

# Oaks Estate residents fear loss of heritage protection

Date June 9, 2015

Kirsten Lawson

*Chief Assembly reporter for The Canberra Times.*

As the ACT Heritage Council debates whether to protect Oaks Estate, residents fear heritage is being watered down in the 180-year-old village to pave the way for land sales and redevelopment.

Kate Gauthier lives in a 125-year-old home in Oaks Estate, and said she and her husband had to jump through heritage hoops to get permission for a planned extension last year, because the house is one of a number in the village nominated to the heritage register.

Now, she fears the Heritage Council is shifting its view, under new chairman David Flannery, appointed by the government in March.

"In the last two years the Heritage Council was very, very prescriptive about what could and couldn't be built in Oaks Estate and had a lot of controls around design and impact to houses, which is a good thing - that protects the village character," she said. "[But] we're really concerned that the Heritage Council is paving the way to put in just bare minimum controls."

Ms Gauthier anticipated "incredibly watered-down protections" that would "work in tandem with the new precinct code to allow us to be carpet-bombed with apartment blocks". She was referring to a draft change to the Territory Plan being finalised by the government, allowing two and three-storey development, shops, restaurants and other commercial development in parts of the commercial area. It will also allow the redevelopment of multi-unit sites in the residential area. The government says the change allows growth and change while maintaining the history and character.

The heritage nomination was made 13 years ago, but has never

been finalised, and the council looks to be struggling to reach a decision, with no decision made at its most recent meeting on Thursday.

Mr Flannery said he was seeking more information about the government's plans and how they would protect heritage - which he characterised as the grid layout of the streets, the Molonglo Valley vistas, the Aboriginal sites and the remnants of a Chinese garden. The village was very important, telling "a marvellous story of the early settlement out there prior to Canberra as the national capital", he said.

But asked about individual houses identified in an earlier report as potentially significant, including Ms Gauthier's house, Mr Flannery said the council didn't want "to put in protection and legislation that prevents people from doing things to these places" and "there would be nothing wrong with a bit of demolition here and there".

"It would be fair to say that most of the houses there aren't of heritage significance in their own right, but as part of a precinct they bring together a unity of form and fabric, and it's the story we are trying to protect as much as anything else," he said.

Registration was "a big call and we don't want to make the decision lightly".

Oaks Estate Progress Association president Michel Starling said while the buildings were not grand - his is a 1913 workers' cottage - their loss would irrevocably alter the character of the historic village. The government should tread very carefully, he said.

He was writing to the Heritage Council asking for clarity.

"If an old brick duplex that dates back to the mid-1880s can't warrant any form of heritage protection in a whole precinct that dates to 1836, I'm not sure what can in Canberra," he said, referring to Ms Gauthier's home.

Philip Leeson Architects, commissioned by the government to do a heritage assessment in 2013, said Oaks Estate should be listed on the ACT Heritage Register, with up to 30 homes listed for their significance, as well as the hall, some infrastructure and some of the views and trees, and the site of the market garden.

Local historian Karen Williams, who wrote the original nomination, said it was farcical the Territory Plan change was being finalised when the heritage decision had not been made. "We're probably the most studied area of Canberra as far as heritage studies go, but as soon as they get anywhere near the Heritage Council the process seems to fall over," Dr Williams said. "They don't seem to be able to bring the whole thing together when the crunch comes."