

Date : 12/01/2022 10:19:07 AM

From : "Sarah Foley"

To : "Catherine Chambers"

Subject : 202112-16010 EC (QHR600189) - DELEGATE APPROVAL - IR due 12-Jan-2022

Attachment : Mowbray park draft plan.jpg; Attachment 4 - Heritage Impact Assessment.pdf; Attachment 2- Proposal Plans.pdf; EDOCS - 16267614 - 202112-16010_EC_(QHR600189) - Information_Request - 1.DOCX.DRF; image001.png; image003.png; image002.png; image005.png;

Hi Catherine,

I didn't realise Ben [sch4p4(6) Personal information] didn't prompt him yesterday for approval of the IR request for Mowbray pk to go out. (below)

If you have time could you please review for approval to send out.

Regards, Sarah.



Sarah Foley

Principal Heritage Officer
Architect

Heritage: Environment Policy and Programs
Department of Environment and Science

E sarah.foley@des.qld.gov.au

P 07 3330 5160

Level 27, 400 George Street, Brisbane Qld 4000

GPO Box 2454, Brisbane QLD 4001

Environmental Policy and Programs acknowledges the Traditional Owners and Custodians of the lands, waters and seas on which we work and live paying respects to Elders, past, present and future.

Please note: In keeping with the Government's requirements, Heritage branch staff are operating remotely. For us, it is business as usual. However, to best channel your enquiry, we can be contacted by email through the contacts below. If you would like us to give you a call, please indicate this in your email. We ask for your patience as we work through these arrangements.

- For enquiries about the Queensland Heritage Register: heritage@des.qld.gov.au
- To contact the Queensland Heritage Council: heritage.council@des.qld.gov.au
- Report damage to Queensland Heritage Register places : pollutionhotline@des.qld.gov.au
- For enquiries about getting approval to do development at a Queensland heritage place: palm@des.qld.gov.au
- For enquires about terrestrial archaeology and underwater cultural heritage like historic shipwrecks: archaeology@des.qld.gov.au



From: Sarah Foley

Sent: Monday, 10 January 2022 2:24 PM

To: Benjamin Carson

Subject: 202112-16010 EC (QHR600189) - DELEGATE APPROVAL - IR due 12-Jan-2022

Hi Ben,

Application 202112-16010 EC for the Building Work - demolition of former East Brisbane Bowls Club Building and outbuildings at Mowbray Park and East Brisbane War Memorial (QHR 600189) for your review and approval to issue. HIS and the proposal plans are attached. My draft response to the applicant is below for your approval to issue. The screenshot of the Mowbray Park draft plan is attached to send with the response to the applicant.

Regards, Sarah.

IR date is 12-Jan-2022.

Brisbane City Council - City Projects Office

[Section 78B\(2\)](#) Senior Urban Planner

bi-cpo-planenv@brisbane.qld.gov.au

[Section 78B\(2\)](#)@brisbane.qld.gov.au

Dear [Section 7](#)

Heritage Protection of State Heritage-Listed Mowbray Park, East Brisbane.

Your exemption certificate application has been declined without further supporting information. The works of removal of the bowls club buildings would be more than minimal detrimental impact on the State heritage place because the removal of the bowls club buildings renders the recreational use of the bowling green defunct as a recreational activity provided at the place. Without signalling a replacement use for the site which is deemed to be of critical recreational importance, the lack of clarity of use of the area and that this is not addressed in the application shows that this is not the appropriate assessment pathway. This is because without indication of a future use, DES Heritage is unable to determine if this change is of minimal detrimental impact to the State heritage place.

- 'Mowbray Park and East Brisbane War Memorial' (Mowbray Park) was entered in the Queensland Heritage Register (QHR) when the *Queensland Heritage Act 1992* came into force. The QHR listing covers three large freehold lots on the Brisbane River at East Brisbane and includes a former bowls club building and the bowls greens.
- The former bowls club building was constructed in the 1970s and the QHR entry identifies that it and the "bowls and nearby croquet club building are not of cultural heritage significance".
- The area of Mowbray Park occupied by the former bowls club, however, is integral to the park, as evidence of an early and long-standing form of recreation available to the local community.

The history component of the QHR entry notes, "in a report presented to the full Council on 14 December 1903, the advantages of the site for a public park were enumerated: Mowbray's property is in every way suitable for a public Park or garden having suitable soil, and undulating land reaching to the water's edge, and in addition it will also provide the necessary accommodation for **bowling greens, Tennis Courts, and Croquet lawns.**"

- The QHR entry recognises the high "**importance of the park as a focus of community recreation**". The History of the QHR entry states "**the whole park reserve is significant.**"
- The current exemption certificate application addresses that the buildings themselves are not of particular heritage significance however the application does not signal the future use of the area of the bowling green.
- Readily available online published 'draft vision' shows a rendering of a carpark replacing the bowling green and text notes the 'carpark shifted to bowls green to allow more active riverfront green space.' (Source image appended)
- This replacement of bowls green with carpark indicates that the change is of more than minimal detrimental impact to the State heritage place.

This information request requires further detail to be supplied showing the proposal for the bowls club to ensure the continuity of recreational use.

The applicant is advised that there are two ways to proceed,

1. If it is decided to continue with the piecemeal application of exemption certificate for removal of the bowls club buildings, BCC would need to provide a legitimate Information Request response. The masterplan of the Mowbray park proposal, **addressing the continuity of the recreational use of the site** would need to be addressed as part of the application. BCC would need to show how an equivalent and similar type of structured recreational activity is provided at the place. This would particularly need to address Criteria G&H of the Statement of significance of the QHR entry.

or

2. withdraw the Exemption certificate application and make a Development Approval response to SARA as assessment manager.

Demolition of the former bowls club building and its two bowling greens and associated outbuildings can be applied for as a development approval under the *Planning Act 2016* before work is undertaken. The State Assessment and Referral Agency would be the assessment manager and the 'State Development Assessment Provisions' the applicable assessment benchmark, in particular 'State code 14: Queensland heritage.'



Sarah Foley
Principal Heritage Officer
Architect
Heritage: Environment Policy and Programs
Department of Environment and Science

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Mowbray Park Early Works



Proposed demolition of former East Brisbane
Bowls Club building

Heritage Impact Assessment Report

For Application for Exemption Certificate Approval

Prepared by City Projects Office,
Brisbane City Council

Version	Prepared by:	Reviewed by:	Authorised for issue:	Issued date:
A	Section 78B(2) Experienced Landscape Architect - Heritage	Section 78B(2)(c)	Section 78B(2)(c)	17.11.2021
B	Section 78B Experienced Landscape Architect - Heritage	Section 78B(2)(c)	Section 78B(2)(c)	07.12.2021
C	Section 78B(2) Experienced Landscape Architect - Heritage	Section 78B(2)(c)	Section 78B(2)(c) sch4p4(6) Personal informat	20.12.2021

Published on DES Disclosure Log
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1.0 Introduction

1.1 Context

1.1.1 Background

This report was commissioned by Natural Environment, Water & Sustainability (Brisbane City Council), to support an application to the Department of Environment and Heritage Protection for exemption certificate approval for the proposed demolition of the former East Brisbane Bowls Club building and outbuildings located in Mowbray Park, East Brisbane.

Mowbray Park is included in the Queensland Heritage Register as **Mowbray Park and East Brisbane War Memorial – (QHR 600189)**.

The proposed works have stemmed from a vision developed by Council for Mowbray Park and, following on from that, a concept plan that identifies improvements to the park that respects the heritage values of the park.

1.1.2 Conservation approach

This report has been prepared in accordance with the principles of the Australia ICOMOS Burra Charter, 2013 – the nationally accepted best practice approach for managing places of cultural heritage significance in Australia.

Brisbane City Council completed a draft conservation management plan (CMP) for Mowbray Park in 2017 which built on the 1995 *Mowbray Park: Conservation Plan* prepared by Allom Lovell Marquis-Kyle. This assessment draws on the information contained in the draft 2017 CMP as well as the information contained in the Queensland Heritage Register for Mowbray Park.

1.1.3 Site

The proposed works affect the former East Brisbane Bowls Club building and associated outbuildings, which are located in Mowbray Park, East Brisbane, along the Lytton Road edge of the park.



Figure 1 Location Plan.

2.0 Outline of proposed works

2.1 Proposed works

Brisbane City Council is proposing to demolish the former East Brisbane Bowling Club building and two small outbuildings, make good the footprint of the building pending final plans. In summary, it will involve:

- Undertaking a detailed assessment of the building to identify any contaminants or risks.
- Preparing a safe work method statement.
- Engaging an arborist to advise on tree protection measures required for nearby trees.
- Manually demolishing the buildings, recycling any material where appropriate.
- Removing any debris, rubbish.
- Filling any holes, grading the site to ensure a smooth grade with no trip hazards.
- Managing erosion and sediment control.
- Installing a layer of mulch across the footprint of the building and new fencing as required to ensure safety.

A further application will be submitted detailing the final proposed works once the design has been sufficiently progressed (expected to be in 2022).

2.2 Purpose of the works

Brisbane City Council is proposing to demolish the former East Brisbane Bowling Club building and outbuildings due to its current condition and its poor design/orientation in the context of the rest of the park. These are discussed below.

2.2.1 Condition

The former East Brisbane Bowling Club building was built in the mid-1970s and is now no longer fit for purpose and would require substantial investment to upgrade for long term use.

2.2.2 Design

The current location and orientation of the former East Brisbane Bowling Club building was determined by the 1970s widening of Lytton Road which resulted in the original building being removed. The current building served its purpose as the bowling club clubhouse well with its orientation overlooking the greens. However, with the club no longer operating and the greens no longer used for bowling, the building has now been repurposed as a community building. The building does not sit well within the broader park context. Its orientation and level means that it is somewhat isolated from the rest of the park.

2.2.3 Green space

There is a general desire for increased green open space within inner city locations like this that are facing competing land use demands.

Brisbane City Council developed a draft concept plan for Mowbray Park which was informed through consultation with the local community between December 2020 and February 2021. The desire for increased green open space was a key finding of the consultation. The draft concept plan proposes the removal of the former East Brisbane Bowling Club building and retention of the bowling greens as green open space. Council is currently progressing the concept plan.

3.0 Photos of the site



Figure 2. Western elevation of former East Brisbane Bowling Club building fronting the bowling green – the front of the building.



Figure 3. North Western corner.



Figure 4. South Western corner near Lytton Road.



Figure 5. North Eastern corner of building showing the undercover area.



Figure 6. Northern side of building.



Figure 7. Rear of building showing informal vehicular access from Lytton Road.



Figure 8. South Eastern corner of building showing ramp access to rear of building.



Figure 9. Southern side of smaller associated outbuilding.



Figure 10. Eastern side of smaller associated outbuilding.



Figure 11. Western side of smaller associated outbuilding.



Figure 12. Eastern side of larger associated outbuilding.



Figure 13. Southern side of larger associated outbuilding.



Figure 14. Northern side of larger associated outbuilding.

4.0 Understanding the significance of the place

4.1 Description

Place Details

The proposed works are located within the State Heritage Place - **Mowbray Park and East Brisbane War Memorial – (QHR 600189)**.

Physical Description – Former East Brisbane Bowling Club building and outbuildings

The former East Brisbane Bowling Club building was built in the mid-1970s when the original pavilion was demolished to accommodate the 1970s Lytton Road widening. The building is a single level brick building on concrete piers approximately 40m long and 18m wide. There is a ramp off Lytton Road providing pedestrian access to the building and stairs on the northern side of the building providing access to the park. A steep gravel driveway provides access for vehicles from Lytton Road to underneath the building which has been used as an informal car park. It has a very low-pitched corrugated iron roof and windows that run the length of the western side of the building overlooking the former green.

The building is no longer used for its original intended purpose, which was club house for the East Brisbane Bowling Club. Backbone Youth Arts have been the community facility tenant for the past four years; however, they are relocating to a purpose-built performance arts facility in early 2022.

The two outbuildings appear to have been built at the same time as the clubhouse and are built with similar materials. They are both single story brick buildings with flat roofs. The

larger building is approximately 12m long x 6m wide and may have been a canteen type facility. The smaller building is 3m x 3m.

4.2 Heritage Significance

Mowbray Park is included in the Queensland Heritage Register. However, the former East Brisbane Bowling Club building located within the park is not considered significant in its own right.

4.2.1 Queensland Heritage Register

The QHR statement of significance for Mowbray Park is outlined in detail below under a discussion of the impacts of the proposed works.

4.2.2 Former East Brisbane Bowling Club building – heritage significance

The *2017 Mowbray Park Conservation Management Plan* notes that the former East Brisbane Bowling Club building is not significant apart from the role it played in providing facilities for the ongoing operations of the bowls club.

The Queensland Heritage Register in its statement of the history for Mowbray Park notes that the whole of the park reserve is significant but the bowls and croquet club buildings are noted as not being of heritage significance.

5.0 Proposed works – impact on significance

5.1 General impact assessment

Given that the former East Brisbane Bowling Club building is not considered to be significant in its own right, it is anticipated that the adverse impacts on the heritage values of the park will be minimal. The following section provides a discussion of the impacts against each of each of the criterion that the park has been assessed as meeting (based on the Queensland Heritage Register).

5.2 Response to heritage significance criteria

Criterion A - The place is important in demonstrating the evolution or pattern of Queensland's history.

Mowbray Park is significant for its close association with the development of East Brisbane, both in its early connection with the Mowbray family and their substantial land holdings in the suburb, and as an initiative of the former South Brisbane City Council in preserving urban public open space during a population and housing boom.

In a broader context, the stone retaining wall and steps are an important illustration of the evolution of recreational activity along the Brisbane River.

Mowbray Park, like Newstead Park, survives as important evidence of the riverine estates which lined much of the Brisbane River in the mid-19th century.

The memorial has cultural heritage significance as evidence of a widespread social movement expressing Australian patriotism and nationalism of the period, and belongs to a class of commemorative structures erected as a record of the local impact of a major historical event and intended to endure.

- *Response:* the proposed works will not impact on elements of historic significance in Mowbray Park.

Criterion B - The place demonstrates rare, uncommon or endangered aspects of Queensland's cultural heritage.

Mowbray Park, like Newstead Park, survives as important evidence of the riverine estates which lined much of the Brisbane River in the mid-19th century. Adjacent properties such as Shafston and Eskgrove, and Bulimba further downstream, did not survive the 19th century. Mowbray Park is one of comparatively few inner Brisbane parks which provides substantial open space with river views.

The East Brisbane War Memorial in Mowbray Park is significant for its aesthetic quality and craftsmanship, the rarity of the Australian Light Horseman statue in a Queensland war memorial, and as evidence of the work of established monumental masons W Batstone & Sons.

The East Brisbane War Memorial is important also as a unique source of historical information.

- *Response:* the proposed works will not impact on elements associated with the early estate or with the War Memorial.

Criterion D - The place is important in demonstrating the principal characteristics of a particular class of cultural places.

Mowbray Park, like Newstead Park, survives as important evidence of the riverine estates which lined much of the Brisbane River in the mid-19th century. Adjacent properties such as Shafston and Eskgrove, and Bulimba further downstream, did not survive the 19th century. Mowbray Park is one of comparatively few inner Brisbane parks which provides substantial open space with river views.

- *Response:* the proposed works will not impact on elements associated with the early estate. They have the potential to improve both the open space and views to the river.

Criterion E - The place is important because of its aesthetic significance.

Mowbray Park is one of comparatively few inner Brisbane parks which provides substantial open space with river views.

Mowbray Park is a richly planted picturesque enclave which contributes to the local townscape, and contains a finely crafted War Memorial. The park contains early plantings and remnant structures which evidence its evolution and earlier use patterns.

The East Brisbane War Memorial in Mowbray Park is significant for its aesthetic quality and craftsmanship, the rarity of the Australian Light Horseman statue in a Queensland war memorial, and as evidence of the work of established monumental masons W Batstone & Sons.

- *Response:* the proposed works have the potential to improve both the open space and views to the river. The works will not impact on the War Memorial. They could potentially impact nearby mature tree plantings. There is a mature *Ficus benjamina* and two *Castenospermum australe* trees along the eastern edge of the building. An arborist will be engaged to advise on tree protection measures for the works to ensure that any adverse effects to the trees are minimized.

Criterion G - The place has a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons.

It has been the focus of local community recreational and memorial activity for over 90 years.

The boat house, and the retaining wall and steps associated with the former baths, are evidence of the park's riverside community recreation role.

- *Response:* The former East Brisbane Bowling Club building was home to the bowling club from the mid-1970s (when their original clubhouse was demolished) until 2010, when they closed due to a lack of membership. They have not demonstrated a strong or special attachment to the building.
- The building was occupied for a short while by the Queensland African Community and has been occupied since around 2016 by Backbone Youth Arts Inc.– a period of 5-6 years.

Backbone Youth Arts Inc. is a not-for-profit organization that provides music performances, music and art workshops and theatre and art space for youth. They rent out spaces in the building for events.

Some Backbone members demonstrated their objection to the proposed demolition of the building which indicates that there could be some attachment to the building. Of note however, the Backbone Youth Arts organisation have stated that they are excited to be moving to new facilities at Seven Hills. The new facilities will much better serve the needs of an arts/performance organisation, and unlike the former bowls club building, have been very recently upgraded, providing the potential for Backbone to have a long-term home. This criterion has not been assessed specifically in relation to Backbone Youth Arts Inc. While it is apparent that some members of the organization do have an attachment to the building, given the relatively short occupation time frame, that they are only a local community group and that there does not appear to have been other forms of demonstrated attachment, it is unlikely that their attachment would meet the threshold for State significance for this criterion. Brisbane City Council has agreed to provide an alternative venue to house the Backbone Youth Arts Inc.

- Based on the above it is anticipated that the proposed works would not have a significant adverse impact on the social values associated with Mowbray Park.

Criterion H - The place has a special association with the life or work of a particular person, group or organisation of importance in Queensland's history.

Mowbray Park is significant for its close association with the development of East Brisbane, both in its early connection with the Mowbray family and their substantial land holdings in the suburb, and as an initiative of the former South Brisbane City Council in preserving urban public open space during a population and housing boom.

The East Brisbane War Memorial in Mowbray Park is significant for its aesthetic quality and craftsmanship, the rarity of the Australian Light Horseman statue in a Queensland war memorial, and as evidence of the work of established monumental masons W Batstone & Sons.

- *Response:* The former East Brisbane Bowling Club building does reflect aspects of the development of East Brisbane. However, given that it was built in the mid-1970s it does not have an association with the Mowbray family or the former South Brisbane City Council discussed above under this criterion. The proposed works will therefore not adversely impact the heritage values of Mowbray Park identified under this criterion.

5.3 Response to conservation management plan

The draft Mowbray Park Conservation Management Plan was prepared by City Projects Office (CPO) in 2017 in response to the proposed Wynnum Road Widening. It was an update of the 1995 *Mowbray Park: Conservation Plan* prepared by Allom Lovell Marquis-Kyle Architects.

In relation to the former East Brisbane Bowling Club building, the following is noted on p.38 under a discussion of individual elements:

The existing club house was built in the 1970s following the widening of Lytton Road and is not significant apart from the role it played in providing facilities for the ongoing operations of the bowls club during the interim period.

The proposed demolition of the former East Brisbane Bowling Club building is not contrary to the draft (2017) Mowbray Park Conservation Management Plan.

6.0 Conclusion

The proposed demolition of the former East Brisbane Bowling Club building and ancillary outbuildings has stemmed from a vision exercise for Mowbray Park which has involved extensive community consultation. The building does not meet current facility expectations which would require significant funds to remedy. It does not sit well within the broader park context and is considered by some members of the community to be an "eyesore". The above assessment concludes that the proposed demolition will not have a significant adverse impact on the heritage significance of Mowbray Park.



Mowbray Park - Early Works

Date : 2/03/2022 2:50:29 PM

From : "Sarah Foley"

To : [Section 78B\(2\)\(c\)](#)

Cc : "Catherine Chambers"

Subject : 202112-16010 EC (QHR600189) - Mowbray Park_ Teams Meeting Notes

Attachment : image001.png;image003.png;image002.png;

Hi [Section 7](#)

I've sent through a meeting appointment time for tomorrow with Ben Carson and myself. Let me know if you can't add [sch4p4](#) to the link and I'll add his email.

- Due to the department's current working from home protocols, and access issues caused by the recent flooding, a face to face meeting will not be possible but a Teams meeting can be arranged.
- The department cannot extend the assessment period timeframes and/or stop the clock on the application; and
- The due date for making a decision on this application is 7 March 2022; and
- As we have received no formal request withdrawing the application, the department is currently formalising it's response to the application.
- The department is approaching the meeting as an opportunity for BCC to further query the information already provided in the relation to the application.

Regards, Sarah.

072/0003646



Sarah Foley
A/ Cultural Heritage Coordinator | Heritage
Architect
Heritage: Environment Policy and Programs
Department of Environment and Science

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GPO Box 2454, Brisbane QLD 4001

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Heritage branch is temporarily working remotely to manage the spread of COVID-19 in Queensland. It is best to contact us via email or Teams'

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- To contact the Queensland Heritage Council: heritage.council@des.qld.gov.au
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Date : 2/03/2022 8:07:27 AM

From : "Benjamin Carson"

To : "Catherine Chambers"

Subject : FW: 202112-16010 EC - Mowbray Park

Attachment : image001.png;image002.png;image003.png;image004.png;image005.png;image006.png;image007.png;

FYI – here it comes...

From: Section 78B(2)(c) @brisbane.qld.gov.au>

Sent: Tuesday, 1 March 2022 4:50 PM

To: Benjamin Carson; Sarah Foley

Subject: FW: 202112-16010 EC - Mowbray Park

Ben and Sarah

Further to my email below, I am hoping we might be able to arrange a mutually convenient time to discuss the demolition of the bowls club with my client –sch4p4(6) Person. There is a strong desire to obtain from you a full understanding of the threshold for the HEC vs DA for assessment process, so this can be explained to relevant stakeholders.

If you are able to arrange a time, we would appreciate having this as a face to face meeting. Given the timing of the HEC and the time needed to arrange a meeting, is there some kind of stop the clock provision we can implement to allow a delay on a decision having to be made on the HEC.

Happy to chat

Kind regards,

Section 78B(2)(c)

Senior Urban Planner, Planning and Environment, Built and Natural Environment | Planning & Design
Brisbane Infrastructure | [BRISBANE CITY COUNCIL](#)

Section 78B(2)(c)

Green Square | Level 2, 505 St. Pauls Terrace, Fortitude Valley, QLD 4006

Phone: Section 78B(2)(c) @brisbane.qld.gov.au



From: Section 78B(2)(c)

Sent: Monday, 21 February 2022 9:35 AM

To: FOLEY Sarah <Sarah.Foley@des.qld.gov.au>; Benjamin Carson <Benjamin.Carson@des.qld.gov.au>

Subject: 202112-16010 EC - Mowbray Park

Ben and Sarah

Thank you for your time thus far in relation to the proposed Bowls club building demolition. At this time, we would like to leave the HEC with you, not yet withdraw and seek that you do not refuse it. Given the timeframes, we lodged the response to the information request to you 7th February, assuming you have 20 business days to assess our response, can we please have until 4th March to withdraw the application?

Happy to chat.

Kind regards,

Section 78B(2)(c)

Senior Urban Planner, Planning and Environment, Built and Natural Environment | Planning & Design
Brisbane Infrastructure | [BRISBANE CITY COUNCIL](#)

Section 78B(2)(c)

Green Square | Level 2, 505 St. Pauls Terrace, Fortitude Valley, QLD 4006

Phone: Section 78B(2)(c) @brisbane.qld.gov.au



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Date : 2/03/2022 2:19:05 PM

From : "Benjamin Carson"

To : "Sarah Foley"

Cc : "Catherine Chambers"

Subject : FW: 202112-16010 EC - Mowbray Park

Attachment : image001.png;image002.png;image003.png;image004.png;image005.png;image006.png;image007.png;

Hi Sarah,

Given the second email from [Section](#) proposing a time for a meeting tomorrow, and having had time to think about the worth of such a meeting, would you please go back to [Section](#) and agree to a 30min meeting with herself and [sch4p4\(6\) Perso](#) I can attend at 2pm tomorrow if that time suits you.

In your offer to meet would you please make the following aspects clear:

- Due to the department's current working from home protocols, and access issues caused by the recent flooding, a face to face meeting will not be possible but a Teams meeting can be arranged.
- The department cannot extend the assessment period timeframes and/or stop the clock on the application; and
- The due date for making a decision on this application is 7 March 2022; and
- As we have received no formal request withdrawing the application, the department is currently formalising it's response to the application.
- The department views the meeting as an opportunity for BCC to provide additional information relevant to the application, or further address the issues raised in the information request.
- The department will not be entering into a discussion on it's decision making processes or providing justification for it's position prior to issuing a formal notice.

I've copied in Catherine, so maybe wait 20mins before emailing [Section](#) to give Catherine a chance to add to this if needed.

Kind regards,
Ben

From: [Section 78B\(2\)\(c\)](#) <[Section 78B\(2\)\(c\)@brisbane.qld.gov.au](mailto:Section 78B(2)(c)@brisbane.qld.gov.au)>

Sent: Tuesday, 1 March 2022 4:50 PM

To: Benjamin Carson; Sarah Foley

Subject: FW: 202112-16010 EC - Mowbray Park

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Happy to chat

Kind regards,

[Section 78B\(2\)\(c\)](#)

Senior Urban Planner, Planning and Environment, Built and Natural Environment | Planning & Design
Brisbane Infrastructure | [BRISBANE CITY COUNCIL](#)

[Section 78B\(2\)\(c\)](#)

Green Square | Level 2, 505 St. Pauls Terrace, Fortitude Valley, QLD 4006

Phone: [Section 78B\(2\)\(c\)](#) <[Section 78B\(2\)\(c\)@brisbane.qld.gov.au](mailto:Section 78B(2)(c)@brisbane.qld.gov.au)>



From: [Section 78B\(2\)](#)

Sent: Monday, 21 February 2022 9:35 AM

To: FOLEY Sarah <Sarah.Foley@des.qld.gov.au>; Benjamin Carson <Benjamin.Carson@des.qld.gov.au>

Subject: 202112-16010 EC - Mowbray Park

Ben and Sarah

Thank you for your time thus far in relation to the proposed Bowls club building demolition. At this time, we would like to leave the HEC with

you, not yet withdraw and seek that you do not refuse it. Given the timeframes, we lodged the response to the information request to you 7th February, assuming you have 20 business days to assess our response, can we please have until 4th March to withdraw the application?

Happy to chat.

Kind regards,

Section 78B(2)(

Senior Urban Planner, Planning and Environment, Built and Natural Environment | Planning & Design
Brisbane Infrastructure | [BRISBANE CITY COUNCIL](#)

Section 78B(2)(c)

Green Square | Level 2, 505 St. Pauls Terrace, Fortitude Valley, QLD 4006
Phone: Section 78B(2)(c) [@brisbane.qld.gov.au](#)



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SECURITY LABEL: OFFICIAL

Published on DES Disclosure Log
RTI Act 2009

Date : 2/03/2022 2:30:49 PM

From : "Catherine Chambers"

To : "Benjamin Carson" , "Sarah Foley"

Subject : RE: 202112-16010 EC - Mowbray Park

Attachment :

image008.png;image010.png;image011.png;image012.png;image013.png;image014.png;image015.png;image016.png;image017.png;image001.png;

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Kind regards,



Catherine Chambers
Director | Heritage
Environmental Policy and Programs
Department of Environment and Science

P 07 3330 5840 | Section 78B(2)
Level 27, 400 George Street, Brisbane Qld 4000
GPO Box 2454, Brisbane QLD 4001

Chat with me on Teams.

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- For enquires about terrestrial archaeology and underwater cultural heritage like historic shipwrecks: archaeology@des.qld.gov.au.

From: Benjamin Carson <Benjamin.Carson@des.qld.gov.au>

Sent: Wednesday, 2 March 2022 2:19 PM

To: Sarah Foley

Cc: Catherine Chambers

Subject: FW: 202112-16010 EC - Mowbray Park

Hi Sarah,

Given the second email from Section proposing a time for a meeting tomorrow, and having had time to think about the worth of such a meeting, would you please go back to Section and agree to a 30min meeting with herself and sch4p4(6) Person can attend at 2pm tomorrow if that time suits you.

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- The due date for making a decision on this application is 7 March 2022; and
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- The department views the meeting as an opportunity for BCC to provide additional information relevant to the application, or further address the issues raised in the information request.
- The department will not be entering into a discussion on it's decision making processes or providing justification for it's position prior to issuing a formal notice.

I've copied in Catherine, so maybe wait 20mins before emailing Section to give Catherine a chance to add to this if needed.

Kind regards,
Ben

From: Section 78B(2)(c) @brisbane.qld.gov.au>

Sent: Tuesday, 1 March 2022 4:50 PM

To: Benjamin Carson; Sarah Foley

Subject: FW: 202112-16010 EC - Mowbray Park

Ben and Sarah

Further to my email below, I am hoping we might be able to arrange a mutually convenient time to discuss the demolition of the bowls club with my client [sch4p4(6) Person]. There is a strong desire to obtain from you a full understanding of the threshold for the HEC vs DA for assessment process, so this can be explained to relevant stakeholders.

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Happy to chat

Kind regards,

Section 78B(2)(

Senior Urban Planner, Planning and Environment, Built and Natural Environment | Planning & Design
Brisbane Infrastructure | [BRISBANE CITY COUNCIL](#)

Section 78B(2)(c)

Green Square | Level 2, 505 St. Pauls Terrace, Fortitude Valley, QLD 4006
Phone: [Section 78B(2)(c)] [@brisbane.qld.gov.au](#)



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To: FOLEY Sarah <Sarah.Foley@des.qld.gov.au>; Benjamin Carson <Benjamin.Carson@des.qld.gov.au>

Subject: 202112-16010 EC - Mowbray Park

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SECURITY LABEL: OFFICIAL

Date : 12/01/2022 11:48:22 AM

From : "Catherine Chambers"

To : "Sarah Foley"

Subject : RE: 202112-16010 EC (QHR600189) - DELEGATE APPROVAL - IR due 12-Jan-2022

Attachment : image001.png;image006.png;image008.png;image002.png;image003.png;image005.png;

Sarah, I am run off my feet today. Ben will be back on deck working at home by lunchtime. You might just have to prompt him about it again.

Kind regards,



Catherine Chambers
Director | Heritage
Environmental Policy and Programs
Department of Environment and Science
P 07 3330 5840 | M [sch4p4\(6\)](#)
Level 27, 400 George Street, Brisbane Qld 4000
GPO Box 2454, Brisbane QLD 4001

Chat with me on Teams.

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- For enquires about terrestrial archaeology and underwater cultural heritage like historic shipwrecks: archaeology@des.qld.gov.au.

From: Sarah Foley <Sarah.Foley@des.qld.gov.au>

Sent: Wednesday, 12 January 2022 10:19 AM

To: Catherine Chambers

Subject: 202112-16010 EC (QHR600189) - DELEGATE APPROVAL - IR due 12-Jan-2022

Hi Catherine,

I didn't realise Ben [sch4p4\(6\)](#) Personal information so didn't prompt him yesterday for approval of the IR request for Mowbray pk to go out. (below)

If you have time could you please review for approval to send out.

Regards, Sarah.



Sarah Foley
Principal Heritage Officer
Architect
Heritage: Environment Policy and Programs
Department of Environment and Science

E sarah.foley@des.qld.gov.au
P 07 3330 5160
Level 27, 400 George Street, Brisbane Qld 4000
GPO Box 2454, Brisbane QLD 4001

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From: Sarah Foley

Sent: Monday, 10 January 2022 2:24 PM

To: Benjamin Carson

Subject: 202112-16010 EC (QHR600189) - DELEGATE APPROVAL - IR due 12-Jan-2022

Hi Ben,

Application 202112-16010 EC for the Building Work - demolition of former East Brisbane Bowls Club Building and outbuildings at Mowbray Park and East Brisbane War Memorial (QHR 600189) for your review and approval to issue. HIS and the proposal plans are attached. My draft response to the applicant is below for your approval to issue. The screenshot of the Mowbray Park draft plan is attached to send with the response to the applicant.

Regards, Sarah.

IR date is 12-Jan-2022.

Brisbane City Council - City Projects Office

Section 78B(2) Senior Urban Planner

bi-cpo-planenv@brisbane.qld.gov.au

Section 78B(2)@brisbane.qld.gov.au

Dear Section

Heritage Protection of State Heritage-Listed Mowbray Park, East Brisbane.

Your exemption certificate application has been declined without further supporting information. The works of removal of the bowls club buildings would be more than minimal detrimental impact on the State heritage place because the removal of the bowls club buildings renders the recreational use of the bowling green defunct as a recreational activity provided at the place. Without signalling a replacement use for the site which is deemed to be of critical recreational importance, the lack of clarity of use of the area and that this is not addressed in the application shows that this is not the appropriate assessment pathway. This is because without indication of a future use, DES Heritage is unable to determine if this change is of minimal detrimental impact to the State heritage place.

- 'Mowbray Park and East Brisbane War Memorial' (Mowbray Park) was entered in the Queensland Heritage Register (QHR) when the *Queensland Heritage Act 1992* came into force. The QHR listing covers three large freehold lots on the Brisbane River at East Brisbane and includes a former bowls club building and the bowls greens.
- The former bowls club building was constructed in the 1970s and the QHR entry identifies that it and the "bowls and nearby croquet club building are not of cultural heritage significance".
- The area of Mowbray Park occupied by the former bowls club, however, is integral to the park, as evidence of an early and long-standing form of recreation available to the local community.

The history component of the QHR entry notes, "in a report presented to the full Council on 14 December 1903, the advantages of the site for a public park were enumerated: Mowbray's property is in every way suitable for a public Park or garden having suitable soil, and undulating land reaching to the water's edge, and in addition it will also provide the necessary accommodation for **bowling greens, Tennis Courts, and Croquet lawns.**"

- The QHR entry recognises the high "**importance of the park as a focus of community recreation**". The History of the QHR entry states "**the whole park reserve is significant.**"
- The current exemption certificate application addresses that the buildings themselves are not of particular heritage significance however the application does not signal the future use of the area of the bowling green.
- Readily available online published 'draft vision' shows a rendering of a carpark replacing the bowling green and text notes the 'carpark shifted to bowls green to allow more active riverfront green space.' (Source image appended)
- This replacement of bowls green with carpark indicates that the change is of more than minimal detrimental impact to the State heritage place.

This information request requires further detail to be supplied showing the proposal for the bowls club to ensure the continuity of recreational use.

The applicant is advised that there are two ways to proceed,

1. If it is decided to continue with the piecemeal application of exemption certificate for removal of the bowls club buildings, BCC would need to provide a legitimate Information Request response. The masterplan of the Mowbray park proposal, **addressing the continuity of the recreational use of the site** would need to be addressed as part of the application. BCC would need to show how an equivalent and similar type of structured recreational activity is provided at the place. This would particularly need to address Criteria G&H of the Statement of significance of the QHR entry.

or

2. withdraw the Exemption certificate application and make a Development Approval response to SARA as assessment manager.

Demolition of the former bowls club building and its two bowling greens and associated outbuildings can be applied for as a development approval under the *Planning Act 2016* before work is undertaken. The State Assessment and Referral Agency would be the assessment manager and the 'State Development Assessment Provisions' the applicable assessment benchmark, in particular 'State code 14: Queensland heritage.'



Sarah Foley

Principal Heritage Officer
Architect

Heritage: Environment Policy and Programs
Department of Environment and Science

E sarah.foley@des.qld.gov.au

P 07 3330 5160

Level 27, 400 George Street, Brisbane Qld 4000

GPO Box 2454, Brisbane QLD 4001

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Published on DES Disclosure Log
RTI Act 2009

Date : 2/03/2022 2:32:00 PM

From : "Sarah Foley"

To : "Catherine Chambers" , "Benjamin Carson"

Subject : RE: 202112-16010 EC - Mowbray Park

Attachment :

image002.png;image003.png;image004.png;image005.png;image006.png;image007.png;image008.png;image009.png;image010.png;image011.png;image012.png;image013.png;

Ok noted. Thank you.

(I like your thinking)



Sarah Foley
A/ Cultural Heritage Coordinator | Heritage
Architect
Heritage: Environment Policy and Programs
Department of Environment and Science

E sarah.foley@des.qld.gov.au
P 07 3330 5160
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From: Catherine Chambers <Catherine.Chambers@des.qld.gov.au>

Sent: Wednesday, 2 March 2022 2:31 PM

To: Benjamin Carson; Sarah Foley

Subject: RE: 202112-16010 EC - Mowbray Park

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Catherine Chambers
Director | Heritage
Environmental Policy and Programs
Department of Environment and Science

P 07 3330 5840 | M [sch4p4\(6\)](tel:0733305840) P
Level 27, 400 George Street, Brisbane Qld 4000
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[Chat with me on Teams.](#)

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Cc: Catherine Chambers

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From: [Section 78B(2)(c)]@brisbane.qld.gov.au
Sent: Tuesday, 1 March 2022 4:50 PM
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[Section 78B(2)(c)]
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Brisbane Infrastructure | **BRISBANE CITY COUNCIL**

[Section 78B(2)(c)]

Green Square | Level 2, 505 St. Pauls Terrace, Fortitude Valley, QLD 4006
Phone: [Section 78B(2)(c)]@brisbane.qld.gov.au



From: [Section 78B(2)(c)]
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Date : 12/01/2022 12:04:11 PM

From : "Sarah Foley"

To : "Catherine Chambers"

Subject : RE: 202112-16010 EC (QHR600189) - DELEGATE APPROVAL - IR due 12-Jan-2022

Attachment : image001.png;image004.png;image007.png;image008.png;image009.png;image010.png;image011.png;

Ok perfect. Thanks.



Sarah Foley
Principal Heritage Officer
Architect
Heritage: Environment Policy and Programs
Department of Environment and Science

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From: Catherine Chambers <Catherine.Chambers@des.qld.gov.au>

Sent: Wednesday, 12 January 2022 11:48 AM

To: Sarah Foley

Subject: RE: 202112-16010 EC (QHR600189) - DELEGATE APPROVAL - IR due 12-Jan-2022

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Regards, Sarah.

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Principal Heritage Officer
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Heritage: Environment Policy and Programs
Department of Environment and Science



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Brisbane City Council - City Projects Office

[Section 78B\(2\) Senior Urban Planner](#)

bi-cpo-planenv@brisbane.qld.gov.au

[Section 78B\(2\)@brisbane.qld.gov.au](mailto:Section 78B(2)@brisbane.qld.gov.au)

Dear [Section 7](#)

Heritage Protection of State Heritage-Listed Mowbray Park, East Brisbane.

Your exemption certificate application has been declined without further supporting information. The works of removal of the bowls club buildings would be more than minimal detrimental impact on the State heritage place because the removal of the bowls club buildings renders the recreational use of the bowling green defunct as a recreational activity provided at the place. Without signalling a replacement use for the site which is deemed to be of critical recreational importance, the lack of clarity of use of the area and that this is not addressed in the application shows that this is not the appropriate assessment pathway. This is because without indication of a future use, DES Heritage is unable to determine if this change is of minimal detrimental impact to the State heritage place.

- 'Mowbray Park and East Brisbane War Memorial' (Mowbray Park) was entered in the Queensland Heritage Register (QHR) when the *Queensland Heritage Act 1992* came into force. The QHR listing covers three large freehold lots on the Brisbane River at East Brisbane and includes a former bowls club building and the bowls greens.
- The former bowls club building was constructed in the 1970s and the QHR entry identifies that it and the "bowls and nearby croquet club building are not of cultural heritage significance".
- The area of Mowbray Park occupied by the former bowls club, however, is integral to the park, as evidence of an early and long-standing form of recreation available to the local community.

The history component of the QHR entry notes, "in a report presented to the full Council on 14 December 1903, the advantages of the site for a public park were enumerated: Mowbray's property is in every way suitable for a public Park or garden having suitable soil, and undulating land reaching to the water's edge, and in addition it will also provide the necessary accommodation for **bowling greens, Tennis Courts, and Croquet lawns.**"

- The QHR entry recognises the high "**importance of the park as a focus of community recreation**". The History of the QHR entry states "**the whole park reserve is significant.**"
- The current exemption certificate application addresses that the buildings themselves are not of particular heritage significance however the application does not signal the future use of the area of the bowling green.
- Readily available online published 'draft vision' shows a rendering of a carpark replacing the bowling green and text notes the "carpark shifted to bowls green to allow more active riverfront green space." (Source image appended)
- This replacement of bowls green with carpark indicates that the change is of more than minimal detrimental impact to the State heritage place.

This information request requires further detail to be supplied showing the proposal for the bowls club to ensure the continuity of recreational use.

The applicant is advised that there are two ways to proceed,

1. If it is decided to continue with the piecemeal application of exemption certificate for removal of the bowls club buildings, BCC would need to provide a legitimate Information Request response. The masterplan of the Mowbray park proposal, **addressing the continuity of the recreational use of the site** would need to be addressed as part of the application. BCC would need to show how an equivalent and similar type of structured recreational activity is provided at the place. This would particularly need to address Criteria G&H of the Statement of significance of the QHR entry.

or

2. withdraw the Exemption certificate application and make a Development Approval response to SARA as assessment manager.

Demolition of the former bowls club building and its two bowling greens and associated outbuildings can be applied for as a development approval under the *Planning Act 2016* before work is undertaken. The State Assessment and Referral Agency would be the assessment manager and the 'State Development Assessment Provisions' the applicable assessment benchmark, in particular 'State code 14: Queensland heritage.'



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Environmental Policy and Programs acknowledges the Traditional Owners and Custodians of the lands, waters and seas on which we work and live paying respects to Elders, past, present and future.

Please note: In keeping with the Government's requirements, Heritage branch staff are operating remotely. For us, it is business as usual. However, to best channel your enquiry, we can be contacted by email through the contacts below. If you would like us to give you a call, please indicate this in your email. We ask for your patience as we work through these arrangements.

- For enquiries about the Queensland Heritage Register: heritage@des.qld.gov.au
- To contact the Queensland Heritage Council: heritage.council@des.qld.gov.au
- Report damage to Queensland Heritage Register places : pollutionhotline@des.qld.gov.au
- For enquiries about getting approval to do development at a Queensland heritage place: palm@des.qld.gov.au
- For enquires about terrestrial archaeology and underwater cultural heritage like historic shipwrecks: archaeology@des.qld.gov.au

