute to the area's functional success. It is **Mr Gill's** opinion that the renovation and opportunity for re use of the significant parts of the building will facilitate both the retention of heritage fabric, and promote a more functional integration of the building, from both a land use and design perspective.

7.4.4.2 **Ms Doherty** says the current state of dilapidation of the building has resulted in a poor standard of amenity which detracts from the city centre. The retention and conservation of the more prominent and significant parts of the building will improve the amenity of the area while maintaining the streetscape context.

The proposed development does provide for sympathetic alterations to the building.

7.4.4.3 **Associate Professor Searle** notes again that the rear section of 84 Fitzroy Street is noted in the heritage listing and forms part of the overall listing for the property. The rear section provided service areas that were necessary to the service and function of the whole building and, therefore, contributes to the historic values of the whole building. An underground water tank, which is likely to be representative of very early 19th century brick making and brickwork construction in Warwick, is located near the rear section of 84 Fitzroy Street and may be damaged if the rear section is demolished. The underground water tank is noted in the heritage listing and forms part of the overall listing for the property.

#### 7.4.5 City Centre Development Code – Development Controls

7.4.5.1 **Mr Gill** acknowledges the role of the Heritage Experts with regard to matters of heritage value and context. **Mr Gill** is of the opinion that the proposal, as a Preliminary Approval for Building Work does not promote any particular use of the site, rather it evidently seeks to gain certainty regarding opportunity for future use of the rear of the site via demolition of a minor component of the building in terms of overall scale of area. Any future use (including that of the primary and original buildings) will be subject to further development application, and subject to the code provisions enshrined in the planning scheme.

Other than for the minor rear portion of the building, the application via supporting studies, and via the Schedule 2 conditions of the approval as imposed by DERM relating to architectural assessment and renovation, in **Mr Gill's** opinion complies with the planning scheme via conservation and retention of significant heritage buildings, and importantly the design elements to be addressed under the code provisions.

7.4.5.2 **Ms Doherty** notes that the proposal provides for the retention and conservation of the most significant parts of the building which equates to around 87% of the existing structure. The conservation of the older sandstone parts of the building will ensure the design elements of the building are retained and conserved. The rearmost timber and brick addition, which is proposed to be demolished, is not respectful of the design qualities of the older parts of the building; the use of different materials and roofline are examples of this.

7.4.5.3 **Associate Professor Searle** has previously provided his opinion of the heritage of the rear of the building and its associated underground tank at 7.4.4.3 above. As such, the proposed demolition of the rear portion of the building does not comply with the planning scheme in terms of conservation and retention of significant heritage buildings.

#### 7.4.6 5.3.3.1 Carrying out Building Work – Impact assessable Criteria

7.4.6.1 **Mr Gill** notes and agrees with Ms Doherty's comments below.

7.4.6.2 **Ms Doherty** says this section of the planning scheme relates specifically to the assessment of applications for the demolition of, or external building works to, heritage buildings. This section states that the purposes for which the building is intended to be used, or is likely to be suitable for, must be considered in the assessment of such an application.

Providing for the reuse of heritage buildings is a theme throughout the planning scheme (see section 3.1.4.2), and the proposal to retain and renovate the more significant parts of the building is a relevant and necessary consideration. Allowing the demolition of the rearmost section of the building subject to the renovation of the more significant parts of the building will assist in achieving compliance with the scheme; i.e. retention and protection of building of heritage significance, improvement to amenity, protection and enhancement of streetscape, and reuse of building for commercial purposes.

**Ms Doherty** has previously provided comment regarding conservation studies at 7.4.3.2 of this report.

7.4.6.3 **Associate Professor Searle** says that the rear section of the building is structurally sound and in reasonably good condition, and thus having high potential for re-use without significant renovation. Its demolition would not meet the planning scheme's policy intent (4.2.2) that use of heritage buildings for commercial purposes 'is to be undertaken in such a way as to protect their heritage values'.

## 8. GROUNDS TO JUSTIFY THE APPROVAL

8.1 **Mr Gill** says to the extent the court may find any conflict with the provisions of the planning scheme, there are grounds to justify the approval which include but are not limited to:

8.1.1 The proposal offers a practical approach to provide community and public benefit through the opportunity to facilitate the effective and active re-use of a significant heritage building;

8.1.2 The proposal provides an opportunity for community and public benefit through opportunity to restore and maintain via private investment the

significant components of the buildings on site (noting that as determined by the JRHE);

8.1.3 Through this investment and restoration, opportunity to significantly improve the streetscape presentation and amenity both to Fitzroy and the most visible part of Haig Avenue.

8.2 **Ms Doherty** notes and agrees with the grounds to justify the approval as suggested by Mr Gill.

8.3 **Associate Professor Searle** does not agree with the grounds to justify the approval as suggested by Mr Gill.

#### **9. MATTERS ABOUT WHICH WE AGREE**

9.1 There is agreement regarding the 'factual matters' set out in Section 3 of this report;

9.2 There is agreement regarding the planning scheme provisions which are applicable to the issues in this appeal, as set out in Section 6 of this report; and

9.3 There is agreement that matters relating to heritage significance and technical matters relating to structural integrity are matters for other experts.

#### **10. MATTERS UPON WHICH WE DISAGREE**

10.1 Matters of disagreement which can be summarised from the above report include:

10.1.1 The extent to which the component of the building proposed to be demolished contributes to streetscape character and amenity;

10.1.2 Whether the proposal conflicts with the Shire Wide Measure for Landscape and Cultural Heritage;

10.1.3 Whether the proposal conflicts with the City Centre Land Use Area Policy Statements, Policy Intent and Impact Assessment Criteria;

10.1.4 Whether the proposal conflicts with the City Centre Development Code Purpose and Development Controls;

10.1.5 Whether the proposal conflicts with the Impact Assessment Criteria for carrying out Building Work; and

10.1.6 Whether there are sufficient grounds to justify the approval despite any such conflicts.

11. It is **agreed** that this Joint Report accurately represents the Outcomes of the Meeting of Town Planning Experts.

+

**Signatures of experts participating in the joint report**

.....

Date: .....

**Associate Professor Glen Searle**

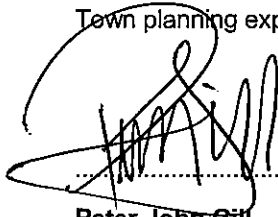
Town planning expert for the Appellants

.....

Date: .....

**Annette Doherty**

Town planning expert for the Respondent

A handwritten signature in black ink, appearing to read "Peter John Gill", is written over a horizontal dotted line. The signature is stylized and somewhat illegible.

**Peter John Gill**

Town planning expert for the Second Co-Respondent

Date: 4/7/2011

Attachment 1.      Locality and Context Plan





Above – 84 Fitzroy Street, Warwick – Locality and Context Plan

## Attachment 2.      Curricula Vitae

**Associate Professor Glen Searle**

**Ms Annette Doherty**

**Mr Peter Gill**

## **GLEN H SEARLE**

**PLACE OF BIRTH:** Whyalla, South Australia

### **QUALIFICATIONS**

**BA (Honours) (Div IIA)**, University of Adelaide, 1966  
(Honours degree awarded in Geography; joint major Economics)

**PhD**, Macquarie University, 1980

(Awarded in Geography for thesis on 'Factors Affecting Government Location Decisions, with Reference to the NSW Government Decentralisation Program')

### **PROFESSIONAL MEMBERSHIP**

Fellow of the Planning Institute Australia

Honorary Fellow, Faculty of Architecture, Building and Planning, University of Melbourne (from 4/2009)

### **PROFESSIONAL EXPERIENCE**

#### **6/2009 – Present**

UNIVERSITY OF QUEENSLAND

School of Geography, Planning and Environmental Management. Associate Professor; Director, Planning Program (8/2010 – 12/2010, 4/2011 – 6/2011)

#### **9/1991 to 5/2009**

UNIVERSITY OF TECHNOLOGY, SYDNEY

Faculty of Design, Architecture and Building: Senior Lecturer in Urban Planning; Director, Planning Program (9/1998 – 9/2001, 7/2004-5/2009).

#### **5/89 - 9/91**

N.S.W. DEPARTMENT OF PLANNING

Deputy Manager, Policy. Responsible for oversight of Urban Development Program and chairing Urban Development Committee subcommittees; responsible for management of Land Audit and Metropolitan Strategy Reviews and related issues.

#### **1/89 - 5/89**

N.S.W. DEPARTMENT OF PLANNING

Senior Planner Grade 3. Responsible for co-ordinating and providing planning input to UDC, Western Sydney Planning and Development and Development Committee and Chief Town Planners meetings; providing branch input to industrial areas, rural planning, open space/drainage planning matters.

#### **8/81 -1/89**

N.S.W. DEPARTMENT OF PLANNING

Town Planner/Specialist (ATP to 12/82; Grade 1-2 to 7/84, Grade 3 to 5/89).

Responsible for developing resource infrastructure contribution policy; providing departmental input to government office relocation policy, evaluating medium term Sydney release area options; preparing metropolitan employment forecasts and policies; preparing financial, land supply and other socio-economic input to N.W. Sector planning, preparing labour force forecasts; preparing urban financing policies

and forward estimates; making cost-benefit and other economic input into various departmental planning issues.

**8/79 - 8/81**

DEPARTMENT OF GEOGRAPHY, MONASH UNIVERSITY

Junior Research Fellow. Carried out field-based study of nature and causes of employment change in 120 companies in Melbourne.

**10/76 - 8/79**

UNITED KINGDOM DEPARTMENT OF ENVIRONMENT, LONDON

Senior Research Officer. Responsible for supplying data and reports on levels of urban deprivation; reporting on western European inner city socio-economic problems and policies.

**1/76 -10/76**

DEPARTMENT OF GEOGRAPHY AND PLANNING, MIDDLESEX  
POLYTECHNIC

Research Assistant. Carried out computer analysis of landscape data and contributed to landscape evaluation report.

**10/75 -1/76**

HIGGS & HILL PTY LTD, SURREY

Salaries Clerk.

**11/74 - 9/75**

SCHOOL OF EARTH SCIENCES, MACQUARIE UNIVERSITY

Student carrying out Ph.D. studies.

**6/74 - 11/74**

DEPARTMENT OF TOWN & COUNTRY PLANNING, UNIVERSITY OF  
SYDNEY

Temporary Lecturer. Shared teaching of Regional Planning and Planning Economics in Master of Town and Country Planning course.

**2/70 - 6/74**

N.S.W. TREASURY

Economic Assistant. Responsible for preparation of reports on finances of infrastructure developments; preparation of briefing material for Premier's Conference and Loan Council; Secretary, Public Buildings Programming Committee; Delegate, Technical Advisory Committee, Sydney Area Transport Study.

**2/68 - 2/70**

N.S.W. DEPARTMENT OF DECENTRALISATION & DEVELOPMENT

Research Officer. Preparation of research material and writing for Development Corporation's *Report on Selective Decentralisation* and *Report on Sandy Hollow/Maryvale Railway Proposal*.

## **SUMMARY OF EXPERIENCE**

Dr Searle has had extensive planning experience with both the British and NSW Governments. He was engaged in strategic planning and policy formulation at a senior level in the NSW Department of Planning between 1984 and 1991. This built on earlier policy analysis on regional development and infrastructure and related finance carried out at the NSW Department of Decentralisation and Development and the NSW Treasury between 1968 and 1974.

Examples of Dr Searle's strategic planning and policy work include:

- a planning balance sheet of medium term growth options for Sydney (1983);
- a public sector cash flow analysis of different development strategy options for the North West Sector (1984);
- a recommended strategy for the relocation of Government head offices within Sydney, adopted by State Cabinet in 1982;
- long term forecasts of the employment structure of Sydney and of traffic zone employment and workforce totals, for the Metropolitan Strategy (1988);
- identification of human service and service infrastructure costs for resource development;
- analysis of the extent to which urban consolidation goals have been achieved in Sydney (1991 and 2004);
- analysis of contributions for local open space by urban consolidation developments in Sydney (2009);
- an analysis of employment losses as a consequence of the creation of new national parks in south east NSW (1987);
- a report on means to achieve early employment development in South Creek Valley, as input into the Regional Environmental Study (1991);
- co-authorship of a report to the Premier on measures to assist Newcastle's economy following the 1989 earthquake;
- co-authorship of a report to the Commonwealth Sustainable Development Working Parties (1991) on measures to promote environmentally sensitive development in urban areas;
- co-authorship of the inter-departmental report on a revised urban development strategy for south western Sydney (1990) to address emerging air and water quality issues;
- a cost-benefit analysis of the proposed Sandy Hollow - Maryvale Rail Line (NSW Development Corporation, 1970);
- development of indicators for Sydney City Council's 'Living City' program (1998).

In addition, Dr Searle has research interests and expertise relating to the nature of urban and regional economic and employment change. He has published a paper on the likely nature and locations of changes in job structure and workforce in Sydney to the year 2000 and has authored publications relating to the location of high tech industries in Sydney, planning for science parks in Sydney, and the impact of technological change on industrial land use. He has published two journal papers and a book chapter on the structure, cluster dynamics and agglomeration economics of the Sydney and Melbourne IT industry, arising from an Australian Research Council Discovery grant (2007-2009). Dr Searle was responsible for forecasting employment and work force for small areas within Sydney for the years 2021 and 2050 for the report on Future City, Sydney 2050: Town Planning Scenario for the Sydney Water Board (1993). He contributed the employment issues and policies sections of the Camden urban lands strategy prepared for the Department of Planning. He recently completed a report published by the Department of Urban Affairs and Planning and the Department of State Development, *Sydney as a Global City* (1996). This looked at the nature of Sydney's global city role and the planning implications of this, and also examined approaches to planning for a global role in major overseas cities. Subsequently, he reported on the Sydney economic context for Parramatta's future economic development, as input into the Parramatta Regional Environmental Plan (1998). Dr Searle has also given conference papers on factors associated with employment change in selected secondary and tertiary industries in Melbourne, based on extensive fieldwork, and on spatial change in key industries and activities in Sydney between 1981 and 1991. In addition, Dr Searle was responsible for the production of the second Industrial Lands Development Program 1990 -1995 for Sydney while at the Department of Planning. He is currently carrying out research on changes in the organisation and structure of selected service industries in Sydney and resulting locational changes. Papers on structural and locational changes in advanced producer service industries in Sydney have been published in *Asia Pacific Viewpoint* (1998), *Geographical Research* (2005) and *Australian Geographer* (2005).

## **CONSULTANT STUDIES**

Consultancy reports completed by Dr Searle include:

- **Botany Section 94 commercial & industrial development study** (1992)

Chapter on historical perspectives and development trends for commercial and industrial activity in Botany, for 'Section 94 commercial and industrial development study' for Botany Council. Client: Mitchell McCotter and Associates Pty Ltd

- **Town planning scenario for Sydney in 2050** (1993)

Author of section on current economic trends for Sydney and sections on forecast employment total and distribution for two scenarios in each of years 2021 and 2050 in report 'Future City, Sydney 2050: Town Planning Scenario' for Sydney Water Board. Client: Mitchell McCotter and Associates Pty Ltd

- **NSW Regional Strategy Plan for Commonwealth Office Accommodation** (1993)

Co-author of UTS School of Building Studies report analysing current market situation and recommending NSW centres for investigation for Commonwealth office construction. Client: Australian Estate Management

- **Transport and employment trends and patterns in Sydney (1993)**

Co-author with Prof J Toon (University of Sydney) and G Glazebrook (Glazebrook & Associates) of report on transport and employment trends, patterns and future directions in Sydney in relation to travel demand, using reference group views.  
Client: Roads & Traffic Authority of NSW

- **Planning strategy for Camden urban release areas (1994)**

Author of employment analysis and strategy sections of report on planning strategies for Camden urban release areas for NSW Department of Planning. Client: Mitchell McCotter and Associates Pty Ltd

- **Shoalhaven Region Aquaculture Technology Park Site Assessment and Feasibility Study (1995)**

Author of site assessment section of report. Client: Institute for Coastal Resource Management, University of Technology, Sydney, for The Shoalhaven OLMA Committee Inc.

- **Sydney City “Living City” indicators (1998)**

Author of report on potential indicators to measure success of Council’s “Living City” program. Client: Council of the City of Sydney.

- **Economic development strategy for Parramatta Regional Environmental Plan (1998)**

Author of Sydney economic context working paper prepared as part of economic development strategy for Parramatta REP. Client: Kinhill Group, for NSW Department of Urban Affairs and Planning.

## **COMPETITIVE RESEARCH GRANTS**

- An **ARC Discovery Project** grant of \$197,000 from 2007 to 2009 with Prof. K. O’Connor (University of Melbourne) on the development of the information technology industry clusters in Sydney and Melbourne. Searle is the first Chief Investigator.

- With Dr M. Bounds of UWS: Grant from the **Casino Community Benefit Fund (1998)**, \$68,000 in 1998 and 1999 to research The Social and Environmental Impact of the Casino on the Residents of Pyrmont-Ultimo; resulting in an unpublished research report to the Fund trustees.

- With Prof. K. O’Connor (University of Melbourne) and Dr B. Pritchard (University of Sydney): **UTS Incentive Grant (2003)**, \$23,000 for an analysis of IT industry structure in Sydney and Melbourne, resulting in a refereed journal paper (Searle and Pritchard 2005)

- With J. Dawkins & S. McGrath-Champ: **ARC Small Grant (1994)**, of \$20,000 for an analysis of Planning and the Development Industry.

- With Prof. S. Boydell and Dr G. Small: **Royal Institution of Chartered Surveyors Education Trust** grant (2007), \$18,300 for research on the nature of property rights in Darling Harbour.

- With Dr G. Glazebrook: UTS **DAB Faculty** seed funding research grant (2006) of \$4,000 for project identifying joint impact of urban transport mode and urban density on sustainability.
- With G. DeValence: UTS **DAB Faculty** seed funding research grant (1999), \$5,000 for cross-Faculty research on the multimedia industry, resulting in two published refereed papers.
- **UTS Internal Research Grant** (1995), \$5,000: newspaper bibliography on Sydney's planning since 1976.

## **PUBLICATIONS**

'A Study of Social Facilities in Country Towns' in Australian Frontier, **Consultation Report: Responsibility for Life in a Country Town (Young, NSW)**. (Canberra, 1968).

'A Programming Model of Government Location Decisions', **Papers**, Institute of Australian Geographers, Tenth Meeting, Sydney, 1971.

'New South Wales' New Regions: Some Implications', **Australian Geographer**, Vol. 12, No. 3, March 1973, pp. 197-206.

'A Re-examination of the Case Against Decentralisation', **Royal Australian Planning Institute Journal**, Vol. 12, No. 2, April 1974, pp. 58-62.

'Forms and Functions of Regional Government', in Department of Adult Education, University of Sydney, and Orange City Council, **Proceedings of National Conference on Regional Development** (Sydney and Orange, 1974), pp. 26-35.

(With E.C. Penning-Rowsell) 'The 'Manchester' Landscape Evaluation Method: A Critical Appraisal', **Landscape Research**, Vol. 2 No. 3, September 1977, pp. 6-11.

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'Data Sources of Employment Change Within Victoria ', **Working Paper No. 12**, Department of Geography, Monash University, December 1980.

'The Role of the State in Capitalist Development: The Example of Non-Metropolitan New South Wales', **Antipode**, Vol. 13, No. 1, 1981, pp. 27-34.

(With D. Roman) 'Community Employment Development Initiatives', **Background Paper No. 1**, Department of Environment and Planning, Sydney, 1984.

(With B. Hutchinson) 'High Technology Industry Location and Planning Policy in the Sydney Region', pp. 310-327 in J. Brotchie et al (eds.), **The Spatial Impact of Technological Change**, Croom Helm, London, 1987.



'Getting Large Companies to Help Local Development', **Australian Planner**, Vol. 25, No. 2, June 1987, pp. 21-25.

(With G. Young) 'Old Buildings New Money', **Australian Society**, Vol. 7, No. 2, February 1988, pp. 36-38.

(With G. de R. Innes) 'Forecasting Long-Term Employment at Small Area Level in Sydney' in M. Gordon (ed.), 'Regional Modelling and Regional Planning', **Conference Series No. 17**, Institute of Industrial Economics, University of Newcastle, Newcastle, 1991.

'Successes and Failures of Urban Consolidation in Sydney', **Urban Futures**, Special Issue 1, 1991, pp.23-30.

(With N. Urwin) 'Ecologically Sustainable Development and Urban Development', **Urban Futures**, Special Issue 4, November 1991, pp. 1-12.

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'The Impact of New Technology on Industrial Land', **Urban Futures**, Vol. 2, No. 1, January 1992, pp. 69-76.

'The Restructuring and Redistribution of Jobs in Sydney to 2000', **Land Economics Review**, Vol. 3, No. 1/2, 1992, pp. 28-35.

'The Right Future for Sydney?', **New Planner**, No. 16, 1993, pp. 14-15.

(With J. Toon & G. Glazebrook) 'Future Employment Trends and Patterns in the Sydney Region', **PRC Monograph No. 39**, Planning Research Centre, University of Sydney, and Transport Study Group of New South Wales, 1994.

(With J. Dawkins and S. McGrath-Champ) "'Sydney's Future" May Be the Future of Planning', **Australian Planner**, Vol. 31, 1994, pp. 192-196.

'Will It Work in the Cities? - A Metropolitan Perspective on the White Paper', **Australian Journal of Regional Studies**, No. 8, 1994, pp. 30-38.

(With J. Dawkins) 'Bibliography: The Australian Debate on Urban Consolidation 1985-94', **Sydney Vision: UTS Papers in Planning** Number 1, Planning Program, Faculty of Design, Architecture and Building, University of Technology, Sydney, 1995.

Jean Hillier and Glen Searle: 'Rien Ne Va Plus: Fast Track Development and Public Participation in Pyrmont-Ultimo, Sydney', **Sydney Vision: UTS Papers in Planning** Number 3, Planning Program, Faculty of Design, Architecture and Building, University of Technology, Sydney, 1995.

Glen Searle: 'What Should We Teach: Planning as Planning or Planning as Urban Studies?', in J Dawkins (ed.), 'The Outcomes of Planning Education', **Sydney Vision: UTS Papers in Planning** Number 4, Planning Program, Faculty of Design, Architecture and Building, University of Technology, Sydney, 1995.

Glen Searle: 'The Political Economy of Sydney's Planning since 1975', pp.275-285 in G Dixon and D Aitken (eds.), 'Institute of Australian Geographers: Conference Proceedings, 1993', **Monash Publication in Geography** Number 45, Department of Geography and Environmental Science, Monash University, 1995.

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J.A. Broadbent and G. Searle: 'Planning for Ecological Sustainability in Inland New South Wales', **Sydney Vision: UTS Papers in Planning** Number 5, Planning Program, Faculty of Design, Architecture and Building, University of Technology, Sydney, 1996.

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Jeremy Dawkins and Glen Searle: 'The Brief, Brilliant Life of Better Cities', pp.5-12 in J. Dawkins, G. Searle and S. Parham (eds.) 'Australia's Better Cities', **Sydney Vision: UTS Papers in Planning** Number 9, Planning Program, Faculty of Design, Architecture and Building, University of Technology, Sydney, 1996.

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Glen Searle: 'Planning for Global Activities in Sydney', **Australian Planner**, Vol. 35, No. 1, 1998, pp. 15-23.

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Glen Searle and Michael Bounds: 'State Powers, State Land and Competition for Global Entertainment: The Case of Sydney', **International Journal of Urban and Regional Research**, Vol. 23, No. 1, 1999, pp. 165-172.

Glen Searle: 'New Roads, New Rail Lines, New Profits: Privatisation and Sydney's Recent Transport Development', **Urban Policy and Research**, Vol. 17, No. 2, 1999, pp. 111-121.

Glen Searle and Susan Thompson: 'Editorial: Towards Postmodern Urban Transport Planning', **Urban Policy and Research**, Vol. 17, No. 2, 1999. pp. 97-98.

Glen Searle: 'Planning Doctrine and the Persistence of Sydney's Urban Consolidation Strategy', Congress Papers, Royal Australian Planning Institute 27th National Congress, 19-22 September 1999,  
<http://www.lpe.nt.gov.au/devel/planning/rapi/default.htm>.

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Glen Searle and Richard Cardew: 'Planning, Economic Development and the Spatial Outcomes of Market Liberalisation', **Urban Policy and Research**, Vol. 18, No. 3, 2000, pp. 355-376.

Gerard De Valence and Glen Searle: 'The Multimedia Industry and the New Economy', **Form/Work**, No. 5, 2000, pp. 46-60.

Glen Searle and Jason Byrne: 'Selective Memories, Sanitised Futures: Constructing Visions of Future Place in Sydney and Inner City Perth', in John R Stephens (ed.): **Habitus 2000: A Sense of Place. Conference Proceedings**, compact disc published

by School of Architecture, Construction and Planning, Curtin University of Technology, Perth, 2000.

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Glen H Searle: 'The Demise of Place Equity in Sydney's Economic Development Planning', **Australian Geographer**, Vol. 33, No. 3, 2002, pp. 317-336.

Glen H Searle: 'The End of Certainty: Sydney's Recent Metropolitan Planning', **Planning Institute Australia Congress 2003 – Adelaide: Key papers; Parallel session papers**. CD. Planning Institute Australia: Canberra, 2003.

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Glen Searle: 'The Limits to Urban Consolidation', **Issues Paper No. 14**, Urban Frontiers Program, University of Western Sydney – Campbelltown, 2003

Jeremy Dawkins and Glen Searle: 'Direct Application of Theory to Practice. Collaborative Place Management of Sydney Harbour 1998-2002', pp. 31-40 in T. Austin (ed.): **ANZAPS 2003: From Hippies to Highrise. Proceedings for the ANZAPS 2003 Conference**, Department of Planning, University of Auckland, 2003.

Glen Searle: 'Planning Under-Empowerment and Urban Over-Development in Inner Sydney'. Paper given at State of Australian Cities Conference, Parramatta, December 2003. <http://www.uws.edu.au/about/acadorg/caess/uf/conference>

Glen Searle: Book Review: Stephen Syrett and Robert Baldock (eds.): 'Governing London: Competitiveness and Regeneration for a Global City' (2001), **European Planning Studies**, Vol. 12, No. 2, 2004, pp. 275-277.

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**Prozess der Globalisierung (Australia in the Process of Globalization)**, Stauffenburg Verlag, Tübingen, 2008, pp. 119-140.

Glen Searle: 'Conflicts and Politics in Precinct Development', in Bruce Hayllar, Tony Griffin and Deborah Edwards (eds.): **City Spaces - Tourist Places: Urban Tourism Precincts**, Elsevier, London, 2008, pp. 205-224.

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Tan Yigitcanlar, Cristina Martinez-Fernandez, Glen Searle, Doug Baker and Koray Velibeyoglu: 'Understanding the Conditions for the Emergence of Airport Knowledge Precincts: A Framework for Research', in Manfred Schrenk, Vasily Popovich, Dirk Engelke and Pietro Elisei (eds.): **REAL CORP 008 Proceedings**, 2008, Vienna, pp. 465-475. Web site [www.corp.at](http://www.corp.at)

Susan Thompson, Nicole Gurran, Peter Phibbs and Glen Searle (eds.): **ANZAPS Conference 2008 Conference Proceedings**, University of Sydney, Sydney, 2008.

Glen Searle: 'The Influence of Mega events on City Structure Under Contemporary Urban Governance: The Example of Sydney's Olympic Games', in Alana Hay and Richard Cashman (eds.): **Connecting Cities: Mega Event Cities**, Sydney Olympic Park Authority for Metropolis Congress 2008, Sydney, 2008, pp. 87-105.

Bill Pritchard & Glen Searle: 'Planning for Creativity and Innovation in a Global City: Sydney's Information Technology Clusters in the Context of the 2005 Metropolitan Strategy', **International Journal of Foresight and Innovation Policy**, Vol. 5, No. 1, 2009, pp. 205-213.

Glen Searle & Richard Y Hu: 'Post-Olympics Planning and Development in Neoliberal Governance: A Case Study of the Sydney Olympic Park', **Urban Planning International** (China), Vol. 24, No. 1, 2009, pp. 56-61.

Glen Searle: 'The Spatial Division of Labour in the Sydney and Melbourne Information Technology Industries', **Australasian Journal of Regional Studies**, Vol. 15, No. 1, 2009, pp. 115-129.

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Glen Searle: 'Sustainability of infrastructure: achieving sustainable cities with sustainable infrastructures', in Tan Yigitcanlar (ed.) **Sustainable Urban and Regional Infrastructure: Technology, Planning and Management**. Hersey PA: Information Science Reference, 2010, pp. 323-328.

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Jason Byrne, Neil Sipe and Glen Searle: 'Green around the Gills? The Challenge of Density for Urban Greenspace Planning in SEQ', **Australian Planner**, Vol. 47, No. 3, 2010, pp. 162 - 177.

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# CURRICULUM VITAE

## PERSONAL PARTICULARS

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Name: Annette Mary Doherty  
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(07) 4661 0335 (work)  
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## EDUCATION

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2005 Graduate Diploma of Urban and Regional Planning (University of New England)  
1999 Bachelor of Arts (Education Studies) (Murdoch University, Perth)

## EXPERIENCE

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2008- **Manager Planning Services, Southern Downs Regional Council**

Specific duties include:

- Providing managerial support to the Director in the operation of the Planning and Environment Directorate, and carry out the duties of the Director in his absence.
- To manage and coordinate the activities of the Planning Services staff.
- Responsibility and control of budget activities for the Planning Services section.
- Providing professional and technical advice to the Director, other Directorates, Council and the public on matters relating to Planning.
- Implementation of the Planning Scheme and related policies, including management and implementation of heritage provisions.
- Preparation and implementation of amendments to the Planning Scheme.



- Formulation and implementation of policies and procedures to improve the operation and delivery of services to the public in the areas of planning, cultural heritage and environment.
- Processing of development applications in accordance with the *Sustainable Planning Act* and *Integrated Planning Act*, including monitoring of the stages of IDAS applications and processing times, and reporting to Council.
- Monitoring and investigating breaches of the Planning Scheme and related Local Laws, and the carrying out of associated legal action.
- Instructing Council's solicitor in relation to appeals to the Planning and Environment Court and development enforcement matters.
- Preparation, development and implementation of local laws on planning and development related matters.
- Revision of draft Southern Downs Region Planning Scheme

2004-2008 **Manager Planning Services, Warwick Shire Council**

Specific duties included:

- Providing managerial support to the Director in the operation of the Planning and Development Directorate, and carry out the duties of the Director in his absence.
- To manage and coordinate the activities of the Planning Services staff.
- Responsibility and control of budget activities for the Planning Services section.
- Providing professional and technical advice to the Director, other Directorates, Council and the public on matters relating to Planning.
- Implementation of the Planning Scheme and related policies, including management and implementation of heritage provisions.
- Preparation and implementation of amendments to the Planning Scheme.
- Processing of development applications in accordance with the *Integrated Planning Act*, including monitoring of the stages of IDAS applications and processing times, and reporting to Council.
- Monitoring and investigating breaches of the Planning Scheme and related Local Laws, and the carrying out of associated legal action.
- Instructing Council's solicitor in relation to appeals to the Planning and Environment Court and development enforcement matters.
- Preparation, development and implementation of local laws on planning and development related matters.

- Management of Council's community services, namely the Warwick Shire Home Maintenance Scheme (HACC) and Council's community housing.

2003-2004 **Town Planner, Warwick Shire Council**

Specific duties included:

- Assessment of development applications in accordance with the *Integrated Planning Act*, including implementation of heritage provisions.
- Preparation of planning reports for the Planning and Development Committee and Council, and for approval by the Director Planning and Development under delegated authority.
- Preparation of correspondence in relation to town planning matters, including planning and development certificates.
- Preparation and implementation of amendments to the Planning Scheme.
- Provision of professional advice to consultants, developers, customers and the community, on matters relating to planning.
- Liaisoning with Council's environmental health, local laws, engineering and building sections, other local governments, regional, state and federal agencies on planning matters.
- Assisting and advising Council's solicitor in relation to appeals to the Planning and Environment Court and development enforcement matters.

## **PROFESSIONAL MEMBERSHIPS**

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Member of the Planning Institute of Australia (PIA)



## Peter Gill

DIRECTOR

### Qualifications and Affiliations

Bachelor of Applied Science  
(Built Environment) – Queensland  
University of Technology

Graduate Diploma Urban and  
Regional Planning – Queensland  
University of Technology

Planning Institute of Australia (PIA) –  
QLD Division Committee Member

Queensland Environmental Law  
Association (QELA) – Management  
Committee Member

### Work History

2007-Current Urbis Pty Ltd

2006-2007 - Veitch Lister Consulting

2003-2006 - Energex

1993-2003 - Ipswich City Council

1991-1993 (former) Pine Rivers  
Shire Council

### Contact

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Peter is an urban planner with over 19 years experience in Consultancy, Local and State Government. As a Director with Urbis, Peter draws on his significant experience in the areas of statutory and strategic planning processes to advise clients in the delivery of development solutions, including retail, commercial and residential land use outcomes. Peter has particular expertise in management and delivery of significant multi-disciplinary planning, transport and infrastructure projects. His career has provided extensive experience in land use assessment and preparation of statutory planning instruments and policy outcomes, notably including the delivery of Master Plans for significant urban areas. He has specific expertise in the management, planning and environmental assessment, and delivery of approvals for significant infrastructure projects.

### Experience

Peter's recent experience includes:

- Project manager for the preparation and delivery of the Toowoomba City Centre Master Plan, including master planning and land use analysis, traffic, transport and infrastructure assessment and modeling, and preparation of implementation plans and costing analysis for key projects (February – November 2009).
- Project manager for the preparation and delivery of the Strathpine MRAC Master Plan, including master planning, strategic positioning, land use analysis, traffic, transport and infrastructure assessment and modeling, and preparation of implementation plans and costing analysis for key projects (November 2009 – June 2010).
- Lead consultant for delivery of major multidisciplinary planning and environmental assessment projects for Community Infrastructure Designation, including ENERGEX South Pine to Hays Inlet 110kV power line corridor, Cornubia and Yandina Substations (March 2008 – February 2009);
- Management and delivery of statutory planning approvals for a range of significant projects, including residential, retail, commercial, infrastructure and educational developments;
- Project management of transport modeling and planning projects, including large mixed-use developments and public transport corridors.