



ACT
Government

Chief Minister, Treasury and
Economic Development

Freedom of Information Publication Coversheet

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

FOI Reference: CMTEDDFOI 2019-014

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	Published
4. Additional information identified	No
5. Fees	Waived
6. Processing time (in working days)	25
7. Decision made by Ombudsman	N/A
8. Additional information identified by Ombudsman	N/A
9. Decision made by ACAT	N/A
10. Additional information identified by ACAT	N/A

From: [REDACTED]
Sent: Thursday, 6 December 2018 11:26 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: Destruction of heritage property on [REDACTED], Hall

Dear [REDACTED],

I write in response to your letter to me of 7/11/18 (your ref: 18/24695) in relation to the destruction of the stone outbuilding at [REDACTED].

I can assure you that many people here in Hall are extremely upset about the destruction and the lack of action in response to it. You will be hearing more about this matter.

Your reply to me stated that *“Access Canberra conducted an independent review of the circumstances that led to the removal of the stone outbuilding. I am advised that Access Canberra, based on the information received, determined there was no suggestion that removal was the result of reckless or negligent conduct and may have been an unfortunate misunderstanding; and there is currently not enough information to suggest that any party blatantly disregarded the law”*.

We find this finding quite incredible. How could it be possible for someone to purchase a property with a heritage structure in a heritage listed village and then be credibly able to claim that they had no understanding of their legal obligations with respect to that heritage? Something is very wrong here.

In an effort to better understand the facts of the matter, I hereby request, under the Freedom of Information Act 1989, the following information:

- The written instructions given by the government to the agent who handled the sale of [REDACTED].
- The complete report of the independent review undertaken by Access Canberra in relation to the unauthorised destruction of the outbuilding.
- The contract that was provided to prospective buyers of [REDACTED].

I also ask that you consider taking immediate action to halt further development of the property pending a more complete investigation of this situation.

Sincerely

[REDACTED]

[REDACTED], Hall, ACT



ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI 2019-0014

[REDACTED]
HALL ACT 2618

via email: [REDACTED]

Dear [REDACTED]

FREEDOM OF INFORMATION REQUEST

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 18 January 2019, in which you sought access to a copy of the complete report of the independent review undertaken by Access Canberra in relation to the unauthorised destruction of the outbuilding at [REDACTED] Hall.

Authority

I am an Information Officer appointed by the Director-General under section 18 of the Act to deal with access applications made under Part 5 of the Act.

Timeframes

In accordance with section 40 of the Act, CMTEDD is required to provide a decision on your access application by **12 March 2019**.

Third Party Consultation

In making this decision, I completed consultation in accordance with section 38 of the Act. The views of identified third parties were taken into account in making this decision.

Decision on access

Searches were completed within CMTEDD for relevant documents and 1 document was identified that falls within the scope of your request.

I have decided to fully exempt from release the Access Canberra Regulatory Advisory Committee Submission (the Report) as it is contrary to the public interest to release under section 1.14 of Schedule 1 of the Act.

The remaining information will be partially released as I consider the information would, on balance, not be contrary to the public interest to disclose under the test set out in section 17 of the Act.

I have included as Attachment A to this letter a schedule which describes the relevant document which falls within the scope of your request and the access decision for that document. The document to be released to you is provided as Attachment B to this letter.

In accordance with section 54(2) of the Act, a statement of reasons outlining my decision is below.

Statement of Reasons

In reaching my access decision, I have taken the following into account:

- the Act;
- the content of the document that falls within the scope of your request;
- the views of the relevant third party; and
- the *Human Rights Act 2004*.

Exemption claimed

My reasons for deciding not to grant access to some identified material is as follows:

Contrary to the public interest information under section 1.14 of Schedule 1 of the Act

1.14 Law enforcement or public safety information

(1) Information the disclosure of which would, or could reasonably be expected to—

...

(f) prejudice the effectiveness of a lawful method or procedure for preventing, detecting, investigating or dealing with a contravention or possible contravention of the law; ...

The Report is exempt under this section of the Act as it contains information that would disclose methods and procedures used by Access Canberra in investigations to prevent, detect or investigate breaches or evasions of the law. I am satisfied that the Report comprises details of methods and procedures that are not generally known to the public, and disclosure would likely prejudice the effectiveness of those methods and procedures.

For this reason, I have decided to exempt the Report (7 pages) from release in its entirety.

Information that would, on balance, be contrary to the public interest to disclose under the test set out in section 17 of the Act

The Act has a presumption in favour of disclosure. As a decision maker I am required to decide where, on balance, public interests lies. As part of this process I must consider factors favouring disclosure and non-disclosure.

In *Hogan v Hinch* (2011) 243 CLR 506, [31] French CJ stated that when 'used in a statute, the term [public interest] derives its content from "the subject matter and the scope and purpose" of the enactment in which it appears'. Section 17(1) of the Act sets out the test, to be applied to determine whether disclosure of information would be contrary to the public interest. These factors are found in subsection 17(2) and Schedule 2 of the Act.

Taking into consideration the remaining information contained in the document found to be within the scope of your request, I have identified that the following public interest factor is relevant to determine if release of the remaining information contained within the document is within the 'public interest'.

Factors favouring disclosure (Schedule 2 section 2.1)

(a) *disclosure of the information could reasonably be expected to do any of the following:*

- (i) *promote open discussion of public affairs and enhance the government's accountability;*

Having considered the above factor identified as relevant in this matter, I consider that release of the remaining information within the scope of the request may contribute to open discussion of public affairs and enhance the government's accountability. I consider there is a public interest in the operations of the ACT Government in relation to the investigation of the alleged unauthorised demolition of a possible heritage listed stone cottage, stable and fence. The information identified as being within the scope of your request provides this information. I am satisfied the information contained within these documents is within the public interest to release as they reveal the reason for a government decision along with background and contextual information.

I am satisfied that the public interest in increasing transparency and accountability of the ACT Government carries significant weight.

Factors favouring non-disclosure (Schedule 2 section 2.2)

(a) *disclosure of the information could reasonably be expected to do any of the following:*

...

- (ii) *prejudice the protection of an individual's right to privacy or any other right under the Human Rights Act 2004;*

When considering the remaining information and factors in favour of non-disclosure, I have considered the personal information contained in the documents, including names, signatures and contact information. I am satisfied that the names, signatures, and contact information of ACT Government employees in their signature blocks should be released as these staff members were acting in their official capacity and the personal information being released is done so in relation to these individuals exercising their delegations in a work-related capacity. I do not consider the release of this information is unreasonable or could prejudice their right to privacy.

However, I consider it is unreasonable to release the names and contact information of individuals who are not government employees and where their information is not publicly available as this is personal information. I believe release of this information may prejudice the protection of these individuals' right to privacy or any other right under the *Human Rights Act 2004*. I am satisfied that this factor favouring non-disclosure should be afforded significant weight as it relates to individual's privacy. Accordingly, I have decided to withhold from disclosure names and contact information of these individuals.

Accordingly, folios 22-23, 25, 27, 30-33, 35-36, 38, 53-54, 57, 76, 78-79, 81 and 83 of the identified documents are entirely composed of or contain information that is considered to be contrary to the public interest under schedule 2 of the Act.

Charges

Pursuant to *Freedom of Information (Fees) Determination 2017 (No 2)* processing charges are applicable for this request because the total number of pages to be released to you exceeds the charging threshold of 50 pages. However, the charges have been waived in accordance with section 107 (2)(b) of the Act.

Online publishing – Disclosure Log

In accordance with section 28 of the Act, CMTEDD maintains an online record of access applications in the form of a disclosure log. Your original access application, my decision and documents released to you in response to your access application will be published in the CMTEDD disclosure log on 1 March 2019. Your personal contact details will not be published.

The CMTEDD disclosure log is at <http://www.cmd.act.gov.au/functions/foi/disclosure-log>.

Ombudsman Review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in CMTEDD disclosure log, or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601
Via email: actfoi@ombudsman.gov.au

ACT Civil and Administrative Tribunal (ACAT) Review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal
Level 4, 1 Moore St
GPO Box 370
Canberra City ACT 2601
Telephone: (02) 6207 1740
<http://www.acat.act.gov.au/>

Should you have any queries in relation to your request please contact me by telephone on 6207 7754 or email CMTEDDFOI@act.gov.au

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Sarah McBurney', with a stylized flourish at the end.

Sarah McBurney
Information Officer
Information Access Team
Chief Minister, Treasury and Economic Development Directorate

25 February 2019



ACT
Government

Chief Minister, Treasury and
Economic Development

FREEDOM OF INFORMATION REQUEST SCHEDULE

NAME	WHAT ARE THE PARAMETERS OF THE REQUEST	Reference NO.
[REDACTED]	The complete report of the independent review undertaken by Access Canberra in relation to the unauthorised destruction of the outbuilding.	CMTEDDFOI2019-014

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1-92	Regulatory Advisory Committee Submission (pages 1-7 exempt in full – removed from document pack)	January 2018	Exempt and Partial Release	Sch 1 s1.14 Sch 2 s2.2 (a)(ii)	Yes
Total No of Docs						
1						

9.0

Part 13 Heritage offences

74 Diminishing heritage significance of place or object

- (1) A person commits an offence if the person—
- (a) engages in conduct that diminishes the heritage significance of a place or object; and
 - (b) is reckless about whether the conduct would diminish the heritage significance of the place or object.

Maximum penalty: 1 000 penalty units.

- (2) A person commits an offence if the person—
- (a) engages in conduct that diminishes the heritage significance of a place or object; and
 - (b) is negligent about whether the conduct would diminish the heritage significance of the place or object.

Maximum penalty: 500 penalty units.

- (3) A person commits an offence if the person engages in conduct that diminishes the heritage significance of a place or object.

Maximum penalty: 100 penalty units.

- (4) An offence against subsection (3) is a strict liability offence.

- (5) In this section:

place or object—

- (a) means a place or object that is registered; but
- (b) does not include an Aboriginal place or an Aboriginal object.

Note A registered place or object includes a provisionally registered place or object (see s 11).

75 Damaging Aboriginal place or object

- (1) A person commits an offence if the person—
- (a) engages in conduct that causes damage to an Aboriginal place or object; and
 - (b) is reckless about whether the conduct would cause damage to the Aboriginal place or object.

Maximum penalty: 1 000 penalty units.

- (2) A person commits an offence if the person—
- (a) engages in conduct that causes damage to an Aboriginal place or object; and
 - (b) is negligent about whether the conduct would cause damage to the Aboriginal place or object.

Maximum penalty: 500 penalty units.

- (3) A person commits an offence if the person engages in conduct that causes damage to an Aboriginal place or object.

Maximum penalty: 100 penalty units.

- (4) An offence against subsection (3) is a strict liability offence.

- (5) In this section:

cause damage includes disturb and destroy.

76 Exceptions to part 13 offences

- (1) In this section:

authorised—see Legislation Act, section 121 (6).

conservation officer—see the *Nature Conservation Act 2014*, dictionary.

Part 13 Heritage offences

Section 76

governmental officer means—

- (a) a public servant or conservation officer; or
 - (b) a person declared under subsection (3) to be a governmental officer.
- (2) Section 74 and section 75 do not apply to—
- (a) engaging in conduct in accordance with any of the following:
 - (i) a heritage guideline;
 - (ii) a heritage direction;
 - (iii) a heritage agreement;
 - (iv) a conservation management plan approved by the council;
 - (v) development approval under the *Planning and Development Act 2007*, chapter 7;
 - (vi) an excavation permit;
 - (vii) a statement of heritage effect approved by the council; or
 - (b) a governmental officer exercising a function for this Act or another Territory law or engaging in authorised conduct.
- (3) The Minister may declare a person to be a governmental officer.
- (4) A declaration is a notifiable instrument.

Note A notifiable instrument must be notified under the Legislation Act.

Part 14 Enforcement

Division 14.1 General

77 Definitions for pt 14

In this part:

connected—a thing is *connected* with an offence if—

- (a) the offence has been committed in relation to it; or
- (b) it will provide evidence of the commission of the offence; or
- (c) it was used, is being used, or is intended to be used, to commit the offence.

occupier, of premises, includes—

- (a) a person believed, on reasonable grounds, to be an occupier of the premises; and
- (b) a person apparently in charge of the premises.

Note The dictionary defines *premises* as including land.

offence includes an offence that there are reasonable grounds for believing has been, is being, or will be, committed.



ACT Heritage Council

Entry to the ACT Heritage Register

Heritage Act 2004

20087. Hall Village Heritage Precinct

Section 1 -11, 15-20, 22-24

Division of HALL

Blocks 306, 307, 310, 312, 314

District of HALL

Blocks 382, 583, 584 (part), 586, 597, 598, 630 (part)

District of GUNGAHLIN

This document has been prepared by the ACT Heritage Council.

This entry which was previously part of the old heritage places or the old heritage objects registers (as defined in the *Heritage Act 2004*), as the case may be, is taken to be registered under the *Heritage Act 2004*.

Conservation Requirements (including Specific Requirements), as defined under the *Heritage Act 2004*, that are contained within this document are taken to be Heritage Guidelines applying to this place or object, as the case may be.

Information restricted under *the old heritage places register or old heritage objects register* is restricted under the *Heritage Act 2004*.

Contact: ACT Heritage Council c/o Secretary PO Box 144
Enquiries: phone 02 6207 2164 fax 02 6207 5715

Lyneham ACT 2602
e-mail heritage@act.gov.au



ACT Government

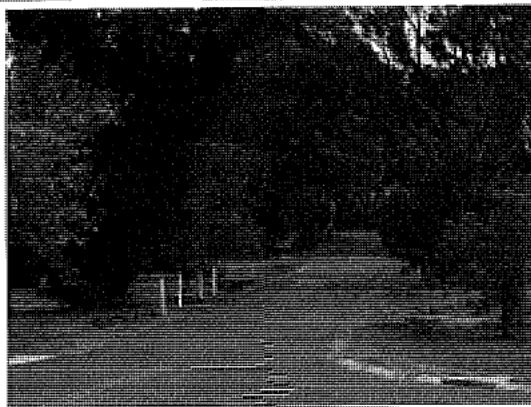
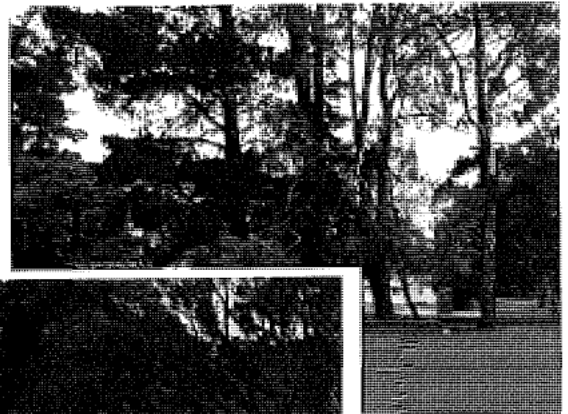


Helpline: 02 6207 9777
Website : www.cjnd.act.gov.au
E-mail: EnvironmentACT@act.gov.au



ACT Heritage Council

**AUSTRALIAN CAPITAL TERRITORY
INTERIM HERITAGE PLACE REGISTER FOR**



HALL VILLAGE PRECINCT

has been prepared by the ACT Heritage Council, and included in an interim Heritage Places Register. This is pursuant to resolution of the ACT Heritage Council at meeting 70/Item 4.2 made on 26 July 2001.

Date of Gazettal **23 August 2001**

Enquiries in respect of this interim Heritage Place Register should be directed to:

The Secretary
ACT Heritage Council
PO Box 144 LYNEHAM ACT 2602
Ph: (02) 6207 7378 Fax: (02) 6207 2200 Email: heritage@act.gov.au

Note: The ACT Heritage Council has formulated the interim Heritage Place Register for the Hall Village Precinct in partnership with the preparation of the Hall Village Master Plan by Planning and Land Management (PALM). Gazettal of the interim Register provides statutory protection to the heritage values of Hall in the period up to completion of the Master Plan. The provisions of the final Heritage Place Register and draft Master Plan are proposed to be integrated into a single instrument subject to agreement on the final provisions by the Heritage Council and PALM.

HALL VILLAGE PRECINCT INTERIM HERITAGE PLACE REGISTER

LOCATION OF PLACE:

Division of Hall:

- Sections 1 – 11, 15 – 20, 22 – 24 inclusive of all blocks

District of Hall:

- Blocks 306, 307, 310, 312, 314

District of Gungahlin:

- Blocks 382, 583, 584 (part), 586, 597, 598, 630 (part)

FEATURES INTRINSIC TO THE HERITAGE SIGNIFICANCE OF THE HALL VILLAGE PRECINCT:

The features intrinsic to the heritage significance of the place and recommended for conservation comprise:

- (i) The 'rural village' urban landscape character of Hall Village, including
- the small urban scale (5 x 3 streets) and simple grid layout of roads;
 - evidence of uniform original subdivision into large 2000m² blocks;
 - siting of commercial and public buildings along a central 'main street';
 - presence of gravel or grassed laneways at rear of properties facilitating vehicular and pedestrian circulation;
 - predominantly single storey construction with a diversity of built forms and high proportion of timber and metal materials used externally;
 - high proportion of landscape space to residential blocks incorporating generous front and side setbacks;
 - considerable numbers of mature trees including exotics and remnant eucalypts across the village;
- (ii) The informal streetscape character consistent with a rural village, including:
- relatively narrow street pavements with remnants of original 'soft' edge treatment – absence of kerb,
 - informal verge treatments - incorporating swale drains, unmanicured dryland grasses and native shrubs, diverse arrangements and species of street trees, examples of rural type front fences, gravel verge crossing to driveways;
 - discrete garages generally detached and set to rear, frequently addressing laneways instead of street;
 - absence of hard paving, formal hedgerows or highly-manicured gardens of a suburban nature at the front of dwellings.
- (iii) The landscape setting of Hall Village including:
- landscape buffer separation from other urban areas of Canberra,
 - enclosure of the village within a wooded valley adjoining Halls Creek;
 - immediate siting of the village within a belt of remnant woodland;
 - evidence of original allotment subdivision around village, eg: Sunnyside,
 - main vehicular approach routes to village through open pastureland.
 - soft edge to village defined by roadways or public open space in lieu of buildings or fences, providing an outlook into the adjoining pasture and woodland areas;

- (iv) Individually identified built heritage places of collective historic and social value, as listed in Schedule 1.
- (v) Natural and Aboriginal Heritage values of the environs around Hall Village as listed in Schedule 1:
- Endangered Yellow Box/Red Gum grassy woodland ecological community;
 - Endangered Leek Orchid habitat within the Hall Cemetery;
 - Occurrence of Aboriginal sites within relatively undisturbed woodland areas and along Halls Creek (individual Aboriginal places being subject to separate heritage registration).

STATEMENT OF SIGNIFICANCE:

Proclaimed in 1882, Hall Village represents a small rural service centre associated with the pastoral use of the area prior to the formation of the Australian Capital Territory. Hall Village continues to provide services to the surrounding rural area within the ACT and NSW, and the community values the sense of physical and social separation from Canberra.

The landscape setting of Hall Village is valued for its social and natural values. The ridgelines enclosing the Village support an endangered Yellow Box/Red Gum grassy woodland ecological community. Five bird species, declared vulnerable under *the Nature Conservation Act 1980*, have either been recorded or are likely to occur within the grassy woodland. The cemetery includes the habitat of the endangered Leek Orchid, *Prasophyllum petilum*.

The presence of Aboriginal sites within the grassy woodland and along Hall's Creek demonstrates a relative lack of physical disturbance within these areas, and reflects a natural and Aboriginal cultural landscape prior to European settlement.

Hall Village demonstrates a range of physical characteristics resulting from its historical role as a rural village that are valued by the local community. These comprise elements of the urban layout and spatial character, built form and landscape elements within the village, and the woodland and pastoral setting of the village. Exotic and endemic tree plantings within the Village include examples of botanical interest or having an historical association to an event or person.

Hall Village is also significant for its historical and social associations with the early pioneers of Ginninderra and Hall District families. Several of the historic buildings and sites within the Village and its surrounds (as identified in schedule 1) reflect a range of local historical associations that are valued by the community. Whilst not individually of high significance, the collective value of these places is important in defining a 'sense of place' for the Hall community and renders the Village part of a broader cultural landscape, closely linked to the pastoral history of Ginninderra and Gungahlin.

**SCHEDULE 1:
Places of Specific Value within the Hall Village Precinct**

#	Element:	Street Address:	Cadastral Location:
The Hall Village Main Street			
1	War Memorial Grove	cnr Victoria & Gladstone	road reserve adj 5/20
2	Hall Showground and Sportsground including its layout and individual elements: the Hall Pavillion, Stables and Sheep Pavillion, and remnant woodland trees.	cnr Victoria & Gladstone	Blocks 2 & 5 Section 20
3	'Winarlia'	3 Victoria St	Block 7 Section 3
4	Premier Store	5 Victoria St	Block 11 Section 3
5	Hall Antiques & Garage	6 Victoria St	Block 4 Section 2
6	Morris' Bootmakers Shop	10 Victoria St	Block 12 Section 2
7	St Michael & All Angels Anglican Church	20 Victoria St (corner Loftus/Victoria Streets)	Block 2 Section 6
8	Hall Primary School, Hall Education Museum and the 'Peace Tree' (<i>juniper spp</i>)	24-26 Victoria St	Block 3 Section 6
9	'Avoca'	32 Victoria St	Block 5 Section 10
10	'Cooee'	39 Victoria St	Block 9 Section 11
11	St Francis Xavier Catholic Church	Victoria St north	Section 17
23	Halls Creek Road Bridge	Victoria St south	road reserve adj 1/23
The Hall Village Residential Precinct			
12	'Glenona'	19 Gladstone St	Block 5 Section 1
13	Slab Cottage	7 Palmer St	Block 9 Section 2
14	'Ottocliffe'	8 Palmer St	Block 2 Section 1
The Hall Village Surrounds			
15	Village Well	South side of Gladstone	Block 1 Section 23
16	Hall Village Reserve	Victoria St	Block 15 Section 7
17	Cricketers Arms Hotel	Victoria St	Block 8 (part) Sect 23
18	Hall Cemetery	Wallaroo Road	Block 1 Section 22
19	Yellow Gum/ Red Box Endangered Woodland Community		Block 1 Section 16 Blocks 3,5,6,7 Sect 18 Blocks 2 & 3 Section 19 All Blocks Section 20 Block 1 Section 22 Block 8 Section 23 <i>Gungahlin District</i> Blocks 583, 584, 597, 598, 630
20	Leek Orchid (<i>Prasophyllum petilum</i>) Endangered Community	Hall Cemetery, Wallaroo Road	Block 1 Section 22
21	Aboriginal Sites Zone (Specific Aboriginal Places to be subject of separate heritage register)	Vicinity of Hall Creek	Blocks 2 & 5 Section 20 All Blocks Section 23 <i>Gungahlin District</i> Blocks 584, 597, 598
22	Sunnyside	41 Wallaroo Road	Block 4 Section 23 Hall

Abbreviations: cnr = corner adj = adjoining/adjacent

SPECIFIC REQUIREMENTS FOR THE CONSERVATION OF HALL VILLAGE PRECINCT

In accordance with s.54(1) of the *Land (Planning and Environment) Act 1991*, the following specific requirements are identified as essential to the conservation of the heritage significance of the place. These specific requirements are prepared to implement the following conservation policy for the place:

The intrinsic features of the Hall Village Precinct should be managed in a manner appropriate to conserve its historical significance as a rural village predating the Territory, and conserve the natural, aesthetic and Aboriginal values of its landscape setting.

Any action relating to these specific requirements is development for the purposes of the Act and will require approval prior to undertaking the activity. To undertake development without approval may be an offence.

1. Conserving the Historical Village Layout

Conservation Objective 1.1:

To conserve the historical layout and subdivision pattern of the village reflecting C19th town planning and providing a contrast to the organic 'Garden City' planning of C20th Canberra.

- (a) Roads should retain their current alignments and widths and should remain bitumen or asphalt sealed. The replacement of existing unformed road edges and swale drains with concrete kerb and guttering should not be permitted. New traffic calming and other road and traffic control devices should be designed to minimise disruption to the original street pattern, and the installation of raised humps or islands should be avoided.
- (b) Existing laneways shall be retained as trafficable areas for vehicles and/or pedestrians, and should retain an unformed edge – without kerbing. Laneway surfaces should remain unsealed.
- (c) Victoria Street should retain its historical function as the primary approach route and village thoroughfare. The commercial area and associated 'village main street' streetscape should be retained between Loftus and Gladstone Streets.
- (d) The historical intent for Sections 6 & 7 to constitute a central landscaped reserve within the village should be retained through the retention of the Hall Reserve (Block 15 Section 7) as landscaped open space, and the conservation and enhancement of landscape at the Hall Public School (Block 3 Section 6) and St Michaels & All Angels Church (Block 2 Section 6).
- (e) No additional residential or commercial development or subdivision, other than that being directly associated with rural land use, should be permitted within the precinct external to the existing village grid subdivision.
- (f) No further subdivision or consolidation of residential blocks shall be permitted. The consolidation of commercial blocks shall not be permitted however the subdivision of commercial blocks may be permitted where the subdivision will not have an adverse impact on the heritage values of the streetscape.
- (g) Not more than one dwelling per residential block shall be permitted.

2. Conserving the Landscape Character & Setting of the Village

Conservation Objective 2.1:

To preserve the landscape setting of the village reflecting its historical function as a rural service centre, and retain physical and visual separation from urban Canberra.

- (a) The landscape setting of the Village should be conserved with key approach routes passing through woodland or grassland areas.
- (b) Development of areas outside the village precinct should not be visible from the perimeter roadway around the residential and commercial area.
- (c) No additional road connections should be provided to the village, although road connections to future development in the Kinlyside area should not connect to Victoria Street between Halls Creek and Section 15.

Conservation Objective 2.2:

To preserve the natural and Aboriginal heritage values within the landscape setting of the village.

- (d) The Endangered Yellow Box/Red gum grassy woodland ecological communities to the east and west of the village and the Endangered Leek Orchid habitat within the Hall Cemetery shall be managed in accordance with the relevant ACT Government action plans #4 and #10 respectively.
- (e) Development or management activities necessitating excavation of the ground surface within the Aboriginal Sites Zone shall not be permitted without approval, and shall be consistent with the provisions of the relevant separate (interim) Heritage Place Register for the Hall Village Aboriginal Sites.

Conservation Objective 2.3:

To perpetuate substantial numbers of trees on private and public land across the precinct consistent with the woodland setting of the village and current social values. The diversity of species and planting arrangements that reflect the rural village streetscape character within the village should be retained, including informal characteristics which contrast with the unity and ordered arrangements of suburban Canberra.

- (f) Tree plantings within the public domain, including reserves and street trees should be conserved as part of the broader village landscape. Species that are 'Environmental Weeds' should be removed or replaced excluding any formal plantings of historic value, eg: the White Poplars within the War Memorial Grove. New or replacement plantings within reserve areas should include examples of species from the adjoining endangered woodland communities.
- (g) Street tree plantings should utilise variations of non-invasive exotic and endemic trees, medium to large in size, planted in varied spacing to achieve a mix of clumps and individual plantings appropriate to the species used and sympathetic to the informal streetscape character.
- (h) Street trees should be protected during development. Vehicles, equipment and materials should not be driven or stored around or under street trees.
- (i) The design of any development upon private land should aim to retain all mature trees within the block. Trees of the following size shall not be removed without approval:
 - Overall height above ground >6m or
 - Trunk circumference at 1.2m above ground >750mm
- (j) Removal may be permitted where the lessee can demonstrate, with supporting specialist advice, that:

- the tree is causing substantial damage to a building, structure or service; or
 - the tree is structurally weak and there is a potential danger of causing injury to persons or damage to property; or
 - the tree represents a serious plant disease threat; or
 - the tree is blocking solar access to the living areas of a dwelling during winter between the hours of 9am to 3pm, and pruning is not sufficient to remedy this; or
 - the tree is causing an allergic reaction to an occupant of the block and the claim can be supported by certification from a medical specialist; or
 - where the tree is part of a close planting of a number of trees, the removal of the tree will allow the other trees to develop fully; or
 - the Authority considers that an approval is in accordance with retaining the heritage significance of the precinct.
- (k) Where the removal of a tree is approved, a replacement tree of advanced stock, of the same species or a species common or sympathetic to the precinct, shall be introduced at an approved location within the block. This requirement may be waived where a substantial number of trees are to be otherwise retained within the property.

3. Conserving the Village Streetscape

Conservation Objective 3.1:

The rural village streetscape character within the village should be retained, including informal characteristics which contrast to the unity and ordered arrangements of suburban Canberra.

- (a) Verges shall be retained at their current widths with soft landscaping treatments consistent with the informal rural village character, eg: dry grassland, endemic shrubs and trees.
- (b) Driveway verge crossings should be limited to one at each street frontage of a block, should have a maximum width of 3.6m and a bitumen or gravel surface between the front boundary and street.
- (c) Rural fences and gates may be permitted between the street and dwelling provided their construction is of a predominantly 'transparent' nature, eg: wire strand, wire mesh or timber post and rail, and they do not exceed 1200mm in height.
- (d) Solid fences shall not be permitted closer to the street than the building line, excluding side boundary fences. Masonry courtyard walls should not be visible from the street or adjacent public domain
- (e) Retaining walls or mounding of earth visible to the street or adjacent public domain should only occur where they will not have an adverse impact on the streetscape character.
- (f) Hard surfacing between the dwelling and the street shall be kept to a minimum required for reasonable pedestrian and vehicular access.

Conservation Objective 3.2:

To conserve the low density character of the village of large blocks with detached dwellings generally sited centrally within a generous landscape setting. To ensure that development is sympathetic to the existing patterns of built form, predominantly single-storey scale, and landscape composition of the rural village streetscapes.

- (g) The maximum plot ratio for a development within a residential block shall be 25%, excluding water tanks.

- (h) No part of a dwelling or attached structure shall be closer to the front boundary of the block than 12m or the building line to the original dwelling, whichever is the lesser.
- (i) No part of a dwelling or attached structure shall be closer to a side boundary than 5m for blocks over 1500m², and not closer than 3m for blocks less than 1500m².
- (j) No part of a dwelling or attached structure shall be closer to a rear boundary than 3m.
- (k) New dwellings or additions to existing dwellings should present a single-storey scale to the front street and any loft or two-storey elements at the rear shall not be visually prominent from other public domains.
- (l) On sloping blocks, the form of any new construction should generally follow the slope of the block.

Conservation Objective 3.3:

To minimise the visual prominence of driveways and vehicle accommodation within the streetscape and retain the intrinsic characteristic of detached vehicle accommodation and outbuildings consistent with the rural village streetscape character.

- (m) Driveways should remain predominantly of a single-vehicle width between the front property boundary and front setback of a dwelling, and have a uniform surface of subdued charcoal or earthen tones. Gravel, brick, clay or concrete pavers or bitumen are preferred surface finishes. Strong textures including stamped concrete, and bright colours including bare or exposed aggregate concrete shall not be used.
- (n) Garages or carports that are attached to a dwelling shall maintain the setbacks provisions to all boundaries as per 3(i), 3(j) and 3(k).
- (o) Detached garages, carports or other outbuildings should not be located closer to the street than the building line and should not exceed 3.6m in height above the natural ground level. These structures may be constructed against side and rear boundaries where landscaped space is retained between the dwelling and structure, and the structure does not otherwise detract from the streetscape or any other view from the public domain.
- (p) No more than the equivalent of two garage doors or a double width carport shall be visible to the front street.

Conservation Objective 3.4:

To retain the historical use and 'main street' character of the commercial area of Victoria Street.

- (q) Development of blocks within Sections 2 and 3 that front Victoria Street shall retain the urban character of a small rural village commercial area including a single storey scale to the street, mixed forms comprised of detached commercial shopfronts and industrial buildings, presence of awnings or covered verandahs along shopfronts, and predominance of timber and metal claddings.
- (r) The treatment of verges including the design for carparking and pedestrian circulation, design of street furniture and selection of materials should reflect the urban character of a small rural village and any remnant historic examples.

SCHEDULE 2:

Section 4 Specific Requirements to be Applied to Individual Heritage Places as identified below (in addition to requirements of Sections 1-3)

#	Element:	Additional Specific Requirements
The Hall Village Main Street		
1	War Memorial Grove	4 (k - o) inclusive
2	Hall Showground and Sportsground	4 (d, h, i, k - o) inclusive
3	'Winarlia'	4 (a - l) inclusive
4	Premier Store (reconstruction)	4 (d, h - l) inclusive
5	Hall Antiques & Garage	4 (a - l) inclusive
6	Morris' Bootmakers Shop (reconstruction)	4 (d, h - l) inclusive
7	St Michael & All Angels Anglican Church	4 (a - o) inclusive
8	Hall Primary School	4 (d, h, l, k - o) inclusive
9	'Avoca'	4 (a - l) inclusive
10	'Coeee'	4 (a - l) inclusive
11	St Francis Xavier Catholic Church	4 (a - o) inclusive
23	Halls Creek Road Bridge	4 (a, b, h, o)
The Hall Village Residential Precinct		
12	'Glenona'	4 (a - l) inclusive
13	Slab Cottage	4 (a, d, e, h, l)
14	'Ottocliffe'	4 (a - l) inclusive
The Hall Village Surrounds		
15	Village Well	4 (k - o) inclusive
16	Hall Village Reserve	4 (k - o) inclusive
17	Cricketers Arms Hotel site	4 (k - o) inclusive
18	Hall Cemetery	4 (k - o) inclusive
19	Yellow Gum/ Red Box Endangered Woodland Community	refer requirements of 2(c)
20	Leek Orchid (<i>Prasophyllum petilum</i>) Endangered Community (Hall Cemetery)	refer requirements of 2(c)
21	Aboriginal Sites Zone	refer requirements of 2(d)
22	'Sunnyside'	4 (a - l) inclusive

4. Additional Requirements to Conserve the Heritage Values of Individual Places

NOTE: The following clauses shall be applied to individual places if indicated within SCHEDULE 2:

Conservation Objective 4.1:

To minimise the loss of the historical integrity of the precinct through total demolition of original historic buildings.

- (a) The demolition of identified historic buildings shall not be permitted except in exceptional circumstances, including:
- the building is so structurally unsound as to be beyond reasonable economic repair. The application must include a professional and independent structural assessment in support of demolition;
 - or the existing condition of the building poses a significant health or safety risk that is beyond reasonable economic repair. The application must include a professional and independent structural or health assessment in support of demolition;
 - or where, in the opinion of the Authority, the integrity of the built form has been extensively and irreversibly diminished by unsympathetic alterations and additions.
- (b) Applications for demolition shall only be considered in conjunction with a development application outlining the future redevelopment of the whole block where the proposed replacement building and landscape treatment will reinstate or enhance the heritage character of the Precinct.
- (c) Where neglect of an historic building has contributed to the building becoming structurally unsound, redevelopment of the site shall not exceed the gross floor area of the demolished building and should enhance the heritage character of the Precinct. Additions to the reconstructed building shall not be approved within 3 years of the completion of the replacement building.

Conservation Objective 4.2:

To retain the historical form and architectural character of the original historic buildings as perceived from the street or adjacent public domain.

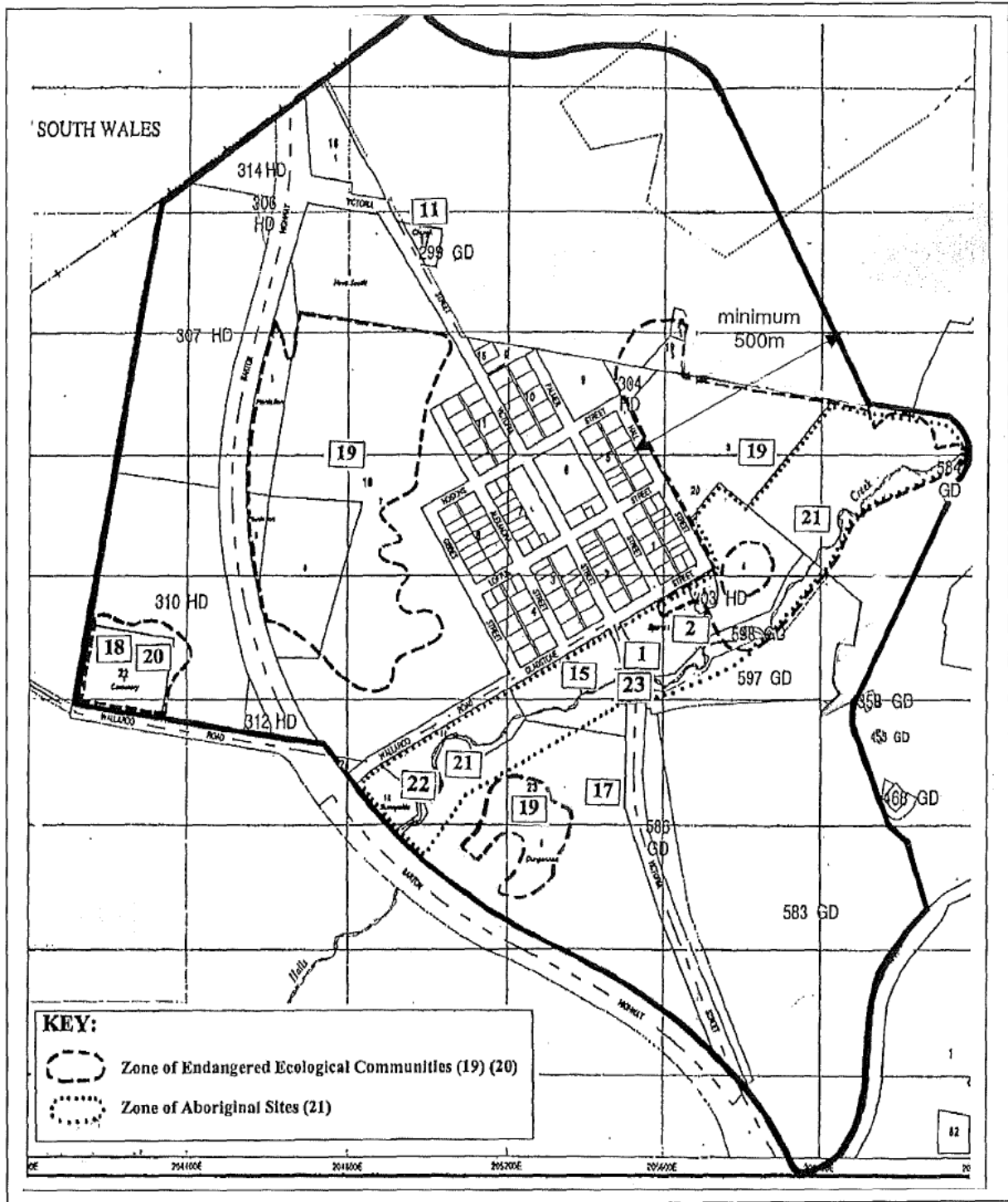
- (d) Additions to buildings should be designed to minimise disturbance to the form of the original building. Wall articulation and roof form should complement the original building.
- (e) The addition of roof forms larger than the original roof should be avoided. The original roof shall not be replaced with an alternate form. The restoration of non-original roofs to their original form is encouraged.
- (f) Additions shall be made only to the side and rear of original buildings. Additions to the side of buildings shall be set at least 1.8m toward the rear of the block from the nearest front corner of the original building. For blocks having two street frontages, additions to one side elevation may occur with a reduced setback providing the form of the original building remains the dominant built form in the streetscape and the addition does not extend forward of the building line.
- (g) External alterations and additions shall only be permitted to the street frontage of a building where:
- the alterations or additions will reinstate the original façade and details thereof, and/or,
 - the alteration is to a previous unsympathetic addition and will enhance the streetscape character.

- (h) Alterations and additions to original buildings/structures which are visible to the street or adjacent public domain shall match the original details, materials and finishes for key elements including roofing and ridge capping; gutters and downpipes; fascias and eave details; wall finishes and details such as vents or corbelling; window types; materials and sill details; door treatment; and verandah joinery. Details, materials and finishes at locations not visible to the adjacent public domain should complement the original.
- (i) Prominent architectural details including original porches and chimneys that are visible from the street or adjacent public domain shall be retained.
- (j) Roof elements that protrude above the plane of the roof including solar hot water heaters and air-conditioners, and telecommunications masts or dishes should not be visible from the street or adjacent public domain.
- (k) The design, size, material and location of any new buildings or new structures shall be sympathetic to the landscape character and design of any buildings or structures at the place.

Conservation Objective 4.3:

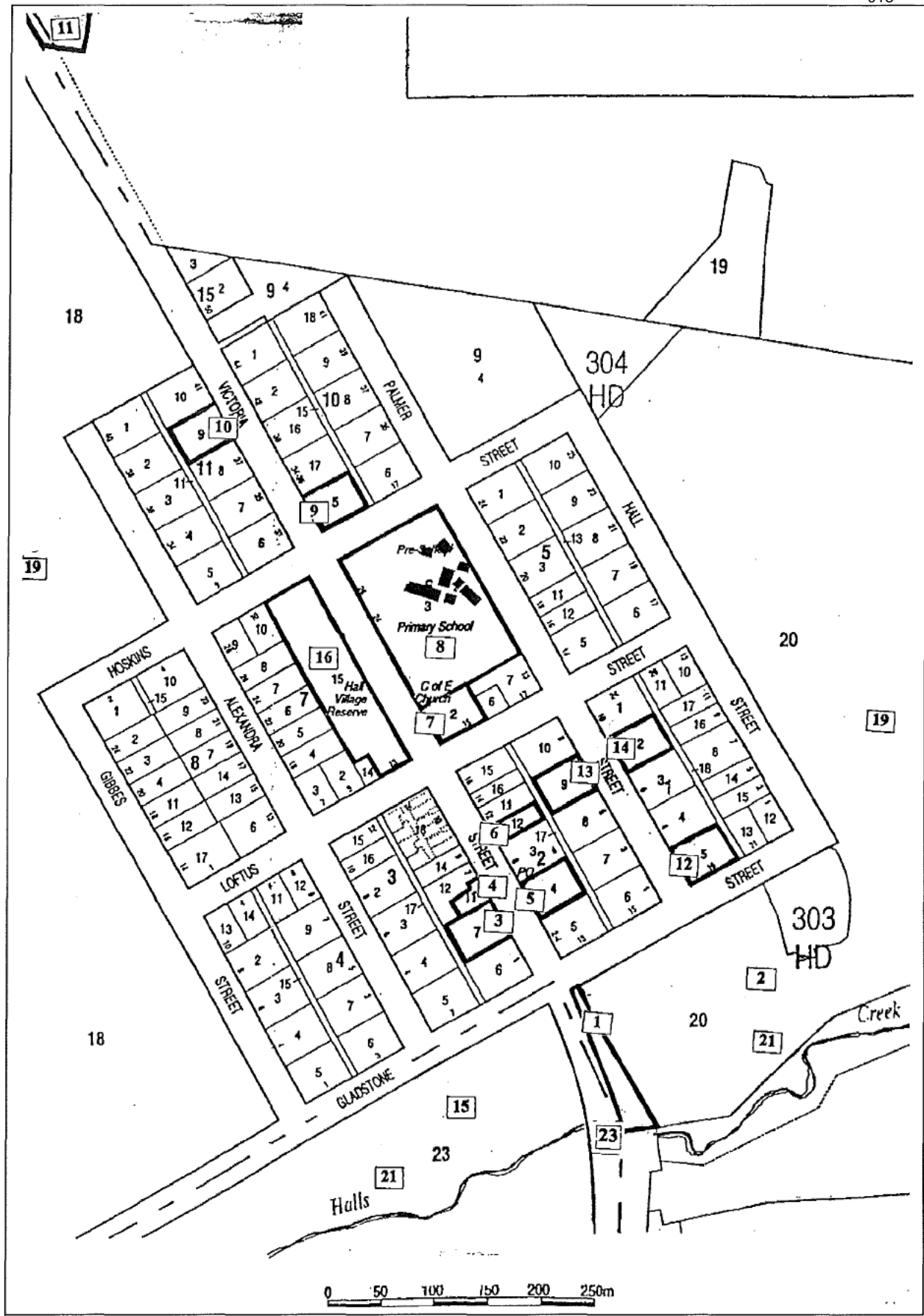
To retain the landscape setting of individual historic places plus individual historical plantings and minor built features.

- (l) The landscape setting of the place, including spatial relationships within the landscape alone or between built form and landscape, plus formal historic patterns of plantings or hard landscaping that contribute to the streetscape or landscape character of the village should be conserved or enhanced.
- (m) Where trees are individual plantings with important historical associations (eg: Peace Tree at Hall Primary) or occur in an historical formal arrangement then the original alignments, spacings and species (including patterns of species variation) should be retained, with trees being replaced where missing or in a declining or hazardous condition.
- (n) Where tree plantings occur within a reserve in no definable arrangement or pattern, the general character of the planting should be conserved where it enhances the landscape character of the precinct.
- (o) Built structures and archaeological remains from the early period of village development (pre-1960), plus monuments, shall be conserved in a manner appropriate to their historic and social value and protected from disturbance unless otherwise approved.



From Canberra by Suburbs & ACT Districts, 2001 Edition

Fig 1
Plan of Hall Village Precinct



From Canberra by Suburbs & ACT Districts, 2001 Edition

Fig 2
Individual Places of Heritage Value within the Hall Village Precinct

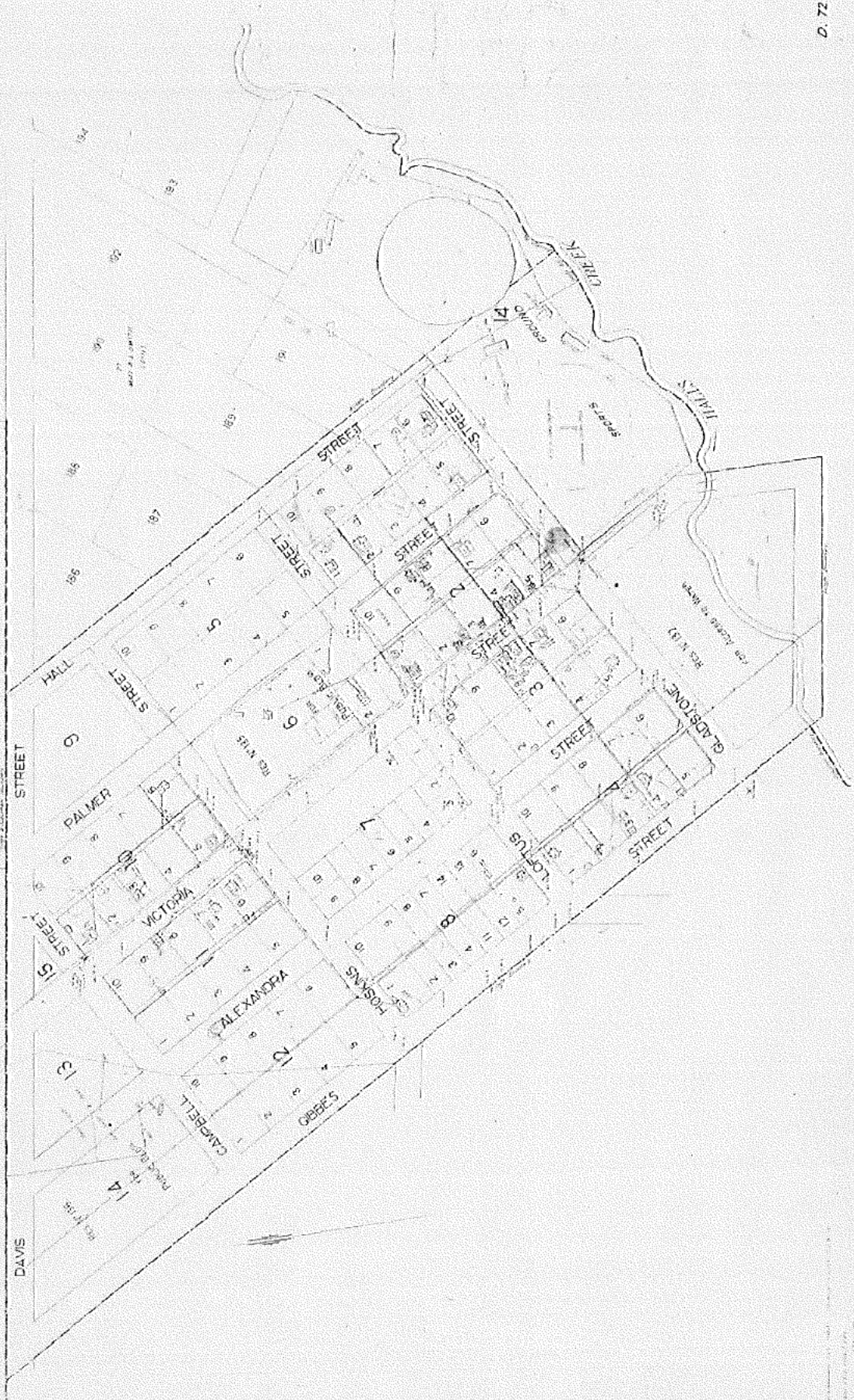
Places listed in Schedule 1 shown shaded

1954

9 019

VILLAGE OF HALL

SCALE: 2 CENTIMS TO AN INCH

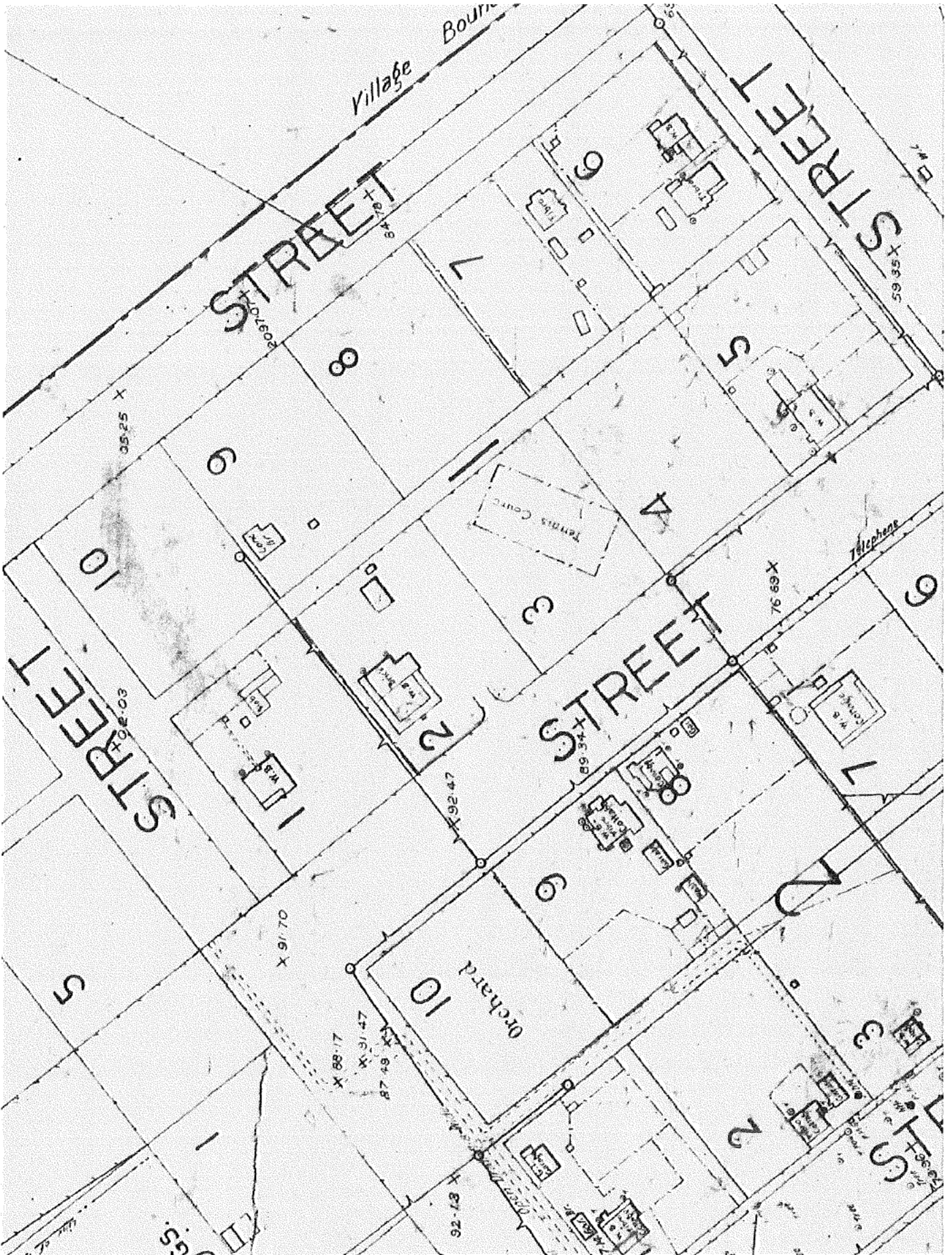


D. 72.

Copyright 1954 by the State of Georgia, Department of Transportation, Atlanta, Georgia.

9.1

1954



9.2



ACT Heritage Council

ACT HERITAGE ACT

AF2014-108

**ACT HERITAGE ACT—
APPLICATION FOR APPROVAL OF A
STATEMENT OF HERITAGE EFFECT
Heritage Act 2004, s61G**

For ACT Heritage Use Only	
Date received	
File No.	
Database ID	
Date to Council	
Decision date	
Accepted?	

The *ACT Heritage Act 2004* (the Act) establishes a system for the recognition, registration and conservation of places and objects having heritage significance and for *all* Aboriginal places and objects.

Under sections 74 and 75 of the Act, a person commits an offence if the person engages in conduct that diminishes the heritage significance of a place or object or if the person engages in conduct that causes damage to an Aboriginal place or object.

However, under s76 of the Act, such conduct is not an offence if carried out in accordance with any of the following:

- A heritage guideline;
- A heritage direction;
- A heritage agreement;
- A conservation management plan approved by the Council;
- An excavation permit;
- **A Statement of Heritage Effect approved by the Council;**
- Development approval under the *Planning and Development Act 2007* chapter 7; or
- If the person is a government officer exercising a function for the Heritage Act or another Territory law or engaging in authorised conduct.

This form may be used to seek the Council's approval of a Statement of Heritage Effect (SHE) for the purposes of being able to engage in certain activity which is exempt from the offence provisions.

A person or entity proposing to undertake activity that is likely to diminish the heritage significance of a place or object, or likely to damage an Aboriginal place or object, may make an application for approval of an SHE. No fee is payable for seeking approval of an SHE. An application will not be accepted unless signed and dated.

The ACT Heritage Council will notify you as soon as possible about its acceptance or dismissal of this application. An SHE may be approved with conditions.

DO YOU REQUIRE MORE INFORMATION OR NEED HELP?

If you need help completing this form, contact ACT Heritage on 13 22 81 or email heritage@act.gov.au. Incomplete or inadequate forms will be returned with feedback.

More information about the ACT Heritage Council, the Heritage Register and the heritage registration process is available on the ACT Heritage website at www.environment.act.gov.au/heritage or by contacting ACT Heritage on 13 22 81 or by email at heritage@act.gov.au.

LODGING YOUR FORM

Please send this form

- o **by mail to:** The ACT Heritage Council, PO Box 158, Canberra ACT 2601;
- o **by hand to:** ACT Heritage, Dame Pattie Menzies House, 16 Challis Street, Dickson ACT
- o **by email to:** heritage@act.gov.au

Approved form AF 2014-108 approved by Mick Gentleman MLA, Minister for Planning on 1 October 2014 under s119 Heritage Act 2004 (approved forms).

Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

01 DETAILS OF PLACE OR OBJECT Place ObjectType: natural Aboriginal historic other/combinedName of place/object: Dwelling in Hall Village Heritage Precinct

Other names if any: _____

Location: [REDACTED] Hall
Address Suburb[REDACTED]
*Block/Section/District/Division (if multiple addresses or blocks and sections, list all)*_____
*Description of place's boundary or objects components***For Aboriginal places, natural or rural locations:**
attach a sketch map, map references and/or GPS coordinates.

Exact locations of Aboriginal places are treated as restricted information and should not be divulged to other parties.

02 YOUR DETAILSName: 2.2(a)(ii)
*Title First Name Surname*Organisation: Philip Leeson Architects Graduate Architect
*Organisation Name (if the organisation is the nominator) Position*Postal Address: 4/9 McKay Street, Turner ACT, 2612
*Postal Address State Postcode*Telephone: 02 6295 3311
*Business Hours After Hours Mobile*2.2(a)(ii)@philipleeson.com.au
*Email*Do you have any personal association with the place or object? yes no

If yes, how would describe yourself:

 owner tenant neighbour a person with traditional (Aboriginal) affiliation with the place or object other _____

03 STATEMENT OF HERITAGE EFFECT

You must attach to this application a copy of the Statement of Heritage Effect that –

- Describes the place or object;
- Provides details about the proposed activity;
- Provides reasons for the proposed activity, including the extent and duration of the activity;
- Describes the likely effect of the proposed activity on the place or object including the effects that may diminish the heritage significance of, or damage to, the heritage place or object or Aboriginal place or object;
- Identifies measures to be adopted during the activity to reduce the risk of diminishing heritage significance or causing damage to an Aboriginal place or object;
- Identifies whether there are other reasonably practicable ways of carrying out the activity; and
- Provides details about the heritage significance of the place or object.

List all attachments enclosed:

Asbestos Archival report, containing photos, site plan, architectural drawings and a statement of heritage effects

04. PERSONAL INFORMATION DISCLOSURE STATEMENT

The personal information on this form is provided to the ACT Heritage Council and ACT Environment and Planning Directorate for the purpose of processing your application for limited access to restricted information. If you do not provide your contact details, the Heritage Council will not be able to process your application. EPD's Information Privacy Policy contains information about how you may access or seek to correct your personal information held by EPD, and how you may complain about an alleged breach of the Territory Privacy Principles. The EPD Information Privacy Policy can be found at www.act.gov.au/epd/information_privacy.

05 AUTHORISATION

I wish to make application for the Heritage Council to approve the attached Statement of Heritage Effect (SHE).

The information provided in the SHE is accurate to the best of my knowledge.

I understand that giving false or misleading information is a serious offence under the *Criminal Code 2002*.

Signed: 2.2(a)(ii)

Date: 11/04/16

9.2



ACT Heritage Council

Clearance Form

Advice prepared by: Jennifer Dunn Designation: Cons Off

Proposal: SHE - demolition [redacted] Hall

Impact / Concern: Mr Fluffy house

Recommendation: Support -

Signature: J. Dunn Date: 14/4/2016

Checked by: Meaghan Russell Designation: Team Leader

Comment: Agree

Signature: M Russell Date: 19/04/2016

Chair / Deputy Chair / Secretary: Fiona Moore Designation: A/g Manager

Comment: Agree

Signature: FM Date: 20/4/2016

9.2⁰²⁵



ACT Heritage Council

Statement of Heritage Effect Approval

Under Section 61H of the *Heritage Act 2004*

Applicant Reference: [Redacted] Hall

Heritage Reference: Hall [Redacted]
Contact Officer: 2.2(a)(ii) [Redacted]
Received by Council: 11 April 2016

TO: 2.2(a)(ii) [Redacted]
Philip Leeson Architects

CC: Graham Sandeman
Asbestos Response Taskforce
graham.sandeman@act.gov.au

Block:	Section:	Division / District:	Heritage Place:
[Redacted]	[Redacted]	Hall	Hall Village Precinct

Status of Place: Registered Heritage Place
Description of Works: Demolition of existing dwelling
Council Advice provided by: Secretary/ACT Heritage Manager

Pursuant to s. 61H of the *Heritage Act 2004*, the ACT Heritage Council advises that:

- The Statement of Heritage Effect is approved, on the basis that
 - (a) the proposed activity is justifiable at, or near, a place; and
 - (b) there are no reasonably practicable alternative ways to carry out the proposed activity at the heritage site; and
 - (c) that reasonable steps have been identified to reduce the risk of diminishing the heritage significance of or damage to the heritage site.

Background:

Block [Redacted] Section [Redacted] Hall ([Redacted]) is located within the Hall Village Precinct (the Precinct) which is entered to the ACT Heritage Register. The existing dwelling (also known as "Ottocliffe") comprises a single storey rendered brick and metal roofed cottage which has been altered and extended.

On 11 April 2016 the ACT Heritage Council (the Council) received an application for approval of a Statement of Heritage Effects (SHE) for demolition of the existing dwelling which included an archival recording of the exterior of the building.

The dwelling has been identified for demolition as part of the ACT Government's Loose Fill Asbestos Insulation Eradication Scheme (the Scheme). The Scheme has been developed to eradicate the ongoing exposure risks from the continuing presence of loose fill asbestos insulation (Mr Fluffy) in Canberra houses. This outcome is to be achieved by the compulsory demolition of all affected houses and block remediation. There are no alternate options.

Advice:

Consistent with its *General Conservation Policy 6 – Loose Fill Asbestos in Heritage Places*, where the presence of loose-fill asbestos has been identified in a building at a heritage place, the Council will not object to the demolition of the building subject to:

- an archival recording of the building exterior; and
- any replacement construction conforms to any relevant heritage guidelines for the heritage place.

An archival photographic recording of the exterior of the dwelling has been provided with this application and is endorsed by the Council.

Total demolition of the dwelling is compulsory under the Scheme and the Council acknowledges that there is no alternate option.

On this basis, the Council approves the “*Statement of Heritage Effect for [REDACTED] Hall*” by Philip Leeson Architects, April 2016 subject the following condition:

- any replacement construction at Block [REDACTED] Section [REDACTED] Hall, conforms to the heritage guidelines for the Precinct.



Fiona Moore
A/g Secretary (as delegate for),
ACT Heritage Council

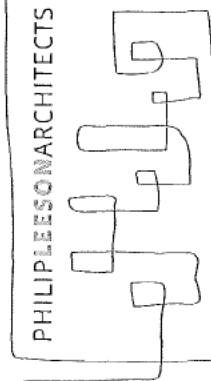
20 April 2016

9.3⁰²⁷

ACT Heritage Advisory Service

The Heritage Advisory Service is supported by the Heritage Unit: Environment & Planning Directorate

Subject: New dwelling on Mr Fluffy block
Contact: Mustafa Qaen (designer)
Location: [Redacted] Hall
Date: 2.8.17



4/9 McKay Street
Turner ACT 2612

t 02 6295 3311
e info@philipleeson.com.au
w www.philipleeson.com.au

Matter

Proposal for new house on Mr Fluffy block in Hall Village.
David Hobbes met designer Mustafa Qael and owner **2.2(a)(ii)** at PLA offices

Advice

Hall Village is on the ACT Heritage Register. Development is guided by the specific requirements set out in the Register entry.

We discussed the following:

1. Maximum Site Cover is 25% of the block area
2. Minimum setbacks are 12m front, 5m each side, 3m rear
3. The verge crossing and driveway can be moved closer to the southern boundary as long as significant trees are not affected
4. Trees on the block which are 6m tall and over and 750mm thick trunk at 1.2m high should be retained wherever possible. ACT Heritage will consider an application to remove if it can be demonstrated that there is a reasonable need to do so to facilitate a practical design solution.
5. The mesh fencing and stone retaining wall at the front of the block can be removed
6. The brick outbuilding at the rear can be removed
7. The new house should have a form and materials which fit with the established character of the village, namely;
 - hipped corrugated colorbond roof at a pitch to match adjacent buildings
 - verandahs

Advisor: David Hobbes

Distribution: ✓Client ✓Heritage Unit Advisor

Disclaimer: The advice provided as part of the ACT Heritage Advisory Service is not binding on the ACT Heritage Council or on any government body such as ACT Heritage and the Environment & Planning Directorate.

- painted weatherboard or brick walls
- a traditional ratio of solid wall to openings (more wall than openings) windows and doors in multiples of c.900mm widths
- predominantly single storey presentation to the street. A modest first floor level would be appropriate if setback from the frontage towards the centre or rear of the design.
- no more than a double width garage visible to the street. A wider garage is permissible if not on the street frontage
- Australian Homestead style is appropriate
- there is scope for more modern design where it can't be seen from the street

9.4.029

ACT Heritage Advisory Service

The Heritage Advisory Service is supported by the
Heritage Unit: Environment & Planning Directorate



4/9 McKay Street
Turner ACT 2612
T 02 6295 3311
E info@philipleeson.com.au
W www.philipleeson.com.au

Subject: New dwelling on Mr Fluffy block
Contact: Moanna McCloskey (Builder)
Location: [Redacted] Hall
Date: 16.8.17

Matter

Assessment of heritage significance of the stone outhouse.

Advice

David Hobbes inspected the building on 16.8.17.

The main structure is a single rectangular room, c 5 x 8m. It has a concrete slab floor, thin rubble stone walls laid in layers by building up forms and backfilling with concrete, a relatively low pitched gabled roof with corrugated colorbond sheeting, a variety of timber framed doors and windows. There is a brick chimney on the east wall. The ceiling is lined with v jointed timber boarding. The bathroom structure to the east was re-modelled from an earlier, smaller store room c. 10 years ago.

Following close inspection I make the following observations:

- the stone construction method is relatively modern.
- the walls are thin and supported in modern (i.e. 20th Century) concrete
- the roof is lower than a traditional gable pitch
- the windows and doors date from various eras and do not conform to a traditional configuration
- the brick chimney is constructed with modern bricks

In my opinion this structure does not have heritage significance. It appears to have been constructed from a variety of salvaged materials over a period from the 1950s to the present.

Advisor: David Hobbes
Distribution: ✓ Client ✓ Heritage Unit Advisor

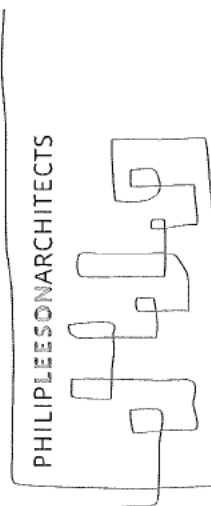
Disclaimer: The advice provided as part of the ACT Heritage Advisory Service is not binding on the ACT Heritage Council or on any government body such as ACT Heritage and the Environment & Planning Directorate.

9.5.

ACT Heritage Advisory Service

The Heritage Advisory Service is supported by the
Heritage Unit: Environment & Planning Directorate

Subject: New dwelling on Mr Fluffy block
Contact: Moanna McCloskey (Builder)
Location: [REDACTED] Hall
Date: 16.8.17



4/9 McKay Street
Turner ACT 2612

T 02 6295 3311
E info@philipleeson.com.au
W www.philipleeson.com.au

Matter

Assessment of heritage significance of the outbuildings.

Advice

David Hobbes inspected the building on 16.8.17.

Stone Structure

The main structure is a single rectangular room, c 5 x 8m. It has a concrete slab floor, thin rubble stone walls laid in layers by building up forms and backfilling with concrete, a relatively low pitched gabled roof with corrugated colorbond sheeting, a variety of timber framed doors and windows. There is a brick chimney on the east wall. The ceiling is lined with v jointed timber boarding. The bathroom structure to the east was re-modelled from an earlier, smaller store room c. 10 years ago.

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- the roof is lower than a traditional gable pitch
- the windows and doors date from various eras and do not conform to a traditional configuration
- the brick chimney is constructed with modern bricks

In my opinion this structure does not have heritage significance. It appears to have been constructed from a variety of salvaged materials over a period from the 1950s to the present.

Garage & Shed

The remaining two outbuildings are modern corrugated steel and timber structures which do not have heritage significance and can be demolished.

Advisor: David Hobbes

Distribution: ✓ Client ✓ Heritage Unit Advisor

Disclaimer: The advice provided as part of the ACT Heritage Advisory Service is not binding on the ACT Heritage Council or on any government body such as ACT Heritage and the Environment & Planning Directorate.

9.6



Access Canberra

APPOINTMENT OF A CERTIFIER
APPLICATION FOR BUILDING APPROVAL

Building Act 2004, §151

This form is to be completed by the Owner/s of the land to which the building work relates.

PART A PROJECT DETAILS

Block [redacted] Section [redacted] Suburb HALL Unit No. [redacted]
Street Address [redacted] HALL ACT

Description of Building Works relevant to this application - if more than 4 items please attach further details

	Describe each item of building work in this building approval	BCA Occupancy Class	BCA Construction Type	Area (m ²)	Number of Storeys	Cost of Works (refer to building cost)
1	Demolition of existing buildings	10a	N/A	111	1	[redacted]
2						
3						
4						

Applicable approved requirements and reasons why building approval is not prevented from being issued

Is all work exempt from development approval?

- YES Attach assessment for exempt development checklist (if applicable)
 NO Provide reason/s or description of work: _____

Description of Attachments compliant with Division 3.3 Building Act 2004
Please attach any additional documentation not listed below

- Building Approval Plans
 Referrals, consultations & consents outcomes
 Asbestos Advice - If documents accompanying building approval do not include an asbestos assessment report as per the Building Act 2004, the building approval must have an AA attached as per the Act

PART B OWNER'S DETAILS - Please Print.

All owners must be listed

Owner 1 will be considered the contact person in relation to this application

Company Details [redacted]

ACN/ABN Number [redacted]

Owner 1 2.2(a)(ii) Owner 2 2.2(a)(ii)
Owner 3 _____ Owner 4 _____

Approved form AF2016-85 approved by David Middleton, Construction Occupations Deputy Registrar on 10 August 2016 under section 151 of the Building Act 2004 and revokes AF2016-80.

PART B continued **OWNER/S DETAILS - Please Print**

Postal Address
Suburb
Phone Number Business Hours
EMAIL ADDRESS

2.2(a)(ii)

PART C **APPOINTMENT OF CERTIFIER**

As required under the Building ACT 2004 I/we hereby advise that I/we the owner/s have appointed the person whose details appear below as the certifier in relation to the building works described in this form

Company Details: Certified Building Solutions P/L

Name of Certifier: CSS P/L ABN/ACN: 27 110 342 482

Postal Address: PO Box 76, Mitchell

Suburb: Mitchell State: ACT Postcode: 2911

Phone Number Business Hours: 02539911 Mobile:

EMAIL ADDRESS: philip@cbscanberra.com.au


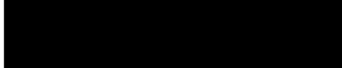
PART D **APPLICATION FOR BUILDING APPROVAL**

I/we the Owner/s of the abovementioned property hereby apply under Section 26 of the Building Act 2004 to the certifier named above to issue a building approval for the building work described in this form. I/we have provided the certifier with information and documentation required to issue a building approval as specified in the Building (General) Regulation 2008.

PART E **AUTHORITY TO ACCESS BUILDING FILE**

I/we hereby authorise the certifier to access the building file for the property which is the subject of this application for the purposes of obtaining information relevant to the issuing of a building approval and associated processes.

PART F **OWNER/S SIGNATURE/S**

1st Owner's Signature		Date	10/8/17
2nd Owner's Signature		Date	10/8/17
3rd Owner's Signature		Date	
4th Owner's Signature		Date	

NOTE: There are penalties for deliberately giving false and misleading information. The Planning and Land Authority or Minister may revoke an approval if satisfied that the approval was obtained by fraud or misrepresentation.

Approved form AF2016-85 approved by David Middlemiss, Construction Occupations Deputy Registrar on 10 August 2016 under section 151 of the Building Act 2004 and revokes AF2016-80.

2.2(a)(ii)



Unit 1, 25-35
Buckland Street
MITCHELL ACT 2911

PO Box 76
MITCHELL ACT 2911

Telephone 02 6253 9911
Fax 02 6253 9922

BUILDING APPROVAL CERTIFICATE

Location: Block ■ Section ■ Hall

Description of Building Work: Demolition of existing outbuildings

BCA Occupancy Class: 10a

BCA Construction Type: N/A

Rise in Storeys: 1

Building Approval.

Your application for building approval satisfies the Building Act 2004. Building approval is issued under s.28 of the Building Act 2004.

All work must comply with the:

1. Building Act 2004; and
2. National Construction Code 2016 Volume 2.

This approval expires three years from the date of this approval or at the expiry of the development approval, whichever occurs first.

Commencement


Building work may begin on the issue of the Building Commencement Notice.

Sincerely,

Phillip Jacey
Principal Building Surveyor
Certified Building Solutions Pty Ltd
COLA Lic No. 200426203

PPJA

Reference No. 28513

 DENOTES EXISTING TREES

BUILDER TO PROVIDE PROTECTION & FENCING TO MAINTAIN TREES ON SITE DURING CONSTRUCTION

IDENTIFY, FLAG, BARRICADE AND PROTECT THE WATER METER ASSEMBLY FROM DEMOLITION OPERATIONS AND ACCIDENTAL DAMAGE.

ACTEWAGL IS TO BE CONTACTED FOR REPAIRS TO HYDRANTS, VERGE NETWORK VALVES ETC BEFORE DEMOLITION COMMENCES.

BUILDER TO CHECK EXISTING RESIDENCE FOR ASBESTOS PRIOR TO DEMOLITION WORKS BEGINNING, ANY ASBESTOS FOUND IS TO BE REMOVED BY QUALIFIED TECHNICIANS.

ALL RECYCLABLE MATERIAL FROM SITE TO BE RECYCLED IN PROPER MANNER.

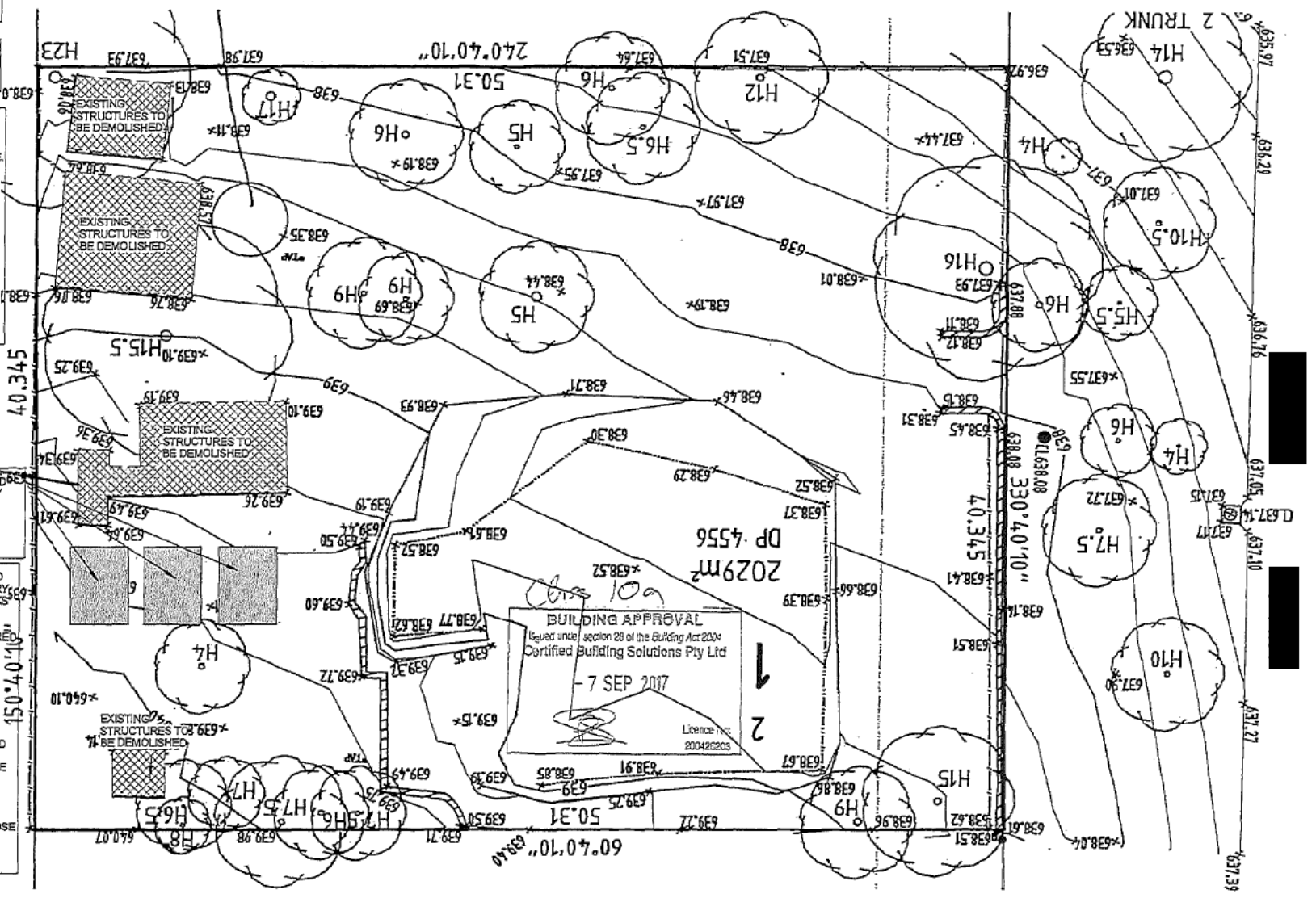
WASTE SORTING LOCATION, IF REQUIRED FOR THE SEPARATION OF MATERIALS BY TYPE FOR RECYCLING + WASTE, IN ACCORDANCE WITH ANY NECESSARY WASTE AND RECYCLING MANAGEMENT PLAN.

A LICENSED DRAINER IS TO BE ENGAGED TO DISCONNECT THE INTERNAL SANITARY DRAINS BEFORE ANY DEMOLITION WORKS COMMENCE.

BUILDING CONTRACTOR WILL BE REQUIRED TO MAKE A NEW SANITARY DRAINAGE CONNECTION AT THE DESIGNATED TIE WHEN DEMOLITION IS COMPLETED, ACTEWAGL MUST BE NOTIFIED WATER METER TO BE STAKED AND PARRAWEBBED. SEWER TO BE DISCONNECTED AND CAPPED OFF.

A LICENSED PLUMBER IS TO BE ENGAGED TO DISCONNECT INTERNAL PLUMBING SERVICES AT THE WATER METER BEFORE ANY DEMOLITION WORKS COMMENCES.

A TEMPORARY HOSE COCK IS TO BE INSTALLED ADJACENT TO THE WATER METER. THE METER, METER BOX AND HOSE COCK MUST BE RETAINED FOR THE DURATION OF ALL BUILDING WORKS.



BUILDING APPROVAL
 Issued under section 28 of the Building Act 2004
 Certified Building Solutions Pty Ltd
 Licence No: 200420203
 7 SEP 2017



• new homes • extensions • renovations • energy ratings

23 Melville Avenue
 Mackinnon ACT 2914
 Mobile 0499 218 833
 Tel: 02 62 420413
 Fax: 02 62 420913



GENERAL NOTES:
 ALL WORK TO BE DONE IN ACCORDANCE WITH RELEVANT AUSTRALIAN STANDARDS
 BUILDER TO VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORK. DO NOT SCALE DRAWING

DRAINAGE & PAVING:
 PROVIDE ALL NECESSARY DRAINAGE REQUIRED FOR THE DEWATERING & CONNECTIONS TO APPROPRIATE TIES OF SEWAGE & STORMWATER & OTHER DRAINAGE SERVICES AS REQUIRED FOR THE PROPER FUNCTIONING OF FACILITIES AS REQUIRED BY THE APPROPRIATE AUTHORITIES. PROVIDE ALL AGRICULTURAL DRAINS AS REQUIRED TO DIVERT WATER & MOISTURE, WHICH MAY CAUSE DAMAGE TO THE BUILDING STRUCTURE

PROVIDE ALL NECESSARY PLUMBING MATERIAL & SERVICES REQUIRED FOR THE PROPER OPERATION OF ALL SANITARY FIXTURES & FITTINGS. WATER SUPPLY & RETICULATION, ROOF PLUMBING, FLASHING & THE LIKE AS NECESSARY BY THE WORK.

PROVIDE YARD Sumps AS REQUIRED
 INSTALL TERMITES MANAGEMENT COMPLYING WITH AS 3600 - 2005 & TO COMPLY WITH THE BCA

PROJECT NAME:
PROPOSED DEMOLITION

TITLE:
DEMOLITION PLAN

CLIENT:
SM PRECISION

ADDRESS:
 BLOCK: [REDACTED] SECTION: [REDACTED] SUBURB: HALL

DATE:
 09-08-17

JOB NO:
 SK

SCALE:
 1 : 200@A3

DRAWN:
 Author

CHECKED:
 Checker

9.6



APPOINTMENT OF BUILDER & APPLICATION FOR COMMENCEMENT NOTICE

Building Act 2004, S151

In completing this form the owner is authorising the builder nominated below to apply to the appointed certifier to issue a Commencement Notice for the works detailed in this application form.

PART A PROJECT DETAILS

Block [redacted] Section [redacted] Suburb HALL Unit No. [redacted]

Street Address [redacted]

Certifier Name CBS P/L

Description of Building Works relevant to this application - if more than 6 items please attach further details

- 1 DEMOLITION OF EXISTING BUILDINGS
- 2
- 3
- 4

PART B OWNER DETAILS - Please Print

All owners must be listed Owner 1 will be considered the contact person in relation to this application

Company Details [redacted]

Owner 1 2.2(a)(ii) Owner 2 2.2(a)(ii)

Owner 3 _____ Owner 4 _____

Postal Address [redacted]
 Suburb [redacted]
 Phone Number Business Hours [redacted]
 EMAIL ADDRESS [redacted]

PART C **APPOINTMENT OF BUILDER**

I/we the owner/s have appointed the person whose details appear below as the builder in relation to the building works described in this form

Licence Holders Name as it appears on licence card **ANDREW JOHN IRWIN**

Licence Number **200012208** Class **D** Expiry Date **22/12/2018**

List any conditions or endorsements on licence **VALID FOR DEMOLITION OF ANY BUILDING CLASS 1 TO 10**

EMAIL ADDRESS **andrew@irwinandhartshorn.com**

PART D **NOMINEE'S DETAILS**
If the builder is a company or partnership provide details of the Nominee who will supervise the building.

Nominee's Name

Licence Number Class Expiry Date

Signature of Nominee Date

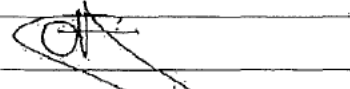
PART E **OWNER SIGNATURE/S - all owners must sign this form**

Owner 1 **2.2(a)(ii)** Signature **2.2(a)(ii)** DATE: **1/9/17**
Owner 2 **2.2(a)(ii)** Signature **2.2(a)(ii)** DATE: **1/9/17**
Owner 3 Signature DATE:
Owner 4 Signature DATE:

PART F **BUILDER APPLICATION TO CERTIFIER FOR COMMENCEMENT NOTICE**

I hereby apply to the building certifier listed above for a commencement notice for the works detailed in Part A of this form in accordance with the Building Act 2004.

- A site sign was not required to be displayed prior to making this application.
- A site sign was required to be displayed prior to making this application and I declare that a compliant sign was erected and displayed for the required period.

Signature of Builder  Date **1/9/17**

NOTE: There are penalties for deliberately giving false and misleading information. The Planning and Land Authority or Minister may revoke an approval if satisfied that the approval was obtained by fraud or misrepresentation.

PART G **INSURANCE OR FIDELITY CERTIFICATE**

For residential building work please provide details of insurance where applicable

Insurance Provider Policy No. Date Issued



abn 69 074 330 082

12 alderson place
hume act 2620

phone 02 6260 1588
fax 02 6260 1236

DEMOLITION WORK PLAN FOR

BLOCK: ■ SECTION: ■ SUBURB: HALL

STREET ADDRESS: ■

BUILDER: SM PRECISION

Number of buildings to be demolished: ONE STUDIO AND GARAGE

Height: Approx: 5.9m

Distance from closest boundary: Approx. 2.0 metres

Main materials of construction: Brick, concrete & timber

PROCEDURES

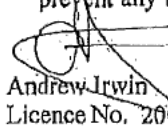
- Power supply to the site has already be disconnected by others
- A licenced remover will remove and dispose of all asbestos sheeting in accordance with NOHSC 2002:2005 second edition
- An 'A' class asbestos assessor will provide a written clearance certificate
- All insulation will be removed and disposed of in accordance with the code of practice
- Water will be used for dust suppression before being disconnected at meter
- All new workers to Irwin & Hartshorn will be inducted on site
- All demolition work will be in accordance with the AS 2601 code
- One day is allowed for each major activity, 7 days for completion of the demolition

METHOD

- Strip by hand all material to be salvaged
- Using a hydraulic excavator fold building to middle and load all rubble onto tipping trucks to be recycled where possible or tipped at an approved site
- Exhume all concrete footings with hydraulic excavator then transport to Canberra Concrete Recyclers for processing
- Clean and level site on completion

SAFETY PROCEEDURES

- Any work above 1.8m will be done in accordance with appropriate code
- A mobile telephone will be available on site at all times
- Appropriate safety equipment will be worn at all times
- A 1.8m high chain wire fence will be erected around the site to prevent any unauthorised entry


 Andrew Irwin
 Licence No. 200012208

9.6



Access Canberra

SITE WORK NOTICE

Building Act 2004, s151

For section 28 (1A) of the Building Act 2004

To be completed by the appointed Building Certifier and submitted to the Construction Occupations Registrar within 7 days of issue

Lease/Site Details

Block Section Suburb Division

Unit No Street Address

Building Approval Application and Site Work Details

This notice is issued in relation to the site work shown in the plans submitted as part of the application for a building approval dated made by the following applicants:

2.2(a)(ii)

on: date 10/8/17

This notice applies to all site work in that application for which there is there is no—

- (a) exemption assessment D notice stating that the site work is exempt development issued for the work not more than 3 months before the day the application was made;
- (b) exemption declaration under the *Planning and Development Regulation 2008*, schedule 1, section 1.100A (1) (b) or section 1.100AB (1) (b) made by the planning and land authority; or
- (c) current development approval issued in relation to the site work.

NOTE: Site work is development that is—

- (a) building work; and
- (b) work other than building work that—
 - (i) physically affects the place (the building site) where the building work is being carried out; and
 - (ii) if not carried out at the building site, is carried out near, and connected with, the building site.

Examples: putting up temporary fencing, installing measures for erosion control, building a house, damaging or removing a significant tree, laying paving for driveways and parking areas, installing landscaping, site clearing and excavation, erecting site signage, erecting a pergola

Building Certifier Details *Please Print*

Surname First Name

Company Name

Licence Number Contact Number

Postal Address

Suburb State Postcode

Approved form AF2016-76 approved by David Middlemiss, Construction Occupations Deputy Registrar on 02 August 2016 under section 151 the Building Act 2004 and revokes AF2015-3

Building Certifier Statement

I state that:

- the plans for the building work(s) to which the application for building approval relates show all the information necessary to establish that the site work is exempt development under the *Planning and Development Act 2007*, section 133; and
- the site work is exempt development; and
- I have assessed that the site work is exempt development for the following reasons and in accordance with the following provisions of the *Planning and Development Regulation 2008* and Territory Plan Codes:

The building work(s), as described on part A of the Appointment of Certifier Application for Building Approval Form, have been assessed against Part 1.2 & Part 1.3, Schedule 1 of *Planning and Development Regulations 2008*. They are consistent with the following sections of schedule 1 as nominated in the tables below. (Please tick all relevant)

Table 1: Building work(s) are exempt as per the Single Dwelling Housing Development Code

<input type="checkbox"/>	Assessment has been made under the Single Dwelling Housing Development Code (SDHDC)*	Please list any further details below:
<input type="checkbox"/>	Development on Old Res. Land (1.100)	
<input type="checkbox"/>	Development on New Res. Land (1.100AA)	
<input type="checkbox"/>	1N Exemption Applies (1.100AB, 1.100AB)	
<input type="checkbox"/>	Demolition under SDHDC (1.100B, 1.101)	

*Please see attached copy of CBS Single Dwelling Assessment for Exempt Development sheet

Table 2: Building work(s) are exempt as per the following section of Schedule 1

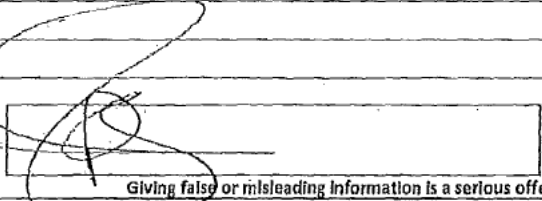
<input type="checkbox"/>	Internal alterations (1.20)	<input type="checkbox"/>	Photovoltaic Panels (1.27A)
<input type="checkbox"/>	Low Impact window & doors (1.21)	<input type="checkbox"/>	Roofed class 10a – enclosed or open to one side (1.45)
<input type="checkbox"/>	High impact window & doors (1.21a)	<input type="checkbox"/>	Roofed class 10a – unenclosed or partially open (1.46)
<input type="checkbox"/>	External refinishing of building (1.22)	<input type="checkbox"/>	Class 10a – external deck (1.48)
<input type="checkbox"/>	Maintenance (1.23)	<input type="checkbox"/>	Class 10a – external verandas (1.49)
<input type="checkbox"/>	Chimney/Flue/Vents (1.25)	<input type="checkbox"/>	Retaining Walls (1.53)
<input type="checkbox"/>	External Heater or Cooler (1.27)	<input type="checkbox"/>	Swimming Pool (1.54)
<input checked="" type="checkbox"/>	Other Please list: 1.101		

Table 3: Amended building work(s) are exempt as per the following section of Schedule 1

<input type="checkbox"/>	The building works(s), as per the amended stamped building approval, are within the permitted construction tolerances for horizontal siting and height tolerances schedule 1A (1A.10, 1A.11)
<input type="checkbox"/>	Other Please list:

Please list any further information that may be relevant in deciding that the works are exempt under Schedule 1 as identified above

Building Certifier Signature
(or nominee)



Date of Issue

7/9/2017

Giving false or misleading information is a serious offence

Privacy Notice

The personal information on this form is provided to the Environment and Planning Directorate (EPD). The collection of personal information is authorised by the *Building Act 2004*. If all or some of the required personal information is not collected this notice is not considered complete. The personal information provided may be disclosed to Australian Bureau of Statistics, ACT Revenue Office and the Taxation Office. The information may also be disclosed where authorised by law or court order, or where the EPD reasonably believes that the use or disclosure of the information is reasonably necessary for enforcement-related activities conducted by, or on behalf of, an enforcement body. EPD's Information Privacy Policy contains information about how you may access or seek to correct your personal information held by EPD, and how you may complain about an alleged breach of the Territory Privacy Principles. The EPD Information Privacy Policy can be found at www.act.gov.au/accessCBR.

CONTACT INFORMATION

Email:
ACTPLAdevelopmentBA@act.gov.au

Post:
Access Canberra
Building Services
Shopfront Mitchell
GPO Box 158
Canberra, ACT 2601

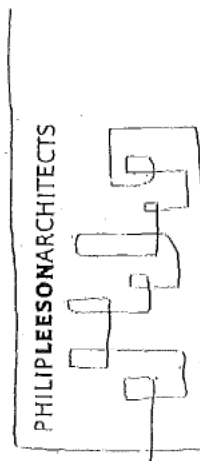
In Person:
Please visit
www.act.gov.au/accessCBR
Or call 132281 to find an
Access Canberra Shopfront.

9.6

ACT Heritage Advisory Service

The Heritage Advisory Service is supported by the
Heritage Unit: Environment & Planning Directorate

Subject: New dwelling on Mr Fluffy block
Contact: Moanna McCloskey (Builder)
Location: [REDACTED] Hall
Date: 16.8.17



4/9 McKay Street
Turner ACT 2612

T 02 6295 3311
E Info@philipleeson.com.au
W www.philipleeson.com.au

Matter

Assessment of heritage significance of the outbuildings.

Advice

David Hobbes inspected the building on 16.8.17..

Stone Structure

The main structure is a single rectangular room, c 5 x 8m. It has a concrete slab floor, thin rubble stone walls laid in layers by building up forms and backfilling with concrete, a relatively low pitched gabled roof with corrugated colorbond sheeting, a variety of timber framed doors and windows. There is a brick chimney on the east wall. The ceiling is lined with v jointed timber boarding. The bathroom structure to the east was re-modelled from an earlier, smaller store room c. 10 years ago.

Following close inspection I make the following observations:

- the stone construction method is relatively modern.
- the walls are thin and supported in modern (i.e. 20th Century) concrete
- the roof is lower than a traditional gable pitch
- the windows and doors date from various eras and do not conform to a traditional configuration
- the brick chimney is constructed with modern bricks

In my opinion this structure does not have heritage significance. It appears to have been constructed from a variety of salvaged materials over a period from the 1950s to the present.

Garage & Shed

The remaining two outbuildings are modern corrugated steel and timber structures which do not have heritage significance and can be demolished.

Advisor: David Hobbes

Distribution: ✓Client ✓Heritage Unit Advisor

Disclaimer: The advice provided as part of the ACT Heritage Advisory Service is not binding on the ACT Heritage Council or on any government body such as ACT Heritage and the Environment & Planning Directorate.

Architects Board of the ACT Registration 956 NSW Board of Architects Certificate 6392

ABN 23 846 523 310 Director Phillip Leeson ARAIA B Arch Associate David Hobbes ARAIA B Arch (Hons)

3

PHILIPLEESONARCHITECTS







045

SECTION X

- Ridge of Family Room to be at same level of the ceiling
- Ceiling height to match Kitchen (3000 approx)
- Concrete floor 110 mm with SK72 on top. Provide Water proofing membrane over 30 mm coarse sand bedding
- 450 x 600 concrete footing. Engineer to certify soil classification and reinforcement.
- Double brick wall. Dimensions based on Bond Engineer's Blocks 300 x 100. Adjust position and size of windows accordingly. Render external and internal faces of masonry.
- Roof Sheeting to Match Existing
- Standard Timber Trusses and R4 Insulation

LAND (PLANNING AND ENVIRONMENT) ACT 1991
APPROVAL GRANTED
 PURSUANT TO SECTION 230
 SUBJECT TO THE CONDITIONS SET OUT IN THE NOTICE OF DECISION
 PURSUANT TO SECTION 245
 Delegate name: LHE GILBERT
 Date: 12/12/2005

Plan No: 06705-A
 22 FEB 2006
 RECEIVED
 ACT Planning & Land Authority

PROJECT: Additions & Alterations to Existing Buildings	FOR:	SUBJECT: Roof & Section	SCALE: 1:100	Maria Serenelli 24 McLachlan Cres Weetangera ACT 2614 Tel. 02-62542367	Structural Certification M.I.Eng. Australia	DB
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ELEVATION 1

PLAN 2

NOTES

OUT BUILDING - RUMPUS

- Floor levels of building and brick store as existing.
- Replace roof sheeting of building and verandah, with galvanized corrugated iron similar to the existing.
- Replace ceiling lining and provide R4 insulation.
- Replace existing windows and doors with similar material and style.

- Install new timber window
- New walls and door
- New Shower
- Cut doorway through existing wall
- New toilet in existing brickstore
- Restore existing roof and ceiling of brickstore
- new roof over small hall. Roofing to match existing

LAND (PLANNING AND ENVIRONMENT) ACT 1991
APPROVAL GRANTED
 PURSUANT TO SECTION 230
 SUBJECT TO THE CONDITIONS SET OUT IN THE NOTICE OF DECISION
 PURSUANT TO SECTION 245
 Delegate name: LHE GILBERT
 Date: 12/12/2005

BUILDING APPROVAL
 Approved under s.23 of the Building Act 2004.
DON WARING
 B24 12/06
 Construction Date
 Professional Registration No.
 Signature

Plan No: 06705-A
 22 FEB 2006
 RECEIVED
 ACT Planning & Land Authority

PROJECT: Additions & Alterations to Existing Residences	FOR:	SUBJECT: Re-establishment of Out Building & Brick Store	SCALE: 1:100	Maria Serenelli 24 McLachlan Cres Weetangera ACT 2614 Tel. 02-62542367	Structural Certification M.I.Eng. Australia	DB
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Archive Drawings
 Note - not replicated to scale









9.8

050



07.01.2016





9.9
053

Baker, Danny

From: Heritage
Sent: Tuesday, 9 May 2017 2:01 PM
To: [REDACTED]
Subject: RE: Inquiry [REDACTED] Hall [SEC=UNCLASSIFIED]

Dear 2.2(a)(ii)

Thank you for your email.

In response to your questions below, please note that maintenance of heritage properties is the responsibility of the owner.

Occupation of the stone cottage does not raise any heritage concerns and is encouraged. Active use of a heritage place is preferable to neglect and deterioration. Deliberate neglect may be considered an offence under the provisions of the Heritage Act 2004.

Any proposed works to the place are to be developed in consideration of the Specific Requirements within the ACT Heritage Register Entry for the place. Should works be considered, ACT Heritage is available to provide more detailed advice, and would encourage details - a written description and plans - to be submitted to heritage@act.gov.au.



Please note that owners of heritage properties can seek further free heritage advice from the ACT Heritage Advisory Service on 6295 3311 in relation to any proposed works at a heritage place.



Regards,

ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government
Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601 | www.environment.act.gov.au/heritage

-----Original Message-----

From: 2.2(a)(ii)
Sent: Tuesday, 2 May 2017 11:51 AM
To: Heritage
Subject: Inquiry [REDACTED] Hall

Hi,

I'm interested in purchasing [REDACTED] Hall. The block was a Mr. Fluffy block and as such the previously occupied house has been removed. The property has a stone cottage on it, which is heritage listed. I have a copy of the "Entry to the ACT Heritage Register, Hall Village Precinct, 23 Aug 2001". I have some questions regarding this property, if I purchase this property.

1. Am I responsible for the upkeep/maintenance of the cottage? What happens if some form of natural occurrence (storm, fire) damages it?
What about degradation over time?
2. Are we allowed to occupy/utilize the cottage? It currently has a modern (ish) bathroom attached to its rear.
3. There is some information pertaining to additions to original buildings in the aforementioned document. Are there any restrictions with respect to how close you can build to the cottage?
4. There is a stone wall along the front of the property, is it also to be maintained? Is it able to be removed?

Thank you for your time.

Regards,

2.2(a)(ii)

Baker, Danny

From: EPSD Law Reform
Sent: Friday, 13 October 2017 5:07 PM
To: Russell, Meaghan
Cc: OConnell, Jennifer
Subject: RE: Heritage Act 2004 compliance query - [REDACTED] Hall [SEC=UNCLASSIFIED]

Hi Meaghan

Thanks for your inquiry. My view as discussed is that there would appear to be reasonable grounds for Heritage to proceed on the basis that the actions taken were likely to amount to a breach of section 74 of the Heritage Act.

As you note "Ottocliffe" is identified through a listing of item 14 in schedule 2 and for this reason would attract the specific protections listed in schedule 4(a) to 4(i) (notably 4(a)). You asked the question whether the reference is only to the main residence (now demolished under asbestos related provisions) or also to other structures on the relevant block. My view is that the listing includes all structures on the relevant block. My reasoning for this is:

- The wording of the listing of "number 14 "ottocliffe" " in schedule 2 does not it seems to me require an inference that the listing is of the main residence only – the reference to "Ottocliffe" could be considered to be a reference to the main residence only or to all of the block.
- To determine whether refers to whole block or not reference would need to be made also to the map in Figure 2 setting out the places listed in schedule 2 including item 14. The map clearly identifies through bolding the entirety of the relevant block and not just a single building. It seems to me that the map titled as it is "Individual places of heritage value within the Hall Village precinct" does more than point to the general location of buildings but actually gives detailed meaning to the matters listed in schedule 2, the map in effect defines what the "place" is. There is nothing in the map to indicate that it is referring to only some things inside the block and not others.
- The reference you make to historical study indicating that "Ottocliffe" includes more than the main residence also points to an industry or stakeholder understanding of what a reference like "Ottocliffe" means and this is something that a tribunal or court may well consider should the matter be disputed in legal proceedings.

This view is not free from doubt given the absence of clear, express words in schedule 2 pointing to all relevant structures. You may wish to consider obtaining formal ACTGS advice on this matter.

Re whether the "place" could include all of hall village precinct – It seems to me that all of the precinct is listed but whether the place as a whole is damaged by the actions depends on the values identified in connection with the village as a whole – this would seem to me to be a matter of factual assessment – some of the values listed re the village as whole would seem to be conceivably impacted on by the actions taken but that is a matter for heritage assessment.

Kind regards
David

From: Russell, Meaghan
Sent: Wednesday, 11 October 2017 2:24 PM
To: EPSD Law Reform <EPSDLawReform@act.gov.au>
Cc: OConnell, Jennifer <Jennifer.OConnell@act.gov.au>
Subject: Heritage Act 2004 compliance query - 8 Palmer Street, Hall [SEC=UNCLASSIFIED]
Importance: High

Hello Legislation team,

I am emailing to seek advice on *Heritage Act 2004* provisions and the Hall Village Heritage Precinct register entry, to inform a review of works recently undertaken at [REDACTED] Hall.

This is a relatively urgent query, as works may constitute an offence under Section 74 of the *Heritage Act 2004*. Further, members of the Hall community are seeking our rapid response to reported works – and may also escalate the issue to include ministerial correspondence and/or media attention.

An overview of works undertaken and the heritage context is provided below – and I will also provide a link to the Objective file in a second email for detailed information. Jennifer and I are also available to discuss this with you in detail.

Works undertaken – [REDACTED] (Block [REDACTED] Section [REDACTED] Hall)

ACT Heritage received reports of the following work being undertaken at the property by email and phone between 4 and 9 October 2017:

- A stone cottage at the rear of the block was demolished; and
- A corrugated iron and timber structure (possibly a former stable) at the rear of the block was demolished; and
- A stone fence along the front boundary of the block was demolished.

From reports received, ACT Heritage understands that these works were undertaken on 3 and 4 October 2017.

ACT Heritage visited the property on 10 October 2017 and confirmed that the works described above have been undertaken.

Heritage Act 2004 context

[REDACTED] (Block [REDACTED] Section [REDACTED] Hall) is located within the Hall Village Heritage Precinct (the Precinct), registered on the ACT Heritage Register (gazetted on 23 August 2001).

[REDACTED] is also identified in Schedule 1 of the register entry as a 'place of specific value' for the presence of [REDACTED] (Item 14). [REDACTED] was constructed on the property by John Southwell in 1907 following a fire which destroyed the earlier family house [REDACTED] on a different block in Hall. No description of the second [REDACTED] is included in the register entry, although for reference, a 2000 heritage study of Hall described [REDACTED] as: "...a collection of buildings and structures..... [including] the front entrance wall, the main house [REDACTED], the small rear cottage, the external lavatory and a stable".

The register entry makes the following statement in relation to all places identified in Schedule 1:

"Several of the historic buildings and sites within the Village and its surrounds reflect a range of local historical associations that are valued by the community. While not individually of high significance, the collective value of these places is important in defining a 'sense of place' for the Hall community and renders the Village part of a broader cultural landscape...."

Schedule 2 of the register entry describes specific requirements for places identified in Schedule 1, set out in (a) to (o) inclusive. Schedule 2 identifies that 4(a) to 4(l) only apply to [REDACTED] – which relate to the conservation of 'original historic buildings', permissible alterations and additions, and conservation of the landscape setting. Note that requirement 4(o) does not apply to [REDACTED], which states: *"Built structures and archaeological remains from the early period of village development (pre-1960).....shall be conserved in a manner appropriate to their historic and social value and protected from disturbance unless otherwise approved."*

In 2014, the main residence on the block was identified as containing loose fill asbestos, and following a Statement of Heritage Effect (SHE) being approved on 20 April 2016 under Section 61H of the *Heritage Act 2004*, the main residence was demolished as part of the ACT Government's Loose Fill Asbestos Insulation Eradication Scheme. The

SHE application and approval related only to the main residence, and did not allow for the demolition of any other structures or features on the block.

ACT Heritage has no record of *Heritage Act 2004* advice or approvals relating to the works undertaken in October 2017.

Planning and Development Act 2004 context

As a Section 76 exception to heritage offences includes a development approved under Chapter 7 of the *Planning and Development Act 2007*, ACT Heritage sought advice from the ACT planning and land authority on any planning approvals in place for the above works on 10 October 2017. On 11 October 2017, ACT Heritage was advised that no planning approvals or advice were sought for these works.

In a sign installed at the front of the property prior to works being undertaken – and still in place at the time of ACT Heritage’s site visit yesterday – works are identified as being DA exempt. However, under Schedule 1 (Section 1.14) of the *Planning and Development Regulation 2008*, works are only DA exempt if they do not contravene the *Heritage Act 2004*, which has not yet been established in this instance.

On 11 October 2017, the ACT planning and land authority advised that the matter had been reported to the Access Canberra complaints management team for review – and that Anna Sheargold will be contacted to seek details for a formal complaint.

Key questions

In the above context, ACT Heritage has the following key questions:

1. As the ACT Heritage Register entry identifies [REDACTED] with a single word only in Schedule 1, does the register entry relate only to the main [REDACTED] residence – or does it also relate to property components such as outbuildings and fencing?
2. If the answer to the above is yes, would outbuildings and fencing have to be clearly associated with the main residence to be considered part of [REDACTED]. For example, would outbuildings need to be of contemporaneous construction and have integrity?
3. Specific requirement 4.1(a) sets out that the demolition of ‘original historic buildings’ identified in Schedule 2 is only permissible in exceptional circumstances (as described). In light of the above answers, would the outbuildings demolished in October 2017 be included in the definition of Schedule 2 ‘original historic buildings’.
4. Section 74 of the *Heritage Act 2004* sets out that it is an offence to diminish the heritage significance of a place or object. In this instance, would the ‘place’ be the larger Precinct – or would be ‘place’ be [REDACTED] as it is individually identified in Schedule 1?

Related notes

The Asbestos Response Taskforce has advised that the property was sold to the new owner on 26 June 2017, and the ‘Retained Improvements Schedule’ annexed to the sales contract clearly identified that the stone cottage and stone fence were subject to heritage requirements.

Prior to the purchase of the block, the current owner 2.2(a)(ii) [REDACTED] emailed ACT Heritage on 2 May 2017 seeking advice on the heritage listing, and asked specific questions on the upkeep of the cottage and the removal of the fence. ACT Heritage provided an email response on 9 May 2017, advising that any works needed to be considered against ACT Heritage Register entry requirements, and encouraged details of planned works to be submitted to ACT Heritage. The owner was also provided with contact details for the ACT Government’s Heritage Advisory Service (HAS) – provided by Philip Leeson Architects – at that time.

Prior to works being undertaken in October 2017, SM Precision Building sought advice from the HAS on heritage guidelines for the Precinct, the significance of the stone cottage, a garage and a shed. Following a brief site inspection, the HAS issued written advice on 16 August 2017 stating that the stone cottage was a post 1950s structure and was not of heritage significance, and that the garage and shed could be removed. Note – this advice has no statutory effect, and ACT Heritage has sought a clarification from the HAS on the advice provided and discussions with SM Precision Building about *Heritage Act 2004* requirements.

The former property owner has asserted that the stone cottage was a pre-1900s Southwell family construction, and one of the earliest buildings in the Precinct. ACT Heritage is currently reviewing available information to assess the likely construction date and level of association with [REDACTED]

Regards,
Meaghan

Meaghan Russell | Team Leader (Advice)

Phone: 02 6205 5497 | Email: meaghan.russell@act.gov.au

ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government

Dame Pattie Menzies House 16 Challis Street Dickson | GPO Box 158 Canberra ACT 2601

www.environment.act.gov.au



[@EnvironPlan](https://twitter.com/EnvironPlan)

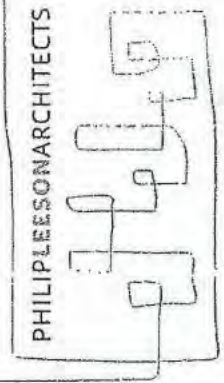


facebook.com/EnvironPlan

9.11

[REDACTED], HALL

PHOTO RECORD OF SITE INSPECTION on 16.8.17



4/g McKay Street
Turner ACT 2612

t 02 6295 3311

e info@philipleeson.com.au

w www.philipleeson.com.au

The following photos were taken by David Hobbes of Philip Leeson Architects on 16.8.17. They should be read in conjunction with heritage advice provided on that date.

9.11

060



Photo 1: West elevation



Photo 2: Southwest corner



Photo 3: South elevation



Photo4: East end gable

9.11

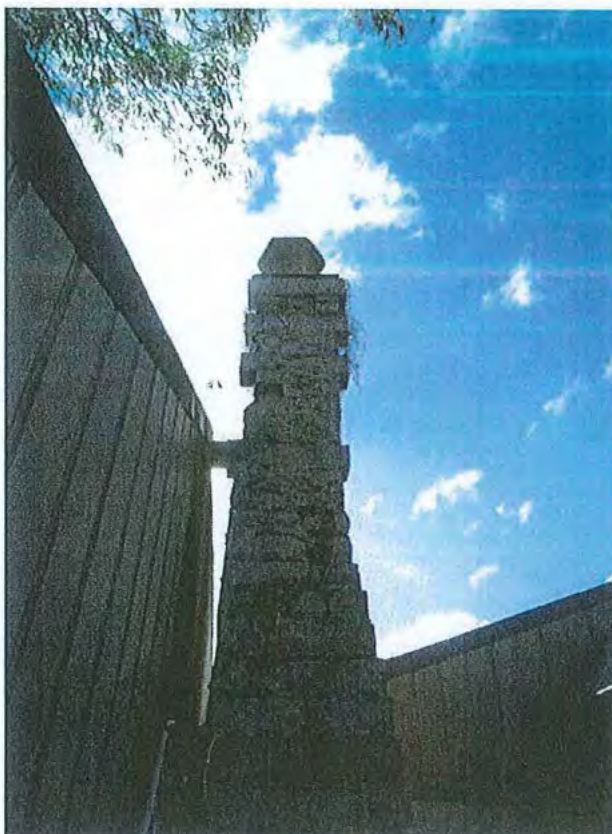


Photo5: East end chimney 1

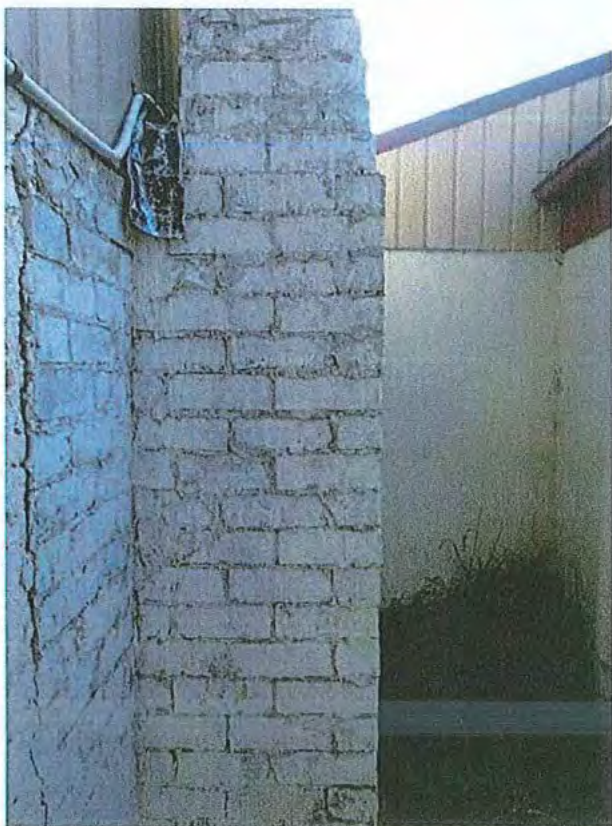


Photo 6: East end chimney 2

9.11⁰⁶³



Photo 7: General interior

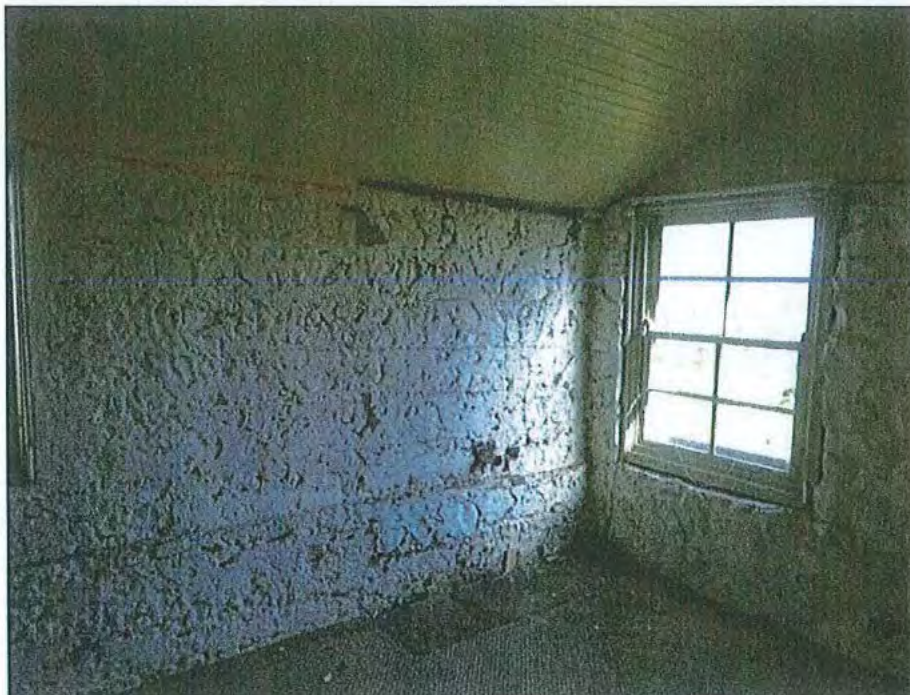


Photo 8: Southwest corner

9.11

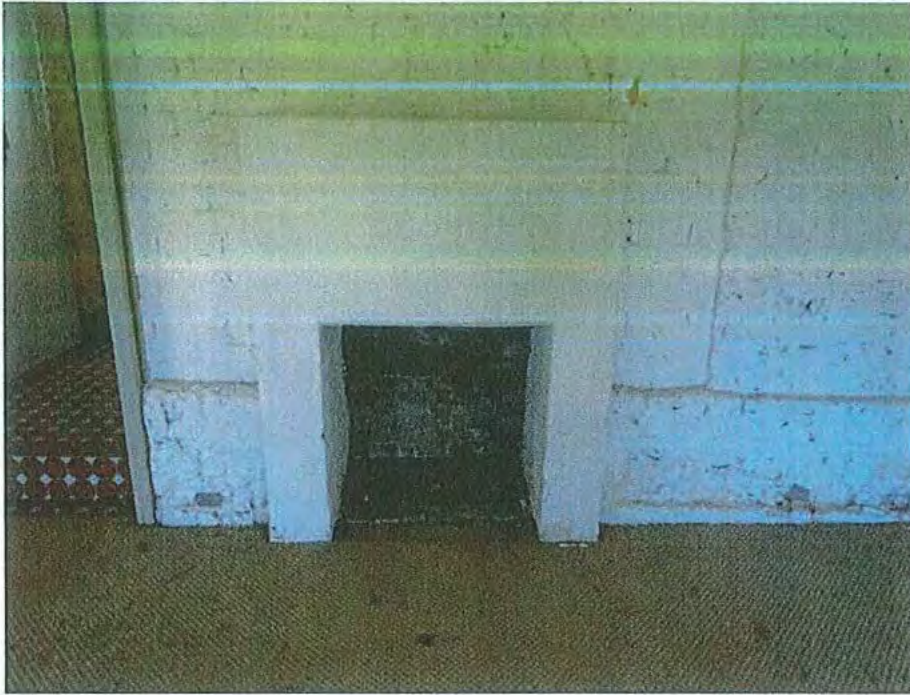


Photo 9: Brick fireplace.

[Redacted]

Hall

9.12

35454⁰⁶⁵



T3 (*Pinus radiata*)



T2 (*Pinus radiata*)



Hall 9.12 35459 066



T1 (*Eucalyptus leucosylos*)



T1 (*Eucalyptus leucosylos*)

Hall 9.12 35459

067



TI (Eucalyptus leucosylon)



TI (Eucalyptus leucosylon)

Hall

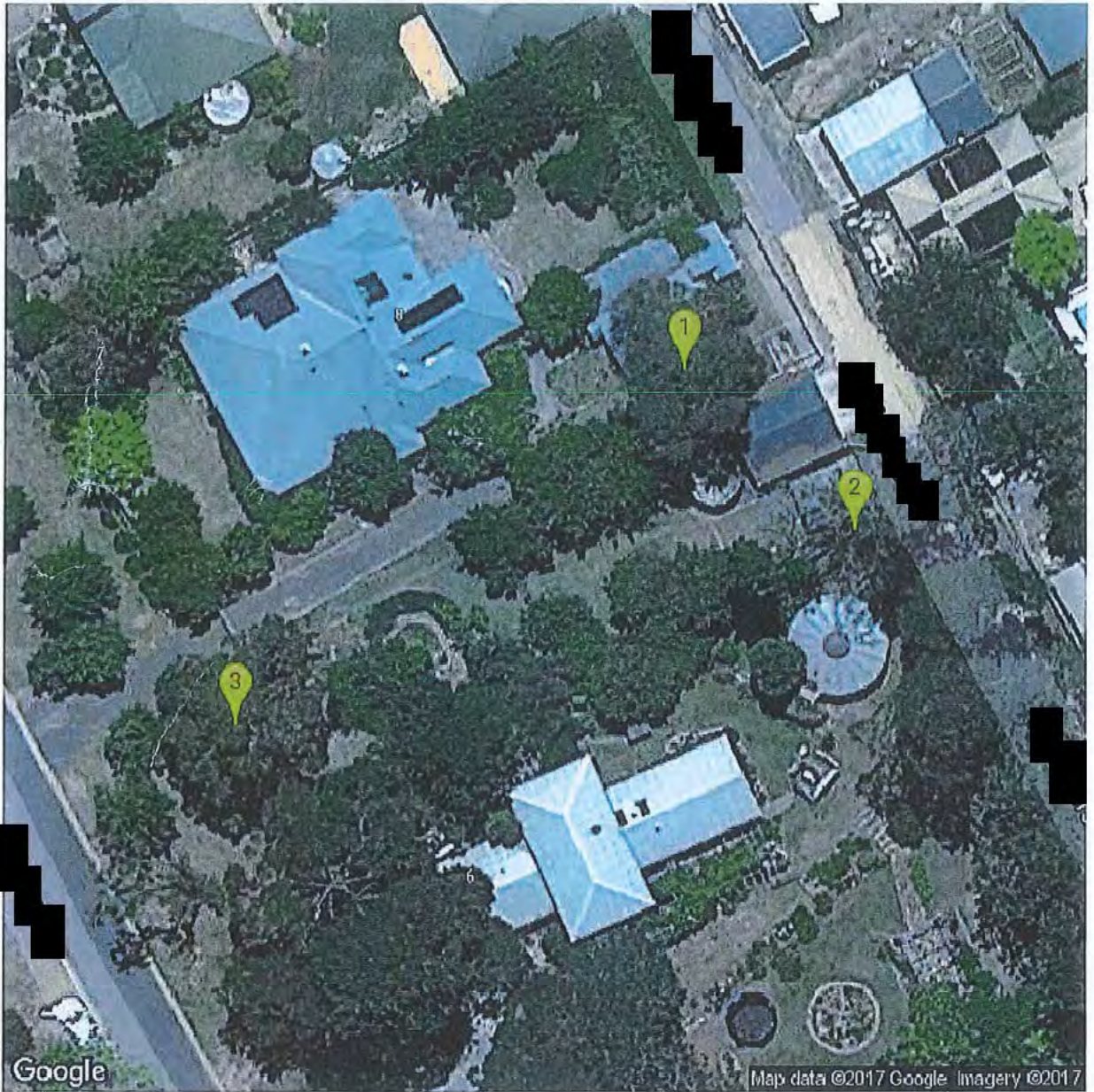
9.12

068
35459



#1 (*Eucalyptus Leucosylon*)

9.12



9-12

BEFORE



Q12 AFTER





ACT Heritage Council

HERITAGE ADVICE

Under Section 61B of the *Heritage Act 2004*

Heritage Reference:
Contact Officer:
Received by Council:

Hall- B2-S1
Gabrielle Caddy
22 September 2017

TO: Urban Treescapes,
Transport Canberra and City Services Directorate
Brent Schwartzkoff
Brent.Schwartzkoff@act.gov.au

Block:	Section:	Division / District:	Heritage Place:
		Hall	Hall Village Heritage Precinct

Status of Place: Registered Heritage Place
Description of Works: Tree removals
Council Advice provided by: Secretary / ACT Heritage Manager

Pursuant to Section 22 of the *Tree Protection Act 2005* and Section 60 of the *Heritage Act 2004*, the ACT Heritage Council advises that:

- The proposed removal of the trees **may diminish the significance of a heritage place**, and the ACT Heritage Council does not support removal of the trees.

Background:

On 22 September 2017, an application for tree damaging activities at [redacted] Hall (Block [redacted] Section [redacted] Hall) was referred to the ACT Heritage Council (the Council) for entity advice.

The proposal is for the removal of three trees from the block. The three trees are described as follows:

- Tree 1: a *Eucalyptus leucoxylon* in good condition;
- Tree 2: a *Pinus radiata* in major decline; and
- Tree 3: a *Pinus radiata* in good condition.

All three trees are of a size requiring specific approval under the *Hall Village Precinct Interim Heritage Place Register Objectives* (the Heritage Guidelines).

The Precinct Entry to the Register includes the “considerable numbers of mature trees including exotics and remnant eucalypts across the village” as a feature intrinsic to the heritage significance of the place.

To support this, Conservation Objective 2.3 states:

(i) *The design of any development upon private land should aim to retain all mature trees within the block. Trees of the following size shall not be removed without approval:*

- Overall height above ground >6m or
- Trunk circumference at 1.2m above ground >750mm

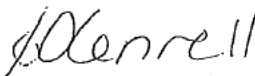
The Council notes that in the past week there have been works at the property undertaken without prior *Heritage Act 2004* approvals in place. In this context, the Council does not have sufficient information to determine whether works, including the proposed removal of three trees, would diminish the heritage significance of the Precinct.

Advice:

On review of current information, the Council does not support the removal of the three trees at [REDACTED], Hall; as such removal is not consistent with Conservation Objective 2.3 for the Precinct, and as such removal may diminish the heritage significance of the Precinct.

The Council further advises that an approval to remove trees under the *Tree Protection Act 2005* does not constitute a Section 76 exception under the *Heritage Act 2004*, and that removal of trees may constitute an offence under Section 74 of the *Heritage Act 2004* should this activity diminish the heritage significance of the Precinct.

In this context, the applicant should be advised to seek advice from the Council on *Heritage Act 2004* provisions relating to proposed works at the property.


Jennifer O'Connell
**Secretary (as delegate for),
ACT Heritage Council**

10 October 2017

9.12.



ACT Heritage Council
Clearance Form

Advice prepared by: GABRIELLE CADDY Designation: CONS OFF

Proposal: REMOVE 3 TREES (REGULATED)

Impact / Concern: IMPACT SIGNIFICANCE

Recommendation: REFUSE TO SUPPORT

Signature: [Signature] Date: 10/10/2017

Checked by: Meaghan Russell Designation: Team leader advice

Comment: Agree - minor edits

Signature: [Signature] Date: 10/10/2017

Approved by: Designation:

Comment:

Signature: [Signature] Date: 10/10/2017

912⁰⁷⁵

Dojcic, Rosie

From: smartforms@act.gov.au
Sent: Tuesday, 12 September 2017 4:07 PM
To: TCCS_CP TreeProtection
Subject: Application to Undertake a Tree Damaging Activity
Attachments: 99119820170912162953.xml; 99119820170912162953.pdf

Application to Undertake a Tree Damaging Activity

Form data summary

Submission ID 99119820170912162953

Tracking number R8GGNL



You can also view the tree map [online](#)

For issues or questions relating to SmartForms or Transaction Manager, please contact the Payment Services Integration Team on *7 5466.



9-12⁰⁷⁶

Reference Code: **R8GGNL**

Application to Undertake a Tree Damaging Activity - Submission confirmation

Your submission has been successful. Please keep a copy of this receipt for your records.

Date and time

Reference number

12 Sep 2017 4:05:10 PM

R8GGNL

Urban Treescapes

GPO Box 158
Canberra City ACT 2601

Phone: 13 22 81

Applicant details

Title	Given name *	Family name *
2.2(a)(ii)		

Company

ACN

Residential address

Address line 1 *

Address line 2

Suburb *	State *	Postcode *
Hall	ACT	2618

Postal address

Same as residential address

Please enter at least one phone number: *

Home phone number	Work phone number	Mobile number
<input type="text"/>	<input type="text"/>	2.2(a)(ii)

Email *

Is the applicant the lessee of the land on which the tree is located? *

Yes No

Activity details

Type of activity requested

Please tick the appropriate box(es) for the tree damaging activity which you are applying for:

- Tree felling or removal
- Major pruning
- Minor pruning (registered trees only)
- Lopping
- Prohibited groundwork in the tree protection zone
- Other activity

Location of tree

Address line 1 *

[Redacted address line 1]

Address line 2

[Redacted address line 2]

Suburb *	State	Postcode *
HALL	ACT	2618

Suburb/District	Section	Block
HALL	1	2

If you require help with suburb/district, section or block details, visit ACTMAPi.

To view the map you submitted, please copy and paste the URL below into your web browser.

```
maps.googleapls.com/maps/api/staticmap?
mapttype=hybrid&center=-35.169206288445,149.071439469099&zoom=20&size=640x640&scale=2&sensor=false&markers=col
or:green|label:1|-35.16909227399418,149.07155078077312&markers=color:green|label:2|-35.16919532552402,149.07168489
122387&markers=color:green|label:3|-35.169320302735905,149.07119404697414
```

Tree(s) details

1 Tree 1

I believe it's a regulated tree, we would like to build on this block and this tree will interfere with the dwelling

2 Tree 2

A type of pine, the tree is dead or dying. This is the last one in a row that have all been removed (neighbours trees)

3 Tree 3

Another type of pine, It is located where we would like the driveway to be

Reasons for application

Tick the appropriate box:

- Block of land where the tree(s) is located is on the ACT Heritage Register or other heritage register
- Block of land where the tree(s) is located is on National Capital Authority (NCA) land
- The application is development related or associated with a proposed development
- Other

State the reason/s why the application is being made with regard to each tree (you should have regard to the criteria for approval).

You will be able to attach supporting documentation such as arboriculturist reports, plumbing diagrams, receipts, structural engineers reports or other substantiating evidence that would assist the conservator in assessing the application.

Please note that delays may be experienced in processing your application if we are of the view that you have not provided sufficient or accurate information in order for a comprehensive assessment to be made.

Reason/s for application *

Tree 1: I believe it's a regulated tree, we would like to build on this block and this tree will interfere with the dwelling
 Tree 2: A type of pine, the tree is dead or dying. This is the last one in a row that have all been removed (neighbours trees)
 Tree 3: Another type of pine, it is located where we would like the driveway to be

Consent to enter

To enable assessment of this application, an authorised officer will require consent from the occupier to enter the land where the tree damaging activity is to occur.

Are you the current occupier of the property where the tree damaging activity is to occur? *

- Yes
- No

I consent to an authorised person entering my premises between the hours of 8:30am and 5pm weekdays for the purposes of assessing this application. *

Is there clear access to the tree for the purpose of the inspection? *

- Yes
- No

Best contact person to arrange access

Sch 2 2.2(a)(ii)

Is there a dog in the yard? *

- Yes
- No



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Transport Canberra and
City Services

9.12.17

Inspected by: <u>B1</u>	Advisor Visit? <u>Y/N</u>
Date: <u>21/9/17</u>	
Applicant requests - to be present	<u>Y/N</u>
Applicant/Lessee/Tenant - present	<u>Y/N</u>

TREE ASSESSMENT REPORT

Application ID: 35459 Date Received: 12-Sep-2017

Home Phone:

Applicant Name: [REDACTED]

Business Phone:

Mobile: [REDACTED]

Tree Address: [REDACTED] Suburb: HALL

Block/s: [REDACTED] Section: [REDACTED] Block Size (m²): 2029.8

ACTIVITY REQUIRED

Felling/Removal Groundwork within the TPZ Major pruning Lopping Minor pruning Other

TREE DETAILS

Tree No 1 of 3 Genus & species: Eucalyptus leucopylla Regulated Registered

Location on block: As per the attached map

The proposed activity is not subject to the legislation because it is:

under size dead a declared pest plant rural lease unleased land other

Height ~ 16 m Canopy ~ 12 m Circumference 1.9 m Heritage Block: Y N

Trunk: 1.5 m Canopy: ~ 4 m Overhang: m

Proximity to substantial structure:

Trunk: < 20 m Canopy: m Overhang: m

Proximity to powerlines:

1 2 3 4 5 6 7 8 9 10

Landscape values:

Possible nomination for the tree register:
Yes / No

Isolated specimen	Remnant / planted / rare	Historical	Planting / Remnant / Commemorative
Group specimen	Remnant / <u>planted</u>	Prominent due to location / stature / height / age - (regardless stature)	Yes / No
Indigenous	Remnant / planted	Habitat	Yes / No (Nest - Hollow)
Cultural	Unusual form / habit / variety	License under the Nature Conservation Act 2014 required	Yes / No

Tree stable	<u>Yes</u> / No	Root damage	Yes / <u>No</u>
Epicormic growth	Major / <u>Minor</u> / None	Trunk damage	Yes / <u>No</u>
Foliage insects	Major / <u>Minor</u> / None <u>Scale</u>	Evidence of borers / termites	Yes / <u>No</u>
Deadwood	Major / <u>Minor</u> / None	Evidence of fungal infestation	Yes / <u>No</u>
Previously pruned	Major / <u>Minor</u> / <u>None</u>	Evidence of weak branch unions	Yes / <u>No</u>
Previously lopped	Yes / <u>No</u>	Evidence of stress fractures	Yes / <u>No</u>
Causing drain blockages	Major / <u>Minor</u> / <u>Not evident</u>	TPZ disturbance	Yes / <u>No</u>

Growth stage juvenile / semi mature / mature / over-mature / in decline General health excellent / good / fair / poor

- Tree appears structurally sound. No indication of root plate movement, FFB or rot.

- Application appears to be development related.

9.12⁰⁸⁰

Assessment – TREE FELLING / REMOVAL (visual from ground level)

	Criteria	Reported	Assessed	Meets criteria	Justifying Comments
1.1.a	Life expectancy short ...	Yes / No	Yes / No	Yes / No	
1.1.b	Unacceptable risk to public or private safety ...	Yes / No	Yes / No	Yes / No	
1.1.c	Causing / threatening to cause substantial damage ...	Yes / No	Yes / No	Yes / No	
1.1.d	Inappropriate location...	Yes / No	Yes / No	Yes / No	
1.1.e	Blocking solar access (excluding remnant Eucalypts)	Yes / No	Yes / No	Yes / No	
1.1.f	Causing allergic reaction to occupant...	Yes / No	Yes / No	Yes / No	
1.1.g	Part of close planting...	Yes / No	Yes / No	Yes / No	
1.2	Schedule 2 Species	Yes / No	Yes / No	Yes / No	

Recommendation: APPROVE **REJECT** REPLACEMENT TREE Y / N

Alternative Recommendation: Selective Pruning / Dead wooding / other.....

Assessment - MAJOR PRUNING / LOPPING (visual from ground level)

	Criteria	Reported	Assessed	Meets criteria	Justifying Comments
1.5.a.i	As a remedial treatment	Yes / No	Yes / No	Yes / No	
1.5.a.ii	In the general interests of the health of the tree	Yes / No	Yes / No	Yes / No	
1.5.a.iii	To reduce an unacceptable risk to public or private safety	Yes / No	Yes / No	Yes / No	
1.5.a.iv	To reduce the risk of damage or prevent further damage to a substantial building, structure or service	Yes / No	Yes / No	Yes / No	
1.5.b	Substantially affecting solar access to the lessees lease, or neighbouring lease, during winter...(excluding remnant Eucalypts)	Yes / No	Yes / No	Yes / No	

Recommendation: APPROVE REJECT

Assessment - GROUNDWORK (visual from ground level)

	Criteria	Reported	Assessed	Meets criteria	Justifying Comments
2	The groundwork will have minimal impact on the tree if the activity complies with the conditions stated in the approval	Yes / No	Yes / No	Yes / No	
s29(4)	The activity will have little or no adverse impact on the health or stability of the tree	Yes / No	Yes / No	Yes / No	

Recommendation: APPROVE REJECT

T.A.P. DELEGATE ADVICE

Inspected site: Yes / No See separate report: Yes / No
 Agree with recommendation: Yes / No Refer to Tree Advisory Panel: Yes / No

Signature: Date:



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9.12

Inspected by: <u>BS</u>	Advisor Visit? <u>Y/N</u>
Date: <u>21.9.17</u>	
Applicant requests – to be present	<u>Y/N</u>
Applicant/Lessee/Tenant - present	<u>Y/N</u>

TREE ASSESSMENT REPORT

Application ID: 35459 Date Received: 12-Sep-2017

Home Phone:

Applicant Name: 2.2(a)(ii)

Business Phone:

Mobile: 2.2(a)(ii)

Tree Address: [redacted] Suburb: HALL

Block/s: [redacted] Section: [redacted] Block Size (m²): 2029.8

ACTIVITY REQUIRED

Felling/Removal Groundwork within the TPZ Major pruning Lopping Minor pruning Other

TREE DETAILS

Tree No 2 of 3 Genus & species: Penis radiata Regulated Registered

Location on block: As per the attached maps.

The proposed activity is not subject to the legislation because it is:

under size dead a declared pest plant rural lease unleased land other

Height m Canopy m Circumference m Heritage Block: Y N

Trunk: m Canopy: m Overhang: m

Proximity to substantial structure:

Trunk: m Canopy: m Overhang: m

Proximity to powerlines:

1 2 3 4 5 6 7 8 9 10

Landscape values:

Possible nomination for the tree register:
Yes / No

Isolated specimen	Remnant / planted / rare	Historical	Planting / Remnant / Commemorative
Group specimen	Remnant / planted	Prominent due to location / stature / height / age – (regardless stature)	Yes / No
Indigenous	Remnant / planted	Habitat	Yes / No (Nest – Hollow)
Cultural	Unusual form / habit / variety	License under the Nature Conservation Act 2014 required	Yes / No

Tree stable	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Root damage	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Epicormic growth	Major / Minor / None	Trunk damage	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Foliage insects	Major / Minor / None	Evidence of borers / termites	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Deadwood	Major / Minor / None	Evidence of fungal infestation	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Previously pruned	Major / Minor / None	Evidence of weak branch unions	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Previously lopped	Yes / No	Evidence of stress fractures	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Causing drain blockages	Major / Minor / Not evident <u>NA</u>	TPZ disturbance	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Growth stage: juvenile / semi mature / mature / over-mature / in decline General health: excellent / good / fair / poor

Decline

- Tree 2 is a pest species in decline.

9.12

Assessment – TREE FELLING / REMOVAL (visual from ground level)

Table with 6 columns: Criteria, Reported, Assessed, Meets criteria, Justifying Comments. Rows include 1.1.a through 1.2.

Recommendation: APPROVE REJECT REPLACEMENT TREE Y / N

Alternative Recommendation: Selective Pruning / Dead wooding / other.....

Assessment - MAJOR PRUNING / LOPPING (visual from ground level)

Table with 6 columns: Criteria, Reported, Assessed, Meets criteria, Justifying Comments. Rows include 1.5.a.i through 1.5.b.

Recommendation: APPROVE REJECT

Assessment - GROUNDWORK (visual from ground level)

Table with 6 columns: Criteria, Reported, Assessed, Meets criteria, Justifying Comments. Rows include 2 and s29(4).

Recommendation: APPROVE REJECT

T.A.P. DELEGATE ADVICE

Inspected site: Yes / No See separate report: Yes / No
Agree with recommendation: Yes / No Refer to Tree Advisory Panel: Yes / No
Signature: Date:



ACT
Government

Transport Canberra and
City Services

9.12 083

Inspected by: <u>BS</u>	Advisor Visit? <u>Y/N</u>
Date: <u>21.9.17</u>	
Applicant requests – to be present	<u>Y/N</u>
Applicant/Lessee/Tenant - present	<u>Y/N</u>

TREE ASSESSMENT REPORT

Application ID: 35459 Date Received: 12-Sep-2017

Home Phone:

Business Phone:

Mobile: 2.2(a)(ii)

Applicant Name: [Redacted]

Tree Address: [Redacted] Suburb: **HALL**

Block/s: [Redacted] Section: [Redacted] Block Size (m²): **2029.8**

ACTIVITY REQUIRED

Felling/Removal Groundwork within the TPZ Major pruning Lopping Minor pruning Other

TREE DETAILS

Tree No 3 of 3 Genus & species: Pinus radiata Regulated Registered

Location on block: As per the attached map.

The proposed activity is not subject to the legislation because it is:

under size dead a declared pest plant rural lease unleased land other

Height m Canopy m Circumference m Heritage Block: Y N

Trunk: m Canopy: m Overhang: m

Proximity to substantial structure:

Trunk: m Canopy: m Overhang: m

Proximity to powerlines:

1 2 3 4 5 6 7 8 9 10

Landscape values:

Possible nomination for the tree register:
Yes / No

Isolated specimen	Remnant / planted / rare	Historical	Planting / Remnant / Commemorative
Group specimen	Remnant / <u>planted</u>	Prominent due to location / stature / height / age – (regardless stature)	Yes / <u>No</u>
Indigenous	Remnant / planted	Habitat	Yes / <u>No</u> (Nest – Hollow)
Cultural	Unusual form / habit / variety	License under the <i>Nature Conservation Act 2014</i> required	Yes / No

Tree stable	<u>Yes</u> / No	Root damage	Yes / <u>No</u>
Epicormic growth	Major / Minor / <u>None</u>	Trunk damage	Yes / <u>No</u>
Foliage insects	Major / Minor / <u>None</u>	Evidence of borers / termites	Yes / <u>No</u>
Deadwood	Major / Minor / <u>None</u>	Evidence of fungal infestation	Yes / <u>No</u>
Previously pruned	Major / <u>Minor</u> / None	Evidence of weak branch unions	Yes / <u>No</u>
Previously lopped	Yes / <u>No</u>	Evidence of stress fractures	Yes / <u>No</u>
Causing drain blockages	Major / Minor / Not evident <u>NA</u>	TPZ disturbance	Yes / <u>No</u>

Growth stage: juvenile / semi mature / mature over-mature / in decline General health: excellent / good / fair / poor

Tree 3 is Pinus radiata is a pest species - in good condition.

9.12

Assessment – TREE FELLING / REMOVAL (visual from ground level)

	Criteria	Reported	Assessed	Meets criteria	Justifying Comments
1.1.a	Life expectancy short ...	Yes / No	Yes / No	Yes / No	
1.1.b	Unacceptable risk to public or private safety ...	Yes / No	Yes / No	Yes / No	
1.1.c	Causing / threatening to cause substantial damage ...	Yes / No	Yes / No	Yes / No	
1.1.d	Inappropriate location...	Yes / No	Yes / No	Yes / No	
1.1.e	Blocking solar access (excluding remnant Eucalypts)	Yes / No	Yes / No	Yes / No	
1.1.f	Causing allergic reaction to occupant...	Yes / No	Yes / No	Yes / No	
1.1.g	Part of close planting...	Yes / No	Yes / No	Yes / No	
1.2	Schedule 2 Species	Yes / No	Yes / No	Yes / No	

Recommendation: **APPROVE** **REJECT** **REPLACEMENT TREE** **Y / N**

Alternative Recommendation: Selective Pruning / Dead wooding / other.....

Assessment - MAJOR PRUNING / LOPPING (visual from ground level)

	Criteria	Reported	Assessed	Meets criteria	Justifying Comments
1.5.a.i	As a remedial treatment	Yes / No	Yes / No	Yes / No	
1.5.a.ii	In the general interests of the health of the tree	Yes / No	Yes / No	Yes / No	
1.5.a.iii	To reduce an unacceptable risk to public or private safety	Yes / No	Yes / No	Yes / No	
1.5.a.iv	To reduce the risk of damage or prevent further damage to a substantial building, structure or service	Yes / No	Yes / No	Yes / No	
1.5.b	Substantially affecting solar access to the lessees lease, or neighbouring lease, during winter...(excluding remnant Eucalypts)	Yes / No	Yes / No	Yes / No	

Recommendation: **APPROVE** **REJECT**

Assessment - GROUNDWORK (visual from ground level)

	Criteria	Reported	Assessed	Meets criteria	Justifying Comments
2	The groundwork will have minimal impact on the tree if the activity complies with the conditions stated in the approval	Yes / No	Yes / No	Yes / No	
s29(4)	The activity will have little or no adverse impact on the health or stability of the tree	Yes / No	Yes / No	Yes / No	

Recommendation: **APPROVE** **REJECT**

T.A.P. DELEGATE ADVICE

Inspected site: Yes / No

Agree with recommendation: Yes / No

See separate report:

Yes / No

Refer to Tree Advisory Panel:

Yes / No

Signature:

Date:



9.13



The Premier Store, Victoria Street, Hall. PF 2000 photograph

**VILLAGE OF HALL • AUSTRALIAN CAPITAL TERRITORY
HERITAGE ASSESSMENT
VOLUME 2 • THE INVENTORY**

**PREPARED FOR THE
HERITAGE UNIT : ENVIRONMENT ACT**

**PETER FREEMAN PTY LTD
CONSERVATION ARCHITECTS & PLANNERS • CANBERRA
IN ASSOCIATION WITH
ROBERT BODEN & ASSOCIATES
CONSERVATION & NATURAL RESOURCE MANAGEMENT • CANBERRA**

**FINAL
JUNE 2000**

THE VILLAGE OF HALL • HERITAGE ASSESSMENT • 2000
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[Redacted] Hall

[Redacted] Hall

HISTORICAL OVERVIEW¹² :

John Southwell was the son of Thomas and Eliza Southwell, who were among the first graziers who settled in the district. John married Louisa Smith, daughter of Edward and Mary Smith in 1867 and resided at 'Rose Hill' in the Ginninderra District. John erected the first building in the village of Hall, and conducted a store there.

At the first land sale for town allotments at the village of Hall in 1886, John Southwell bought block 9 section 11, block 8 section 3 and block 10 section 2. In 1894 the Southwells moved from 'Rose Hill' and built a house at Hall which they named '[Redacted]'. The original site appears to have been built on block 10 of section 2 Palmer street. At the third land sale in 1895, John probably bought blocks 1, 8, 9 and 10 of section 1 and Louisa Southwell bought blocks 2, 3, 4 and 7 section 1.

In 1907 the Southwells suffered a great loss when their house was burnt to the ground. John soon made arrangements for the erection of a new home, '[Redacted]'. This dwelling was built by George Sagacio, a builder from Queanbeyan using a new technique. The

¹² The following history has been informed by the Butt Conservation Study [1983], 'Memories of Hall' by Leon Smith [1975] and oral history information from Tony Morris [2000] and the new owner Lindsay Hamilton [2000], refer Study Bibliography Section 8, Volume 1.

9.13



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walls were built of 'Ashlar block' composed of local crushed rock, sand and cement, moulded into rectangular block, dried in the sun and fired in low temperature kiln built on site.

Leon Smith states that behind the original 1894 house was a small cottage. Louisa Southwell's mother – Mary Smith [wife of late Edward Smith of Weetangerra] lived in her own separate cottage a short distance away. She was known to most of the villagers as Grandmother Smith. Following the destruction and removal of the [redacted] house in 1907, Grandmother Smith was obliged to leave Hall.

The original corrugated iron roof was replaced by ribbed metal decking and the original timber verandah posts were replaced by precast neo-Corinthian aluminium columns, about 1971. Early additions were made by H. Gudgeon in 1934 who also altered the original coach house about 1945. A tennis court was established on



Entrance maker - front fence. Note at the base of the wall is a stone tablet with the name [redacted] inscribed. Front elevation, this portion of the house reveals the 1950 extension of the original cottage.
PF 2000 photograph

9.13



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the block adjacent. This block was originally part of the grounds but has since been built on, a condition of sale being they retain the mature pines that once surrounded the tennis courts.

DESCRIPTION :

On this site there are a collection of buildings and structures set amongst an attractive mature garden, includes the front entrance wall, the main house [REDACTED] the small rear cottage, the external lavatory and a stable.

THE FRONT ENTRANCE

An attractive bluestone and cement rubble wall fence is located on the south side of the driveway. The rubble wall is constructed of a mixture of bluestone and cement. The wall features three square



[REDACTED]
Rear Cottage
Stables
© 2000 photograph



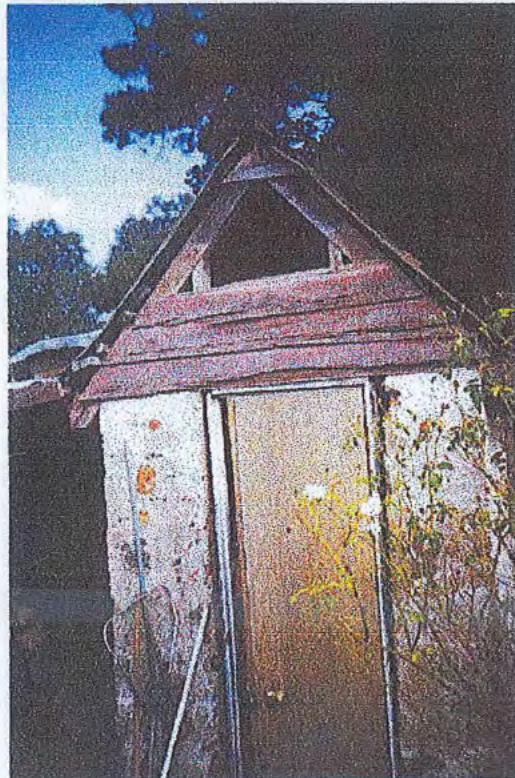
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sectional piers, with a pyramid stone capping. To the base of the curved section of the wall on the right hand side is a stone and cement tablet with the words [REDACTED] inscribed on it. It is probable that the fence was constructed during 1907 and the stones used for this fence were unused stones for the construction of St. Francis Xavier's Catholic Church, which was built at the same time. The tablet appears to be of recent construction.

The present form of this residence is the result of a three stages of modifications. The dwelling is composed of a hip colourbond 'kliplok' decking roof with a verandah to the front and masonry walls. The roof features two early brick chimneys located behind the front section. The northern verandah has been filled in with concrete block to accommodate a bathroom. The front of the house is composed of a front verandah supported by six precast aluminium columns, three French doors with early joinery and modern timber shutters are located along the front wall flanked on either side by double hung timber windows. The eastern verandah was enclosed to create a wash room and two bedrooms. Little of the original fabric and features of the original 1907 residence remains. However the rear portion has some remnants of the fabric and features of the original residence.

REAR COTTAGE

Located to the rear of the block along the eastern boundary, near the back lane. This is a small cottage of similar construction with large



[REDACTED]
Lavatory.
PF 2000 photograph



brick chimney to rear wall. The house is roofed with corrugated iron, with casement windows. Internally the house has a concrete floor and is partially lined with modern vertical boarding. It is unclear as to the date of construction of this cottage.

LAVATORY

Located at the south east corner of garden is of similar crushed rock cement mix construction as the main house and cottage. It is composed of a corrugated iron gable roof, with weatherboard cladding to the gable ends. There are two wooden louvred windows to this structure. The lavatory was originally a two seater. The internal fittings have been removed.

STABLE

The stable is located to southern boundary of the block. It is clad with corrugated iron to its roof and walls, which have later been painted cream. The stable is composed of a gable roof, using timber members for its construction. The timber is a combination of bush poles and cut timbers. There is a single doorway to the stable and composed of two parts in the form of a stable stall door style, constructed of vertical timber paling, with internal diagonal bracing and hinged externally. The stable has an earthen floor.

GARDEN

The gardens on this property are well established. The ranges of plants include two large Pinus Radiata on the south rear boundary and at the front of the property, weeping hazelnut, apricot, grape vines, a large eucalyptus at the front gate and rhododendrons. The Conroy report states that : '... [redacted] was one of a number of built features identified that contributed to the community's sense of history and heritage'.¹³

PHYSICAL CONDITION¹⁴ :

Some of the internal walls exhibit rising damp and there are remains of termite tracks along the front of the house.

STATEMENT OF SIGNIFICANCE :

[redacted] is valued by the community of Hall for its historical and social associations to the village and district. The collection of outbuildings and relationship to the grounds, is a recording of the usages and way of life in early 20th Century Hall.

[ACT Criterion iv]

[redacted] has historic significance for its association with John Southwell, who was one of the early residents of Hall, who helped in the development of the place.

[ACT Criterion vii]

¹³ Conroy, S., [March 1999], *Hall Village A Cultural Profile and Consultation Report*. The report details the community consultation process to ascertain the residents and business values concerning Hall's built, natural and historical values.

¹⁴ This physical condition survey is based on assessment from the street; and from oral history information supplied to the consultants, May 2000.



FEATURES INTRINSIC TO THE HERITAGE OF THE PLACE :

Alterations and additions over time to the main residence, has compromised the original fabric, features and form of the main residence to the extent that there is little evidence remaining intact. Therefore the features intrinsic to the heritage of the place are the siting and relationship of the out building and main residence to the garden, the form and design of the outbuildings, the remnants of the original residence and the front stone fence

MANAGEMENT POLICY RECOMMENDATIONS :

It is recommended that a conservation management plan or heritage assessment should be undertaken for this place, in order to investigate the main house, outbuildings and grounds. In particular such a plan/ assessment should look at the feasibility of retaining the heritage features of this place and determine which measures are required to further care for its cultural heritage.

The significance of [redacted] remains in its setting and the remnants of the original buildings and setting. The grounds and buildings are still evocative of an early 20th Century lifestyle and it is important to conserve this physical setting. It is recommended that future extensions, alterations and additions of the buildings and grounds should not alter the relationship to the streetscape and setting as seen from the public domain.

hall SCHOOL MUSEUM AND HERITAGE CENTRE

9.13 092

Rediscovering Ginninderra: A database: Mary Smith

Born: 1819; Died: 1907; Married: Edward Smith

Mary Kilby was born in 1819 in Cambridgeshire, UK. In 1840, at the age of twenty-one, she married [Edward Smith](#) of Huntingdon. Over the following ten years they had four children, one of whom - Maria - died in childhood. The others were Shelton (1842), Louisa (1844) and Anne (1846). In 1852 the family sailed for Australia as assisted migrants on the *Irene*. The three children who journeyed with their parent to Australia were joined later by three more children - George, Ellis and Amelia. Three of them - Louisa, Ellis and Amelia - married children of [Thomas Southwell](#).

Mary was known as an extremely devout woman. Described at immigration as a 'Primitive Methodist', she was diligent attender and supported of three Methodist churches - the [parkwood-chapel.html](#)[[Parkwood chapel](#)] of [Thomas Southwell](#), the Weetangera Methodist church, and finally Wattle Park.

Some time after her husband died in 1888, Mary moved to Hall, where she lived in a cottage a short distance from her daughter Louisa ('Aunt Lou') and son-in-law John ('Johnnie') Southwell in the house they had built for themselves, [REDACTED]. In 1907 when [REDACTED] was tragically destroyed by fire, 'Grandmother Smith' (apparently Mary had a strong objection to being called 'granny') moved into the care of another of her daughters, Amelia, and her husband Richard Southwell, at 'Brooklands', Wallaroo.

This was to be a short stay, as she passed away on 7 August 1907 in her 90th year. According to her grandson [Leon Smith](#), the funeral was rather distinctive:

A sight rarely seen in those days and never seen in these days was the appearance of six female pall bearers. They were her grand-daughters, Mrs H W Jones, Miss Amelia Southwell, Miss Alice Cameron, Miss Rebecca Smith, Miss Lily Smith and Miss Adelaide Southwell
[Smith, L p.37]

Obituary - Mrs Edward Smith

Mary, relict of the late Mr. [Edward Smith](#), a prominent farmer and horse breeder, who pre-deceased his widow some years ago, and for many years carried on his avocations in the neighbourhood of Ginninderra, died at the residence of her son-in-law, Mr. Richard Southwell, Woodgrove, Wallaroo, on Tuesday. For many years the deceased lady had been very feeble and infirm, and had almost reached her 89th year when she passed away. She was venerated for her simple piety and general kindness of heart.

She leaves several children and a host of grand-children; and even some great grand-children. The former include Messrs. Shelton and George Smith (Richmond River); [Ellis Smith](#) (Wallaroo); and Mesdames Cameron, (Weetangera) ; [John Southwell sen.](#), (Hall) and Richard Southwell (Wallaroo). The remains of the deceased lady will be interred today in the Methodist cemetery at Weetangera side by side with those of her husband.

[Queanbeyan Age, 9 August 1907, p. 2].

Related Photos



Edward Smith

References

- Smith, L. R. *Memories of Hall*, Roebuck, Canberra, 1975
- Gillespie, L. L. *Ginninderra, Forerunner to Canberra*. Canberra, 1992.
- Campbell, W.J.M. *Four Pioneers of the Limestone Plains*, Angus and Robertson, Sydney, 1955

[< Rediscovering Ginninderra: A database](#)