
GROWTH INFRASTRUCTURE AND WASTE COMMITTEE LATE REPORTS

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** Item includes confidential papers

GROWTH INFRASTRUCTURE AND WASTE COMMITTEE NO. 3

7 APRIL 2022

LATE REPORTS

6. **RESPONSE TO NOTICE OF MOTION - WATER TOWER (RESERVOIR) AT 4 MADSEN
CLOSE, EASTERN HEIGHTS**

This is a report concerning a response to a notice of motion regarding the Madsen Close Water Tower (Reservoir). There are a range of options available to the Council in responding to this issue, including:

1. State Heritage Listing;
2. Amend Current Planning Scheme;
3. Temporary Local Planning Instrument;
4. Request that Urban Utilities protect the asset.

RECOMMENDATION

That the report be received and the contents noted.

Doc ID No: A7974344

This matter has been determined to be of a significant nature and approval has been given to refer this report to the Growth Infrastructure and Waste Committee as a late item.

ITEM: 6

SUBJECT: RESPONSE TO NOTICE OF MOTION - WATER TOWER (RESERVOIR) AT 4 MADSEN CLOSE, EASTERN HEIGHTS

AUTHOR: ACTING GENERAL MANAGER PLANNING AND REGULATORY SERVICES

DATE: 29 MARCH 2022

EXECUTIVE SUMMARY

This is a report concerning a response to a notice of motion regarding the Madsen Close Water Tower (Reservoir). There are a range of options available to the Council in responding to this issue, including:

1. State Heritage Listing;
2. Amend Current Planning Scheme;
3. Temporary Local Planning Instrument;
4. Request that Urban Utilities protect the asset.

RECOMMENDATION/S

That the report be received and the contents noted.

RELATED PARTIES

Urban Utilities as owner of the facility the subject of this report.

IFUTURE THEME

A Trusted and Leading Organisation

PURPOSE OF REPORT/BACKGROUND

The notice of motion at the Council meeting of 24 March 2022 included several recommendations:

- A. That Council write to Urban Utilities advising that the water reservoir at 4 Madsen Close, Eastern Heights has been identified for inclusion as a structure of heritage significance in the draft Ipswich Planning Scheme.**
- B. That Council request from Urban Utilities any heritage assessments or other documentation relating to the water reservoir.**

- C. That Council's Planning and Regulatory Services Department prepare a report that considers the heritage and historic significance of the water reservoir and that this report be presented to the April Growth, Infrastructure and Waste Committee meeting.**
- D. That Council investigate and consider making an application to the Qld Heritage Council for the asset to be included on the State register.**

This report relates to recommendation C. Further updates are likely to be required as this matter evolves.

HISTORY

The Tower located at 4 Madsen Close, Eastern Heights (Pettigrew's Hill) is a recognisable element of the Ipswich landscape. It is noted that the Tower is being considered for demolition by Urban Utilities (UU) as it is not operational, not part of the critical infrastructure network and is therefore surplus to present network needs.

The Tower was funded and constructed by the Ipswich City Council as a reservoir. The Council was the first local authority in Queensland to own its water supply system. The Tower in Madsen Close was constructed to improve water supply/pressure to the higher areas of Eastern Heights not adequately serviced by the Denmark Hill reservoir.

The Tower is not on the Queensland Heritage Register. To our knowledge it has never been nominated.

Council was made aware of the potential demolition as part of a development application for telecommunication facilities made in 2018. The site is currently not on Schedule 2: Character Places in the Ipswich Planning Scheme. The omission is subject to speculation, but likely to be as a result of the Tower being a Council asset at the time the Ipswich Planning Scheme was prepared. The site is now on the list for review and consideration for inclusion on the list of Character Places in the new Ipswich Planning Scheme which will not be live until 2024 according to the current program of work.

In the absence of any protection at a Local or a State level, Urban Utilities may remove the Tower from the site. It is understood that Urban Utilities had invested some time and energy into progressing this as part of a broader works package to remove redundant infrastructure. This is a subject of some angst for the community.

Of note are the core points relating to the history of the site:

- Water supply/pressure was a problem in the inner eastern suburbs.
- Mr. Pettigrew's land was resumed for the construction of the Tower.
- The City Engineer provided a summary of the proposal for a reservoir on Pettigrew's Hill in March 1929.
- The Tower was funded by the Ipswich City Council and work commenced in late 1929 and was completed on 14 March 1930.
- The Tower was decommissioned by Ipswich City Council in 2009.

- When Urban Utilities commenced operation in July 2010, ownership and responsibility for the ongoing maintenance and security of the reservoir transferred to Urban Utilities.

OPTIONS

There are several options to consider with this matter:

1. State Heritage Listing

A submission could be made to the Department of Environment and Science to have this asset considered for inclusion on the State Heritage Register. The *Queensland Heritage Act 1992* would afford protection until the matter is fully considered and the asset either listed, or advice if it does not meet criteria for listing. There are no statutory time frames for a decision of the application. The Queensland Heritage Council makes the decision.

An application for State heritage listing requires accompanying research and documentation in the form of a heritage report. These reports are generally required to be undertaken by a recognised heritage professional for which there would be a cost to Council. The approval of the owner of the building is not required to lodge an application. The building owner has the right to submit an opposing case.

Implications of State Listing:

A place can only be entered on the Queensland Heritage Register if it meets at least one of the criteria of state significance. Under the *Planning Act 2016*, places on the Queensland Heritage Register cannot also be on a local heritage register.

A place may be on a local heritage schedule if it also has local significance not recognised in the State significance. State listed places have a higher degree of protection in comparison to a local listing. In addition:

- State listing requires approval for any works, minor or major.
- Substantial penalties can be imposed for non-approved works.
- Applications for demolition of a state listed building requires public notification.
- If an application for State listing is not approved, the building cannot be renominated for 2 years.

Of relevant to the current matter is The Paddington Water Tower. The Paddington Water Tower (State Heritage Register) in Brisbane was built around the same time as the Madsen Close Water Tower to solve similar problems and both are landmarks. The Criteria listed by the Heritage Council are as follows:

Criterion A

Paddington Water Tower is important in demonstrating a phase in the history of Brisbane's water supply and the technological difficulties of providing reticulated water to elevated sites.

Criterion B

The Paddington Water Tower is a rare example of an elevated reinforced concrete water tank. It is probably the only one of its type in Queensland being a reinforced concrete tank elevated on concrete columns.

Criterion E

The Paddington Water Tower is important for its aesthetic qualities as a readily recognisable landmark. It is one of Brisbane's most prominent landmarks.

Two other Water Towers are on the State Register, one in Bundaberg and the other in Innisfail. There is a Brisbane Local Heritage listing for a series of water infrastructure storages in the suburb of Manly (a variety of eras), including a 1928 elevated water tower of similar era to the Tower. By comparison and considering the above, a nomination to the Department of Science for state listing the Tower is likely to have a good chance of success.

2. Amendment to Current Planning Scheme

The current planning scheme could be amended to include this asset in schedule 2. An amendment of this nature would take between 3 and 6 months to occur and would preferably include consultation.

3. Temporary Local Planning Instrument

A temporary local planning instrument could be considered for this type of protection. It is considered that the State may not consider this an emergent issue given the circumstances.

4. Appeal to Urban Utilities

Urban Utilities may favourably consider formal representations from the Council to stay action on this asset. It is understood from recent discussions with Urban Utilities that they are listening to the concerns of the community, Mayor and Councillors.

To this end, Urban Utilities have advised Councillors and Council staff that a heritage assessment of the Tower had been undertaken and no issues were identified. This report has not been provided to Council to date despite several requests but has been described as a review report, identifying levels of existing protection (if any). This report therefore does not appear to have undertaken a full and complete analysis of the circumstances back to first principles to consider the significance of assets.

Recently, Urban Utilities have advised that a second heritage assessment report is being undertaken and will be complete in early March. This is believed to be a more thorough heritage assessment that includes a first principles analysis rather than a surface scan of protection. Urban Utilities also advise that they will stay further action (including community engagement) until this report has been completed and reviewed. Officers are advised that it will be provided to the Council upon completion.

It is suggested that consideration be given to waiting for the outcome of this report before acting specifically on this matter.

OPTIONS SUMMARY

- State Heritage Listing;
- Amend Current Planning Scheme;
- Temporary Local Planning Instrument; or
- Request that Urban Utilities protect the asset.

LEGAL/POLICY BASIS

This report and its recommendations are consistent with the following legislative provisions:

Planning Act 2016

Queensland Heritage Act 1992

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS
RECEIVE AND NOTE REPORT
Recommendation A states that the report be received, and the contents noted. The decision to receive and note the report does not limit human rights. Therefore, the decision is compatible with human rights.

FINANCIAL/RESOURCE IMPLICATIONS

There are no financial or resource implications associated with this report.

COMMUNITY AND OTHER CONSULTATION

Consultation on this issue may be required in the future.

CONCLUSION

Whilst this report is a receive and note, there are several options available to the Council to consider, as discussed in detail the balance of the report. These options are summarised as:

1. State Heritage Listing;
2. Amend Current Planning Scheme;
3. Temporary Local Planning Instrument; or
4. Request that Urban Utilities protect the asset.

Brett Davey

ACTING GENERAL MANAGER PLANNING AND REGULATORY SERVICES

I concur with the recommendations contained in this report.

Peter Tabulo

ACTING CHIEF EXECUTIVE OFFICER

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