

HERITAGE.

At a council meeting held in May 1895, the borough inspector reported on the number of verandah posts in Beardy Street which were rotten and unsafe. The inspector was not aware of any power given to him by the Municipalities Act to enforce maintenance of buildings. In October 1903, Ald. Warnecke referred to the dangerous condition of verandah posts in Beardy Street. He commented: 'He had directed the inspector's attention to some of them, but nothing appeared to have been done'.¹

The issue of balconies and awning arose in November 1920 following council's decision against the proprietors of the local Arcadia Picture Theatre 'who sought permission to erect a balcony in front of the theatre to provide the extra accommodation their now huge audiences render necessary'.² Council was not prepared to ask residents to remove existing balconies but recommended where possible 'the cantilever principle be utilised in buildings in Beardy-st'.

It appears that the first notices by council to remove street verandahs were served in 1932. Ald. Thomas Monckton claimed in July 1935 'the practice of using balconies overhanging Beardy Street as living rooms was giving the place a slum-like appearance, and the practice should be stopped'.³ Mayor Ald. M.H. O'Connor promised to investigate the matter. Council decided to take no immediate action but reserved the right to order at any time: 'That the balconies be not occupied: that no additions or alterations be made to existing balconies: that no new balconies be erected'.⁴ In the discussion Ald. McBean stated 'that several years ago a motion had been carried requiring owners to remove their balconies'.

In October 1937, council passed a motion that posts 'supporting an awning, verandah or balcony' are to be removed 'within a period of five years, as from January 1, 1938'.⁵ By that stage Richardson's store had replaced their balconies with cantilevers and in January 1938 council rescinded the above motion. Council then moved that 'posts and awning or verandah' be removed 'within a period of three years from February 1, 1938, provided always that council will have no objection to the erection of the cantilever awning or verandah'.⁶

In July 1938 council issued a demolition order for the former Daniel O'Connell Inn in Beardy Street, near Jessie Street. A notice to complete repairs had been apparently disregarded and the owner, the Madden Estate was given one month to demolish the building.

¹ *Armidale Express*, 16 October 1903, p.2.

² *Armidale Express*, 12 November 1920, p.10.

³ *Armidale Express*, 24 July 1935, p.4.

⁴ *Armidale Express*, 7 August 1935, p.7.

⁵ *Armidale Express*, 13 October 1937, p.4.

⁶ *Armidale Express*, 19 January 1938, p.3.

In answer to a query in May 1940 by Ald. Dawson about the position of cantilever awnings in Beardy Street, council resolved to leave the matter until after the war. That August, Tooheys Ltd. asked council whether it intended to enforce the policy declared on 1 February 1938 ordering the removal of verandah posts. Almost fifty buildings in the municipality were now effected by the 1938 resolution. 'Toohey sought an extension of time for the duration of the war and a year after to do the job'.⁷ In line with this request council gave all owners an extension of time for twelve months after the war with 'new buildings to have cantilver awnings where required'.⁸ In his annual December 1941 report the Mayor Ald. W.H. McBean commented it is pleasing to note the improvement in Beardy-street, due to the removal of a large number of verandah posts.

After the war, notices were served on property owners that verandah posts should be removed by 31 October 1949 but approval to complete such work had to be obtained from the Ministry for Building Materials. In April 1950 the Department informed council that permission was not required from them if the estimated cost of removing verandah posts did not exceed £150.

Concerned about the quality of the steel used in cantilever awnings, council sought information from the Minister for Building Materials in March 1950 concerning controls to prevent the removal of verandah posts. This did not prevent council enforcing the removal of verandah posts and the issue of their removal figured in a tenancy case heard in the Armidale Court in April. The Bank of Australasia sought an eviction order against six tenants of an old Beardy Street building so that it could be demolished and a new structure erected. Tenants in the case were: Percy G. Love, Mrs Irene M. Tyler, Fraser Bros Industries, Leonard K. Chant, Marshall J. Morrow and Walter R. Lowe. The Court argued the validity of the verandah post removal order.

The Union Trustee Company of Australia Limited advised council in July 1950 that quotes were being received for the demolition of awnings at 117-119 Faulkner Street. At the same time, council approved the erection of cantilever awnings in Beardy Street by G. Comino. The Bank of Australasia sought permission in July to delay the removal of all balconies at 131 Beardy Street because the Bank intended to demolish and rebuild. At the same time Mr Seaberg of the Railway Hotel appealed to council to reconsider its decision because of the high cost of building materials required in order to ensure that the facade of the hotel is treated adequately. Mr Say of 247 Beardy Street promised to remove the verandah posts once building materials were available. J.M. Hirschberg writing from Lanchester Hospital, Cremorne promised to have the verandahs removed from premises in Faulkner Street as soon as possible.

In September 1950, council was advised by Toohey's Ltd that architects had been instructed to prepare plans and call tenders for work entailed in removing

⁷ *Armidale Express*, 28 August 1940, p.8.

⁸ *Armidale Express*, 11 September 1940, p.3

verandah post from the Imperial Hotel building. Council had no sympathy with the complaint that steel was unavailable for cantilever awnings and informed 'owners of the New England Hotel and The Minto that extension of time to remove verandah posts would not be granted'.⁹ By May 1951, council was prepared to reconsider its previous decision to launch prosecutions unless verandah posts were removed within three months.

Council modified its policy on awnings in October 1951. It was now prepared to consider each case on its merits and no longer insisted 'that awnings must be two feet less than the width of the footway or 10 feet in width'.¹⁰ In April 1952 council referred the matter of the removal of verandah posts to a committee. Council took action to inform owners in August to remove balconies and verandahs which were in a dangerous condition otherwise council was to undertake the work at the owner's expense. An issue that emerged in the case of hotels was whether the Liquor Act took precedence over the Local Government Act. An order from council to remove the verandah post from the Imperial Hotel resulted in a court case on 17 September 1952. The Licensing Magistrate ruled 'the verandah at the Imperial Hotel should remain for the time being'.¹¹ Ald. Jones commented it was regrettable that the owners of the Imperial 'were not imbued with the same ideal of beautification as was the owner of the Tattersall's Hotel'. Following the ruling, council decided to obtain legal advice as to steps needed to remove all verandah posts.

The council building inspector reported to council in October 1952 that portion of the Railway Hotel verandah was dangerous and council adopted his recommendation that an order be given for removal of that portion over the footpath. That month Armidale builder C.F. Nott was granted permission to demolish a verandah and erect an awning for the hotel.

In February 1954 council took action to serve further notices on owners of verandah posts considered to be dangerous. In March the Local Government Association advised council that their submission through the annual Local Government Conference 'for amendment of the law to give the Local Government Act precedence over the Licensing Act, had not been considered sufficiently strong enough to warrant such action'.¹² Council moved to have the law altered when a magistrate ruled it did not have the power to force the owners of the Imperial Hotel to remove their verandah posts.

Because council planned to widen Beardy Street, council decided in October 1954 to serve notice on the owners of the few remaining Beardy Street premises with verandah posts to remove them. In April 1955 council took action to have all remaining verandah posts removed from Beardy Street within six months.

⁹ *Armidale Express*, 13 September 1950, p.8.

¹⁰ *Armidale Express*, 24 October 1951, p.2.

¹¹ *Armidale Express*, 24 September 1952, p.3.

¹² *Armidale Express*, 10 March 1954, p.4.

Council was also to 'ask the co-operation of the Licensing Court towards the removal of verandah posts from hotels'.¹³

The announcement that the old Police Barracks on the site of the Armidale Demonstration School were to be demolished was made in August 1960. That September council negotiated with the Education Department and the department offered the stables to council for nothing provided council arrange for their removal of the site of the Armidale demonstration School. In July 1961 the Minister for Education, Mr Wetherell advised council that consideration was to be 'given to council's application for a £9,000 grant for relocation of the old police stables'.¹⁴ That October, the government advised it was not prepared to provide the grant and the buildings were demolished in June 1963.

Aldermen urged the removal of hotel and shop verandah posts including Fosseys at the corner of Marsh and Beardy Streets in January 1963. At the council meeting held on Monday 11 February, the health surveyor R.E. Esdaile was instructed to compile a list of all premises where powers could be exercised to remove verandah posts. 'As far as he could understand this power did not extend to the alteration of premises licensed under the Liquor Act'.¹⁵

At a time when the celebration for Armidale's centenary was underway, the owners of six premises with verandah posts were ordered to remove them within ninety days at a council meeting held on Monday 11 March 1963. The premises listed were: 106 Beardy Street, 110-112 Beardy Street, 312 Beardy Street, 111 Dangar Street, 93 Dumaresq Street and a shop in Brown Street. At that stage, the Imperial Hotel in Beardy Street was omitted. The decision lead to a public outcry by concerned citizens and a number of protest letters were published in the *Armidale Express* appealing to council to reconsider its decision. The Australian historian, Russell Ward described the proposal as 'civic vandalism'.¹⁶ Later that month a petition was presented to council in an attempt to save the Sydney lace iron work particularly at the Imperial hotel.

In September 1963, council served notice on Fosseys Ltd. at the corner of Marsh and Beardy Streets to remove their verandah posts in 14 days. At the same time, the Dangar Street property owned by Ken Jones was given three months.

The Local Government Liquor and Impounding (Amendment) Act 1964, gave council the power to proceed with the enforcement of obstructions and encroachment on public property which formed part of any licensed premises within the meaning of the Liquor Act 1912'.¹⁷ By that stage, four hotels in Beardy Street, the Imperial, New England, Caledonian and the Empire survived with posts on the footpath supporting verandahs. Council deferred a decision for

¹³ *Armidale Express*, 20 April 1955, p.10.

¹⁴ *Armidale Express*, 5 July 1961, p.13.

¹⁵ *Armidale Express*, 13 February 1963, p.5.

¹⁶ *Armidale Express*, 15 March 1963, p.23.

¹⁷ *Armidale Express*, 26 February 1965, p.17.

a month on whether the posts should be removed. A month later, Tooheys Ltd. the owner of the Imperial Hotel informed council in March 1965 it planned to restore the building with the verandahs retained. A confidential report on the verandahs of the Imperial, New England, Empire and Caledonian Hotels was presented to council that month. In August council determined to serve notices on three Armidale buildings for the removal of the verandah posts. These included shops beside the Empire Hotel, in Beardy Street, in Dumaresq Street, West Armidale and Marsh Street, North Armidale.

In February 1966 council instructed council's solicitor to seek a court order to remove the verandah at the Empire Hotel in Beardy Street. In March the National Trust made another plea to save Armidale's lace friezes. At the time Armidale still had several examples of the lace work mainly on hotels, but particularly in Faulkner Street with its folk museum, Department of Lands Building and the Imperial Hotel. In a letter to council R.N. Walker, a Director of the Trust stated 'considerable importance should be attached by local authorities to the preservation of good examples of buildings which retain this link with a city's earlier history'.¹⁸ That July, Ald. K. Jones appealed for the preservation of the Imperial and New England Hotels. Notice was served on the owners of the Empire Hotel to carry out repairs and council asked a report be made on the other hotels within a month.

In June 1969 a campaign was conducted by the National Trust and the Royal Australian Institute of Architects to save the cast iron verandah of the Imperial Hotel. The building was featured on the front page of the booklet published by the organizations. The Acting Director of the National Trust, John Morris announced in September 1973 the formation of the New England Survey team, to be convened by Associate Professor A.T. Yarwood to assist the Trust in locating and recording historic buildings.

In response to a request by the City Council for comments about the town centre and advice about its future development following conservationist principles, a report was completed by a joint committee of the National Trust and the Armidale and District Historical Society. The boundaries of the survey were from Jessie Street to Taylor Street, and Dumaresq Street to Barney Street with special attention given to Beardy Street, the Mall and its immediate environs. The committee felt that the City Council should control every aspect of building in the town centre and educate public opinion and develop a sense of community responsibility.

The Armidale Conservation Area was declared in 1975. This area was bounded by the Court House, Post Office, C.B.A. Bank, Bank of N.S.W., A.M.P. Building, Imperial Hotel, Folk Museum, Sheriff's Cottage, Lands Office and Town Hall. Professor of History at the University of New England, A.T. Yarwood urged council in March 1976 to help save old buildings by rate remission; to give

¹⁸ *Armidale Express*, 11 March 1966, p.11.

serious thought to changes in the conservation area and to prevent demolition or alteration to historically significant buildings classified by the National Trust. He also appealed to council to introduce a tree preservation order to preserve the natural environment of the city.

The Heritage study which commenced in 1989 was completed and published in January 1991. Financial assistance under the Commonwealth Government's Estate Grants Program was provided. The study comprised four volumes: *Historical Context; Built Heritage; Landscape and Archaeology; Final Report including recommendations*. Related Design Guidelines and individual inventory sheets identifying features of particular properties were also produced.

The inaugural Heritage Awards Dinner was held in the Town Hall on Friday 16 August 1991. Dr. Lionel Gilbert gave the inaugural speech and twenty four nominations were received. The awards 'were introduced as a means of harnessing community interest in conservation and also promoting the heritage of the city as an "asset"'.¹⁹

¹⁹ Armidale City Council. Annual report and community directory, 1991/1992, 28 August 1992, p.27.