

THE CITY AND POST-INDUSTRIAL PATRIMONY: POTENTIALITIES ABOUT THE USINA DO QUEIMADO IN CAMPOS DOS GOYTACAZES/RJ

A CIDADE E O PATRIMÔNIO PÓS-INDUSTRIAL: POTENCIALIDADES ACERCA DA USINA DO QUEIMADO EM CAMPOS DOS GOYTACAZES/RJ

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ABSTRACT

With the purpose of analyzing possibilities in the political-legal sphere and identifying the potential about space, this work focuses on the industrial heritage of the city of Campos dos Goytacazes, presenting as object of study the complex of the old building and the free areas in the immediate surroundings of Usina do Queimado. Its facilities contemplate large spaces, which are unused in a consolidated urban network. Located at the entrance of the city, it has a great visibility, mainly for the real estate market making this space a place of socioeconomic conflicts. Thus, based on the specific legislation, the obstacles were presented about the object of study and verified the possibilities in view of this panorama, considering urban policy instruments. Finally, it was concluded that the legislation does not have specificities capable of determining interventions that guarantee the social function of urban property. In this sense, among the instruments, the one that can be used to the case is the Right of Preemption.

Keywords: Industrial Patrimony. Legislation. Urban Politics. Social Function..

RESUMO

Com o intuito de analisar as possibilidades no âmbito político-legal e identificar os potenciais acerca do espaço, este trabalho se concentra no patrimônio industrial da cidade de Campos dos Goytacazes, apresentando como objeto de estudo o complexo da antiga edificação e as áreas livres do entorno da Usina do Queimado. Suas instalações contemplam grandes espaços, que se encontram sem uso em uma malha urbana consolidada. Situada na entrada da cidade, possui grande visibilidade, principalmente para o mercado imobiliário, fazendo desse espaço um local de conflitos socioeconômicos. Assim, baseando-se na legislação específica, foram apresentados os entraves acerca do objeto de estudo e verificadas as possibilidades diante desse panorama, considerando-se instrumentos de política urbana. Por fim, concluiu-se que a legislação não possui especificidades capazes de determinar intervenções que garantam a função social da propriedade urbana. Nesse sentido, dentre os instrumentos, àquele que pode ser empregado ao caso é o Direito de Preempção.

Palavras-chave: Patrimônio Industrial. Legislação. Política Urbana. Função Social.

1. INTRODUCTION

This work analyzes the political-legal possibilities and potentialities of post-industrial heritage in the city of Campos dos Goytacazes, state of Rio de Janeiro. It presents as object of study the industrial heritage of the Burned Plant, since it is situated in a part of the extremely consolidated urban staining.

For Mesquita and Teixeira (2010), the term Industrial Heritage refers us to large structures, with strong architectural value, ancient machinery, idle spaces, which were assimilated (or destroyed) by modernity.

From the beginning, according to Pinto (1995), Campos dos Goytacazes was the land made for sugar. A favorable set of climatic factors and an excellent physiographic panorama facilitated and induced the growth of a settlement on the banks of the Paraíba do Sul River. The city has transformed over more than three and a half centuries into a vigorous center of progress and development.

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This evolution was imminent in the usineiro sector. In the city there were large sugar and alcohol mills running at full steam, contributing to accelerated urban growth. Campos was the only city in the Brazilian context built exclusively by the sugar economy and remained faithful to its origins, reflecting the activity of its monoculture in the behavior of its urban and rural society (PINTO, 1995, p. 21).

During this period, some plants were highlighted in the camper scenario for their production. At the top of the list were the plants: N. Dorés, S. Antônio, N. S. Desterro, S. Cruz and Queimado, according to the global production table of 1917, mentioned in the book *O Ciclo do Açúcar em Campos*, by author Jorge Renato Pereira Pinto.

Due to the great production and visibility, in addition to promoting the development of the city, this pace quickly also boosted the increased wealth of plant owners, who in turn became owners of ever-increasing glebas within the city.

In this context, where the development took place through the production of the plants, in which the machineiros were holders of a large amount of land, the logic of domination and territorialization was installed. According to a report brought in Carvalho's work (1974 apud GANTOS; SOUZA, 2006, p. 5), "my ideal was to be a machinator, living on the top floor of 300,000 bags of sugar.

The usineiro's thinking reflected the lifestyle that was desired in that period, constituting a domination and territorialization of the increasing urban space. Each plant was an island within the municipality, with habits and traditions of its own and around each turned the work, the family, progress, the future (PINTO, 1995).

After the decay of the sugar-alcohol sector, the land belonging to the usineiros and later their families remain as large spaces free of great potential, not only by the size or architecture of the old buildings, but also by the memory of a society.

However, today, it is the obstacles about these glebas that have been generating legal impediments that directly interfere in development and consequently in their use.

This work aims to identify the potentialities of use and possibilities in the political-legal scope of the object of study, taking into account its historical, cultural and landscape aspects resulting from the industrial period Alcohol. To achieve this objective, it is necessary to present the historical and cultural context, to present the current political and economic obstacles, verify the possibilities in the face of the political-legal landscape related to the area and identify the potentialities of use taking into account the existing building and the free spaces of the immediate environment.

Moreover, its relevance is primarily due to a period in the history of camper society of great development and urban transformation, which left a vast repertoire of industrial buildings and free spaces. Secondly, because the Queimado Plant is located at the entrance of the city, attracting the attention of the real estate market and investors. Moreover, for being

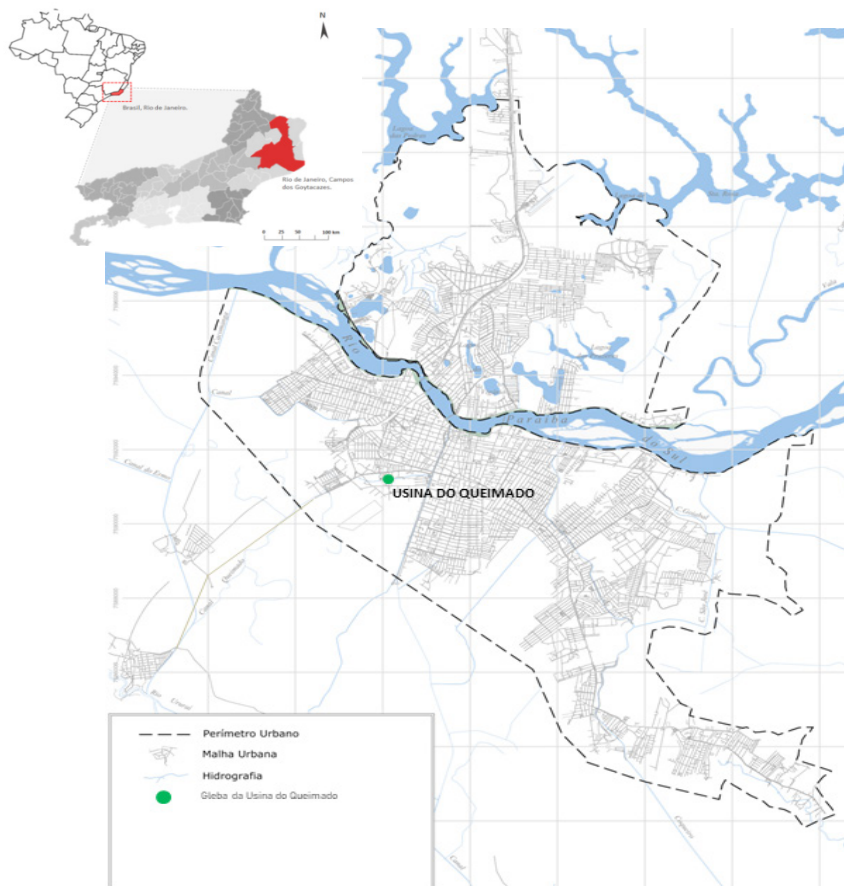


Figure 1 – Schematic map of location of the Municipality of Campos dos Goytacazes in the state of Rio de Janeiro and the object of study, Usina do Queimado.

Source: Produced by Larissa Miranda Sá (2018), based on Annex Map 1 – Headquarters of Law No. 7,973 - Urban Perimeters of the Municipality, 2008.

situated on an avenue of extreme importance (Avenida Dr. Nilo Peçanha), which is also a Trade and Services Axis 3 (ECS-3), on a gleba where the price of the square meter is one of the highest in the city.



Figure 2 - Layout of the Burned Plant and Avenida Dr. Nilo Peçanha (Trade axis and Service 3 - ECS -3).

Source: Produced by Larissa Miranda Sá (2018), based on image extracted from Google Earth Pro.

On the map of the municipality of Campos dos Goytacazes, which can be seen in Figure 1, is located the Burn plant. It is possible to note that the object of study is within the urban perimeter (dashed line):

By observing the urban mesh, in which the plant is inserted, it is possible to observe that it is a very consolidated urban space and that it is a problematic the underuse of gleba that comprises the old building and its free spaces. In addition, there is great architectural and landscape potential.

The methodological procedure of this work focuses on: (a) in the bibliographic review on the city of Campos dos Goytacazes, a sugar-alcohol period to date; (b) in the object of study: the Burn plant; and (c) Documentary analysis.



Figure 3 - Aerial view of the Burn plant, 1880. Highlighted in red the Avenue Dr. Nilo Peçanha.
Photo: Eduardo Linhares personal archive, granted in 2016.

2. BURN PLANT: FROM HISTORY TO CONTEMPORANEITY

The history of the Burned Plant began in 1880. This year, Campos dos Goytacazes had already been elevated to the category of city and urban transformations were happening gradually over decades.

It is possible to observe in Figure 3 as was the surroundings of the plant at that time, Avenida Dr. Nilo Peçanha was still ground and around the plant there was room for planting the main raw material, sugarcane.

At that time, according to an interview with Eduardo Linhares (verbal information)¹, one of the heirs of the plant:

the relationship that existed between owners and workers was of respect and altruism, there were incentives on the part of the owners to participate in different festivals. On the land of the plant the workers found all the necessary structure for life, were warehouse structures, wards and even school, because going to the center meant making a small trip.

On a brief tour in the light of Godelier (2001 apud GANTOS; SOUZA, 2006, p. 8), "the gift can be, at the same time or successively, act of generosity or act of violence, but in this case of violence disguised as a disinterested gesture, because it is exercised through and in the form of a sharing".

Thus, a reflection on the relationship between usineiros and workers is proposed, since, most of the time, these relationships had characteristics that contradict the report of Linhares. The story about this period points to an exploratory work situation. The usineiros exercised their "strength" controlling means of production, holding local economic, social and political power, as extracted from the following excerpt:

¹ Entrevista cedida a Larissa Miranda Sá em Campos dos Goytacazes, em 28 de abril de 2016.

The economic power described was articulated to a mode of symbolic domination, peculiar that was linked to the forms of reciprocity and social control devices proper in a patriarchal agrarian way, which were hybridized and adapted to forms of domination as gift and colonelism, authoritarian and clientistic basic power devices that worked in a context of capitalist-based production relationships (GANTOS E SOUZA, 2006, p. 6).

Over the years, the plant has undergone a major modernization and acquired machinery from England and its three locomotives. In the city as a whole, there was a rapid modernization – resulting from the visibility that the production of sugar and alcohol of the plants brought to the region. We see in Figures 4 that the city received illustrious visits, such as President Getúlio Vargas and his entourage, who were at the plant in order to monitor the process of growth and modernization, as seen



Figure 4 – Julião Nogueira and Getúlio Vargas, an exhibition of molasses for the manufacture of alcohol.
Source: Eduardo Linhares Personal Archive, 1944.

in Figure 5, that she and the city of Campos dos Goytacazes experienced.

It is a fact that the role of the plants in the development of the city of Campos dos Goytacazes was predominant. Brought wealth, prosperity and made the city known in large urban centers, such as Rio de Janeiro.

According to Pinto (1995, p. 146),

For agroindustry, the emergence of good and bad phases have always taken turns without separatism of a political or social nature. It was not the Republic or the change of century or even the disappearance of slavery that would create different stages. For sugar factories everything was a continuing of struggles, grandeurs, misery and crises. Here and there, the owners moved. There and there, factory closed. For many former propitiarians,



Figure 5 – Locomotive No. 3 of the Burned Plant.
Source: Eduardo Linhares Personal Archive, 1945.

the fate, the walk of life, with the disappearance of occasional moments of ephemeral glories, elucidated.

With land to lose sight of, the free space that makes up all the immediate surroundings of the plant is endowed with a large green area remaining from its operating period. In this area are several species of trees and shrubs, which have been drawing the camper landscape for decades. However, it is possible to affirm that the remnants of golden times (turn from the 19th century to the 20th century) of sugar-alcohol production are constituent elements of the camper landscape, not restricted to rural areas (MESQUIT; TEIXEIRA, 2010).

The read of Imperial Palm trees (*Roystonea Oleracea*) and the Queimados Canal, which formerly connected to the Campos-Macaé Canal, are elements that also characterize the site, along with the old industrial building. Also, when dealing with the landscape, another striking feature in the camper scenario are the chimneys of the plants.

- 6 Currently, the boilers and the English sugarcane mill, equipment remaining from the time it operated are at the plant. Giant machinery that most look like sculptures amid an extremely characteristic architecture bring up the memory of a period of extreme changes.

The camper society experienced a huge urban transformation in a short period of time. As history shows, much of this transformation is related to usineiros, as they held a huge amount of land and prestige among politicians and wealthier families. This form of power over the city clearly shows that wealth was concentrated in the hands of the few, since much of the urban territory was owned by a given plant.

According to Gantos and Souza (2006), in this context, the usineiro has the absolute power to decide where the surplus produced by the entire village, community or even the municipality would be allocated. Thus, by taking the territory as a defined and delimited space by and from power relations we can have an idea of the responsibility that the usineiros sector had in the construction of a particular notion of territoriality.

3. CURRENT POLITICAL - LEGAL AND ECONOMIC LANDSCAPE

Under the political-legal context, the main obstacle observed about the object of study is legal in nature and is linked to the bridges of the plant. According to research raised for this work, it is possible to state that the Burned Plant still holds a significant amount of glebas within the city. However, disputes arising from different actions prevent them from being marketed and new uses from being established, as they would require high investments.

This work analyzes the gleba of the immediate surroundings of the plant. Therefore, it should be noted that this is a large free space in an extremely consolidated context that has no significant use, because there is also the promotion of sporadic events where owners rent part of the space.

Another predominant factor, when observed as being part of the industrial heritage of the city, when it appears in the Master Plan of the Municipality of Campos dos Goytacazes (CAMPOS..., 2007), directly in Subsection III – Of the Heritage Preservation Areas Cultural (art. 228, item IV, law no. 7,972, of March 31, 2008), Institutional and Others - m) Industrial set of the Burn plant with palm trees and indirectly in the art. 89 and 137, which deal respectively with the valorization of natural and cultural heritage and areas of natural and cultural preservation.

In addition to also being included in Resolution No. 005/2013 (CAMPOS..., 2013), published in the Official Gazette of the Municipality of September 12, 2013, under the guidance of the Municipal Heritage Preservation Council (COPPAM), which resolves:

art. 1º – The following buildings and properties are listed and identified in the process approved by other counselors, for their historical, architectural and cultural value for the municipality.

[...]

3: Casa Headquarters of the Burned Plant, Burn Plant.

It is noteworthy that the industrial complex of the Queimado Plant is not listed, but is capable of preservation because it is considered part of the cultural heritage of the city.

Considering the obstacles of an economic nature, the environment experiences a capital dynamics that is extremely lapsed by the real estate market, which in turn proposes highly profitable values, possible only for a dominant class that reconfigures the space with new uses.

By observing the economic issue, Marx (1967 apud HARVEY, 2005), argues that land income is an essential element in the process of social production. In fact, it is the basis or precondition of this process.

The object of study, even when seen as a residual landscape is also part of this dynamic, because its value from the perspective of the real estate market is not linked to the fact that it is an industrial heritage or a memory of society, but by its size and location in the urban spot.

According to Mesquita and Teixeira, (2010, p. 11):

still, this new form of appropriation is inseparable from the residual landscape. This new spatial materiality is in permanent dialogue with the structures of the old plants, since the new uses take place in its surroundings. The ancient sheds with their machinery, chimneys, and other structures remain in the landscape allowing the analysis and reconstruction of the past.

For Villaça (2001 apud FREITAS, 2011), urban land has value like any commodity, because human labor and social relations develop the location, fundamental in determining the price of the lot based on the principle of land. As the author notes:

There is currently consensus that urban space is produced [...] by the social work spent on the production of something socially useful. Therefore, this work has a value. A fundamental question that few are asked: what is the product of this work? There are two values

to consider there. The first is that of the products itself [...]. The other is the value produced by the agglomeration. This value is given by the location (of spatial forms). [...] The location is presented as well as a land use value that,.

In the understanding of Maricato (2003), market for few is one of the characteristics of a capitalism that combines modern production relationships with subsistence expedients.

The above statement corroborates the localization aspect × public funds, since large investments are made in areas where there is real estate interest and classes with greater purchasing power focus. In this sense, it is understood that urban policy with its modernizing measures of urban space production has an exclusionary character, which, moreover, is quite present in the object of study, since it is located in a privileged area.

4. POSSIBILITIES UNDER POLITICAL-LEGAL BIAS

With regard to political-legal instruments related to the object of study, it is possible to point out at least three main legislations that indicate ways to attribute uses to space.

Initially, the Organic Law of the Municipality of Campos dos Goytacazes (CAMPOS..., 2014), which in its art stands out. 4, item XIII, provides: "promote adequate territorial planning, through planning and control of the use, installment and occupation of urban soil, and establish building standards"; and in art. 4th, item XXVI, provides for "the protection and conservation of local historical, artistic and cultural heritage (material and immaterial) assets, observed by federal and state legislation and inspection action".

Secondly, the Master Plan of the Municipality of Campos dos Goytacazes (CAMPOS..., 2007), which in art. 89 provides for:

Art, art. 89. For the valorization of natural and cultural heritage, the following actions and management measures will be carried out:

I – Revitalize cultural spaces – such as the Historic Center, The Horto, the mansions and mills, parks, gardens and squares – enhancing their uses, for the development of cultural projects and leisure areas.

Another legal provision used was the Law of Use and Occupation of Urban Soil (CAMPOS..., 2008), which, as indicated in Table 6 – Occupancy Intensity Indexes, in Annex II to Law No. 7,974, of March 31, 2008, in its art. 89 provides: "Urban areas that have potential for the Onerous Grant of the Right to Build, according to the guidelines set out in the Master Plan Law are included in the Residential Zones ZR-3 and ZR-4 and the Ecs-2 and ECS Trade and Services Axes-3".

It is important to highlight that the legislation mentioned above makes it possible to enable new uses for these old industrial complexes. However, existing mentions require specifications to actually be effected. Due to the absence of these specifications, urban policy instruments are still "short" of their concept and operation for the city.

The possibilities are observed under the urban policy instruments regulated by the City Statute (BRASIL, 2001), which focus on zoning the object of study. From this point of view, at least three possibilities are pointed out about the space.

However, the first important point that must be observed and which comprises not only the instruments mentioned in this work, but all who are present in the City Statute is the social function that these instruments were created to fulfill. This function aims to promote an adequate use of urban soil, so that everyone has access to the city and the urban resources offered by it, as Santin and Marangon notes (2008).

Also, according to the authors, in this sense, in the City Statute, the general guidelines and urban policy instruments make up a set of norms that will allow a rational use of urban soil, planning community life, promoting property its social function, aiming to improve the urban environment in all its dimensions. For such reasons the application of these instruments homogeneously within the urban territory is so important.

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Figure 6 - Urban Mobility Map. In red ECS-3, yellow ZR -2, Burn Plant.
Source: Master Plan. Law No. 7. 972, March 31, 2008.

On the other hand, what is observed is that these instruments are usually applied in places already favored, a fact that promotes even more sociospatial inequality in urban territory. The absence of specific regulation for each instrument also corroborates this situation, as it validates the opportunity to be used outside its real concept, those mentioned above.

As shown in Figure 6, the Queimado Plant is located in an ECS-3 and residential zone -2 (ZR-2). It is interesting to observe the first urban policy instrument to be discussed for the space in question, Preemption Law (art. 25, City Statute).

Among the political and legal possibilities related to the space in question, the Right of Preemption, according to art. 278 of

the Master Plan, the government can direct and foster potential uses for the area. It is noteworthy that the City Statute itself in its art. 25, § 1, requests municipal law based on the Master Plan to implement the Right of Preemption.

In this instrument, the municipal government has the preference for the acquisition of urban property the object of costly alienation among individuals. According to the specification of the Master Plan, this instrument focuses on the Urban Expansion Macrozone (MEU), an area in which the queimado plant gleba is located. Your locations can be seen in Figure 7

In possession of the government this urban space still suffers influence of the real estate market, but the intentions of use gain

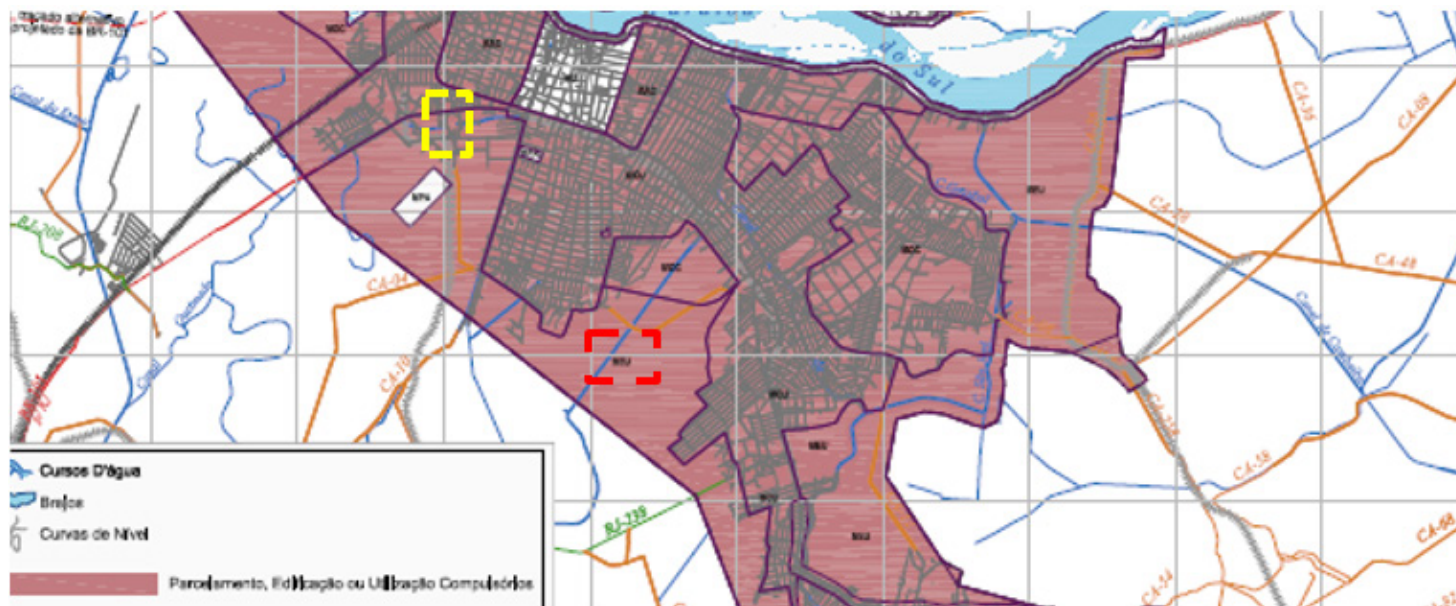


Figure 7 - Plotting Map, Building and Compulsory Use. In yellow the area of the Burn plant. In red, Urban Expansion Macrozone. Source: Extracted from the Master Plan. Law No. 7. 972, March 31, 2008.

another meaning that would first respect the condition as the industrial heritage of the city and free spaces, endowed with areas then for their potential as an integration space for different environmental, cultural and commercial activities.

Another mechanism that focuses on MINE, provided for in art. 35 of the Master Plan for the object of study is the Transfer of the Right to Build. In it, the government may authorize the owner of the property the right to build in another space or dispose of through public deed, since his property is considered necessary for the purpose of the implementation of urban and community equipment; and preservation, when the property is considered of historical, environmental, landscape, social or cultural interest or serve land regularization programs, urbanization of areas occupied by low-income population and housing of social interest.

As Saboya (2008) puts it, when commenting on urban policy instruments, an example are those areas that, by imposing the need for environmental preservation or historical heritage, must have their limited constructive potential. In these cases, the Transfer of the Right to Build acts as a factor of softening real estate pressure on land, reducing the pressure for its occupation.

In this sense, the public power acting for the needs of society, through a legal bias, could promote an intervention that encompassed environmental, property and social issues. However, it is in art. 35, §2nd Statute of the City, the requirement of municipal law establishing the conditions relating to the Transfer of the Right to Build.

Among the possibilities, it is still possible to mention the instrument Installment, Building or Compulsory Use (art. 5, the City Statute), as shown in Figure 7. This instrument observes the unbuilt, underused or unused urban soil and must lay down the conditions and deadlines for the implementation of that obligation by the owner of the property. An interesting fact is that the City Statute places from this instrument other instruments that will complement the process, such as the Progressive IPTU in Time (art. 7) and expropriation with Payment in Securities (art. 8).

In general, the instruments act as follows: the owner receives the notification in the Installment, Building or Compulsory Use by the Municipal Executive Branch. In case of non-compliance with the conditions and deadlines the municipality may apply the tax on urban territorial property (IPTU) and after five consecutive years of collection without the owner having complied with its installment obligations, building or using, the municipality may then expropriate the property with payment in public debt securities. These securities reflect the iptu calculation base value.

In possession of the property, the Government must aim to achieve urban transformations that promote social improvements directly linked to the city's needs, as well as its appreciation both architectural and environmental. However, it is another instrument that the City Statute considers specific municipal law.

However, in view of the above mentions it is understood that the city, although provided for in the City Statute, does not have specific municipal laws for urban policy instruments. It is necessary to create laws for each instrument, which should logically be in line with the legislation to which it was cited, Statute of the City (BRAZIL, 2001).

5. SPACE POTENTIALITIES

Although the dynamics of urban space have changed, the horizon still prints traces of the existing industrial element. In this intermittent dynamic, the power of the real estate sector is extremely present because it is a place of great visibility and consequently of high commercial interest.

According to Cosgrove (1998 apud MESQUITA; TEIXEIRA, 2010), it is possible to observe three types of landscape, that of the dominant culture that reveals the means by which its power is exercised, that of the alternative landscapes created by non-dominant groups and which therefore has less visibility and that of landscapes whose main interest lies in the fact that they allow an analysis and reconstruction of the past.

As mentioned earlier, there was a logic of domination and transformation of urban space, it was a growing process that demonstrated all the power of the machineiros, that is, according to the above statement it is possible to say that it was a dominant culture.

In this context, it would be correct to affirm that there was an event of change of the landscape of the object of study, which went from a dominant culture to a residual landscape, becoming an obstacle to the new dynamics of capital that is present there, as put Mosque and Teixeira (2010) when they talk about the Industrial Heritage of Campos dos Goytacazes.

As an integral part of a residual landscape and has surroundings with intense dynamics, potentialities are also perceived, either by the architectural element or by the landscape very developed and its free spaces. The choice of object of study is quite intentional, as it reveals different potentials that cover social, political and economic issues, in addition to their situation, function and dynamics in the urban space.

Therefore, it is noted that the importance of that stretch, which was once the main driver of development of the city and that seems to be forgotten by the fact that it is unused, is due to the presence of residual landscape elements.

Considering that the city of Campos dos Goytacazes lacks cultural structures, the first potential of this space must be highlighted, since it is endowed with a characteristic architecture and a large free space with green areas that would foster a diversity of activities. Recognizing not only the lack of a society, but also the rescue of its memory, through a requalification that rebuilds the past and at the same time brings meaning to the present.

In this sense, historical and cultural bias can be easily interconnected and disseminated, being also the stage for the recognition of the remaining and extremely important landscaping, from the environmental point of view, because it is a constituent part of the landscape and the benefits promoted to humans as green area.

We see the possibility of using space through requalifications with the retrofit technique, which promotes contemporary uses

with a mixture of activities that evidence the atmosphere of space and, at the same time, overflow modernity and technology. However, it is emphasized that this context would start from a public-private partnership. We see examples in Figures 8 and 9:

According to mailitis A.I.I.M., the requalification of the former Cesis Beer brewery in Latvia, in the Center for Science sands, was based on the existing buildings of the eighteenth, 19th and 20th centuries, which presented a rich plot of industrial history of the city of Cesis. The grand plan was to design the terrain transforming into a vital center of science and arts through a "slow architecture" – a gradual, transformative approach to the design of public space (CROCKETT, 2016).

Woods Bagot, on the other hand, presented his renovation project to a former Hongqi Zhen sugar factory in Jinwan district in Zhuhai. This project was scheduled to be carried out in three phases and is expected to be completed in ten years. The site masterplan covers an area of 80,000m², *which will include several projects to revitalize the area that will transform it into an integrated tourism, culture and leisure park (OVERSTREET, 2018).*

The above examples are proposals for projects that aim to requalify space and foster different propositions. Interventions that seek to bring new meaning without losing its original characteristic, a fact that adds value to the project by being part of the landscape and by itself tell a story.

As well as the proposals related previously, the object of study also received a proposal for intervention based on the legislation and diagnoses of the site with characteristics that sought to address issues of an environmental, cultural and commercial nature.

The Project **Requalification of the Burned Plant for the Manufacture of Special Beer** (Larissa Miranda Sá, 2016), which can be seen in Figure 10, was the final work to obtain the Graduation in Architecture and Urbanism. He was nominated for participation in the 28th Opera Prima – National Competition for Final Undergraduate Work and invited to debate in lecture with roundtable at the Fluminense University Center (Uniflu), in 2017.



Figure 8-Project Cesis Brewing.
Source: Crockett (2016).



Figure 9 – project Hongqi Zhen
Source: Overstreet (2018).

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The project sought to promote the use of space through activities of an industrial, cultural and commercial nature through a requalification that encompassed the entire industrial complex of the plant, as well as all existing landscaping. Thus, we sought to supply sectors of lack in the city, promote greater tourist turnover in the region, be an attraction with differential and value the space rescuing the history of the place.

According to advisor and professor José Luis Maciel Púglia for the 28th Opera Prima:

we also highlight the use of materials in the design of architecture that maintain the original constructive characteristics, not mischaracterizing their industrial architecture, the use of environmental solutions also deserves to be highlighted as the filter garden for treatment of sewage effluents, which besides being an environmentally sustainable solution, values landscaping and its surroundings [...]. Undoubtedly, it is a modern proposal due

to the program seeking in different areas the integration and valorization of space so that we do not see in daily life, in addition, rescues history and preserves the heritage of the society of Campos dos Goytacazes.

By providing the space with new uses promoting the integration between these activities, it is evidenced that the solution for requalification of these spaces also requires new propositions. That is, these spaces need to be equipped with different activities, for example, ranging, for example, from the manufacture of beer, visitation in the factory and old machinery to exhibition art rooms, coworking lounges and auditoriums, because this convergence of activities promotes the use by different users, contemplate the rescue of these spaces and their sustainability.

However, the character of the interventions exemplified is capable of a public private partnership by the degree of investment compressed in the proposals, because the government would



Figure 10 – Burn Plant requalification project for special beer making.
Source: Larissa Miranda Sá (2016).

hardly make an intervention to this degree. In the cases mentioned above, for example, they could happen from the application of the Instrument Transfer of the Right to Build. In order to harmonize with the Right of Preemption, interventions of a social, cultural and environmental nature are susceptible, where the retrofit technique would be used with less investment in modern and technological elements.

6. FINAL CONSIDERATIONS

This work carried out a study on the underuse of industrial complexes and free areas remaining from the post-industrial period that the city of Campos dos Goytacazes experiences, especially on the heritage of the Burn Plant located at the Dr. Nilo Peçanha Avenue, and its objective was to identify the potentialities of use and analyze its possibilities under political-legal bias. The motivation of this work is directly linked to its situation in relation to the city - location in the urban network and architectural and landscape potential.

Thus, a bibliographic approach was carried out beginning in the history of the object of study, which developed through issues of a political-legal, economic and projective nature. For such development, disputes and current legislation have also been examined, with a view to such barriers. It was found that the possibilities based on legislation are feasible, however the absence of specific municipal laws corroborates that the instruments are not used according to prerogative provided for in the City Statute, which allows the occurrence of different types of interventions and enable the action of transforming agents of urban space, who are more interested in profiting from this type of space than, in fact, supplying the needs of the city.

It is also evident that the Master Plan of the municipality of Campos dos Goytacazes presents itself in an operative way, when it should present itself in an operative way. If its function is to ensure that the instruments fulfill the social function of urban property as expressed by the City Statute, this objective is not being fulfilled.

Among the instruments, the Right of Preemption stands out, for allowing the government to have a preference in the purchase of the property, and then autonomy to promote interventions that will requalify the space bringing new meaning, encompassing environmental, historical and cultural aspects so lacking in the city. However, in cases of application of that instrument, which enables a private public partnership, we point to the Transfer of the Right to Build, by the preservation factor.

When observing the compulsory and complementary Installment, Building and Use instrument, such as Progressive IPTU in Time and Expropriation with Payment in Securities, it is noted that the government has a certain tolerance in relation to glebas such as those of the Burned Plant: large free spaces in an urban mesh for a consolidated time that do not pass through the sieve of the installment process, building and use. When analyzing this fact, it is possible to observe that the Government allows there to be a loss of revenue because it does not apply the Progressive IPTU, thus acting with administrative misconduct, besides allowing the

owner of the property to play a role that questions the function social property, for example.

With regard to the Master Plan, it is necessary that laws be operative and that the greater objective is to minimize inequality in the urban space and improve quality of life. These laws should be organized by a multidisciplinary team, not restricted to political will.

Currently, the Master Plan undergoes a review because it has completed ten years in 2018 and in this new plan the intentions are directed to a participatory construction that could bring new perspectives to the space in question.

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