



ACT Heritage Council

---

Mr Brian Bathgate  
Operations Manager Belconnen/Gungahlin  
Place Management, City Presentation  
Transport Canberra and City Services Directorate  
GPO Box 158  
Canberra ACT 2601

Dear Mr Bathgate

On 30 November 2019 you wrote to the ACT Heritage Council (the Council) seeking reconsideration of its decision to not approve the Statement of Heritage Effect (SHE) application for works associated with the proposed construction of a recreational bike track within [REDACTED] Hall. Your request for reconsideration was made following brief assessment into the feasibility of an alternative location identified as 'Site D'.

In its decision of 17 October 2018 the Council advised that in its view the construction of recreational infrastructure could be constructed in an alternative location, and to reinforce this, it highlighted 'Site D' as an example that could be further considered, noting of course there were other alternative sites identified by TCCS being sites identified as 'A', 'B' and 'C', in addition to other locations within the Hall Village environs not yet considered. From information provided, TCCS is responsible for the management of 'Site D' and have advised it is not an option on the basis of its historical use as a playing surface for polocrosse.

As you are aware, the SHE proposes to locate the bike track wholly within the heritage-registered Halls Creek 'Aboriginal Sites Zone' within Hall. The 'Aboriginal Sites Zone' is an area of archaeological and cultural sensitivity.

The SHE establishes a preference for locating the recreational bike track wholly within the archaeological and culturally sensitive area for its proximity to parking, facilities and houses.

Under the *Heritage Act 2004*, the Council must approve a SHE application where it is satisfied on reasonable grounds that:

- a) The proposed activity is justifiable at, or near, Aboriginal places and objects; and
- b) There are no reasonably practicable alternative ways to carry out the proposed activity at the heritage site; and
- c) The applicant has identified reasonable steps that will be taken to reduce the risk of damage to heritage sites.

The Council is not satisfied on reasonable grounds that a), b) and c) are met.

The Council considers the preference to locate the recreational bike track wholly in the 'Aboriginal Sites Zone' as a convenience based choice and does not consider that to be adequate justification to permanently damage a heritage place.

Further, the Council maintains the view that the track could be built in one of the alternative locations identified by TCCS outside the 'Aboriginal Sites Zone' that would not have significant heritage impacts.

On that basis, the Council reaffirms its decision of 17 October 2018, not to approve the SHE and advises that the 'Aboriginal Sites Zone' should be removed as an option for consideration.

Yours sincerely

Mr David Flannery  
Chair, ACT Heritage Council

Xx December 2018

cc - Mr Stephen Alegria, Director, City Presentation, City Services, TCCS

**From:** [Moore, FionaF](#)  
**To:**  [gary shipp](#)  
**Cc:** [Russell, Meaghan](#);   
**Subject:** FW: Hall Children's Recreation Track [SEC=UNCLASSIFIED]  
**Date:** Thursday, 6 December 2018 12:09:08 PM  
**Attachments:** [RE Hall Recreation Track SECUNCLASSIFIED.msg](#)  
[20181017 - Advice - Halls Creek Bike Track SHE Application.pdf](#)  
[Hall Creek Track \(futher info following 4th July meeting with ACT herita....pdf](#)  
[ACT-Halls Creek Track report 20180619 NH v5.pdf](#)  
[image001.gif](#)  
[image003.gif](#)  
[201812XX - Correspondence - ACT Heritage Council to TCCS - Hall Bike Tra....doc](#)  
[image005.png](#)

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In short, the reconsideration has been made following brief enquiry into the feasibility of one alternative site, known as 'Site D', which they consider is 'unsuitable' due to its historical use as a playing surface for polocrosse.

Recommendation from ACT Heritage is to reaffirm Council's decision of 17 October 2018 to not approve the SHE, and request any further consideration of the 'Aboriginal Sites Zone' as an option is removed. A draft letter is attached for your consideration.

**Aboriginal Taskforce:** please provide your direction and edits by **COB Tuesday 11 December**.

**David:** please await DA Taskforce direction and edits before signing.

*Reminder: Aboriginal Taskforce member Ken Heffernan has a declared conflict of interest with matters pertaining to Hall and will not participate in the consideration of this matter.*

Regards,

**Fiona Moore** | Senior Manager, ACT Heritage & Secretary, ACT Heritage Council (Mon – Thurs)

Phone: +61 2 6205 9974 | Email: [fionaf.moore@act.gov.au](mailto:fionaf.moore@act.gov.au)

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

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**From:** Bathgate, Brian

**Sent:** Friday, 30 November 2018 3:54 PM

**To:** Heritage <[Heritage@act.gov.au](mailto:Heritage@act.gov.au)>

**Cc:** Alegria, Stephen <[Stephen.Alegria@act.gov.au](mailto:Stephen.Alegria@act.gov.au)>; gavin and trudy mansfield

< >

**Subject:** Hall Children's Recreation Track [SEC=UNCLASSIFIED]

Good afternoon

Following your advice of 18 October 2018, attached, we have further looked into your suggestion of an alternative solution of locating at "Site D".

This "Site D" has proved to be unsuitable, as per the advice in the attached email from the land custodian.

Please find the Statement of Heritage Effects and previous response for the request for further information, resubmitted for consideration given this new information.

Kind regards.

**Brian Bathgate** | Operations Manager Belconnen/Gungahlin

P 6205 5350 | E [Brian.Bathgate@act.gov.au](mailto:Brian.Bathgate@act.gov.au)

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**From:** [Russell, Meaghan](#)  
**To:** [Moore, FionaF](#)  
**Subject:** RE: Hall Children's Recreation Track [SEC=UNCLASSIFIED]  
**Date:** Thursday, 6 December 2018 11:34:00 AM  
**Attachments:** [image001.png](#)  
[image003.png](#)  
[image004.png](#)  
[image007.gif](#)  
[image008.gif](#)  
[image009.png](#)

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Hi Fiona,  
The letter looks good, and I have no suggested edits – apart from a change to ‘Halls Creek’ (currently Hall).

Cheers,  
Meaghan

**Meaghan Russell** | Manager (Approvals and Advice)  
Phone: 13 22 81 | Email: [meaghan.russell@act.gov.au](mailto:meaghan.russell@act.gov.au)

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cid:image001.png@01D4615B.1E81D390



**From:** Moore, FionaF

**Sent:** Thursday, 6 December 2018 11:30 AM

**To:** Russell, Meaghan <[Meaghan.Russell@act.gov.au](mailto:Meaghan.Russell@act.gov.au)>

**Subject:** FW: Hall Children's Recreation Track [SEC=UNCLASSIFIED]

Hi Meaghan,

Draft letter for your peer review before I send to DA taskforce – minus Ken noting his conflict of interest.

Regards,

**Fiona Moore** | Senior Manager, ACT Heritage & Secretary, ACT Heritage Council (Mon – Thurs)

Phone: +61 2 6205 9974 | Email: [fionaf.moore@act.gov.au](mailto:fionaf.moore@act.gov.au)

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**From:** Russell, Meaghan

**Sent:** Wednesday, 5 December 2018 1:13 PM

**To:** Moore, FionaF <[FionaF.Moore@act.gov.au](mailto:FionaF.Moore@act.gov.au)>

**Subject:** FW: Hall Children's Recreation Track [SEC=UNCLASSIFIED]

Hi Fiona,

As discussed yesterday, I have removed this from my list as you will prepare the letter back to TCCS.

As it is Council advice, could you please file in Objective when done and send me a link, so I can add it to the Council database.

Many thanks,  
Meaghan

**Meaghan Russell** | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: [meaghan.russell@act.gov.au](mailto:meaghan.russell@act.gov.au)

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cid:image001.png@01D4615B.1E81D390



**From:** Heritage

**Sent:** Friday, 30 November 2018 3:57 PM

**To:** Russell, Meaghan <[Meaghan.Russell@act.gov.au](mailto:Meaghan.Russell@act.gov.au)>; Gilbert, Euroka

<[Euroka.Gilbert@act.gov.au](mailto:Euroka.Gilbert@act.gov.au)>

**Cc:** Moore, FionaF <[FionaF.Moore@act.gov.au](mailto:FionaF.Moore@act.gov.au)>

**Subject:** FW: Hall Children's Recreation Track [SEC=UNCLASSIFIED]

Hi all – see email received this afternoon from Brian Bathgate on Hall Recreation Track.

**Daisy Chaston | Manager (Registrations)**

Phone: 6207 7379 | Email: [daisy.chaston@act.gov.au](mailto:daisy.chaston@act.gov.au)

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**Cc:** Alegria, Stephen <[Stephen.Alegria@act.gov.au](mailto:Stephen.Alegria@act.gov.au)>; gavin and trudy mansfield

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This “Site D” has proved to be unsuitable, as per the advice in the attached email from the land custodian.

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Kind regards.

**Brian Bathgate | Operations Manager Belconnen/Gungahlin**

**P 6205 5350 | E [Brian.Bathgate@act.gov.au](mailto:Brian.Bathgate@act.gov.au)**

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**From:** [Gary Shipp](#)  
**To:** [Moore, FionaF](#)  
**Cc:** [REDACTED]; [Russell, Meaghan](#);  
**Subject:** Re: Hall Children's Recreation Track [SEC=UNCLASSIFIED]  
**Date:** Sunday, 9 December 2018 8:06:56 PM

---

Dear Fiona

Thank you for the advice and attachments re Halls Creek proposed bike track.

I agree and support the attached response to Brian Bathgate advising that Council decision of 17 October and advice is reaffirmed.

Regards  
Gary Shipp

Sent from my iPad

On 6 Dec 2018, at 12:09 PM, Moore, FionaF <[FionaF.Moore@act.gov.au](mailto:FionaF.Moore@act.gov.au)> wrote:

Good afternoon Aboriginal Taskforce,

Transport Canberra and City Services (TCCS) have requested a reconsideration of the Council's decision on the SHE application for the Halls Creek recreational bike track. See below and attached.

In short, the reconsideration has been made following brief enquiry into the feasibility of one alternative site, known as 'Site D', which they consider is 'unsuitable' due to its historical use as a playing surface for polocrosse.

Recommendation from ACT Heritage is to reaffirm Council's decision of 17 October 2018 to not approve the SHE, and request any further consideration of the 'Aboriginal Sites Zone' as an option is removed. A draft letter is attached for your consideration.

**Aboriginal Taskforce:** please provide your direction and edits by **COB Tuesday 11 December**.

**David:** please await DA Taskforce direction and edits before signing.

Reminder: *Aboriginal Taskforce member Ken Heffernan has a declared conflict of interest with matters pertaining to Hall and will not participate in the consideration of this matter.*

Regards,

**Fiona Moore** | Senior Manager, ACT Heritage & Secretary, ACT Heritage Council (Mon – Thurs)  
Phone: +61 2 6205 9974 | Email: [fionaf.moore@act.gov.au](mailto:fionaf.moore@act.gov.au)  
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<image001.gif><image003.gif>

---

**From:** Bathgate, Brian

**Sent:** Friday, 30 November 2018 3:54 PM

**To:** Heritage <[Heritage@act.gov.au](mailto:Heritage@act.gov.au)>

**Cc:** Alegria, Stephen <[Stephen.Alegria@act.gov.au](mailto:Stephen.Alegria@act.gov.au)>; [REDACTED]  
[REDACTED]

**Subject:** Hall Children's Recreation Track [SEC=UNCLASSIFIED]

Good afternoon

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<mime-attachment>

<20181017 - Advice - Halls Creek Bike Track SHE Application.pdf>

<Hall Creek Track (futher info following 4th July meeting with ACT herita....pdf>

<ACT-Halls Creek Track report 20180619 NH v5.pdf>

<201812XX - Correspondence - ACT Heritage Council to TCCS - Hall Bike Tra....doc>

**From:** [Edwina Jans](#)  
**To:** [Moore, FionaF](#)  
**Cc:** [Gary Shipp](#); [Russell, Meaghan](#); [Doug Williams](#); [David Flannery](#)  
**Subject:** Re: Hall Children"s Recreation Track [SEC=UNCLASSIFIED]  
**Date:** Monday, 10 December 2018 6:07:37 PM

---

hi Fiona, Gary, Doug, Meaghan, David

I also support the attached response to TCCS.

thanks

Edwina

On 9 Dec 2018, at 8:06 pm, Gary Shipp <[REDACTED]> wrote:

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[<image001.gif><image003.gif>](#)

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**To:** Heritage <[Heritage@act.gov.au](mailto:Heritage@act.gov.au)>  
**Cc:** Alegria, Stephen <[Stephen.Alegria@act.gov.au](mailto:Stephen.Alegria@act.gov.au)>; gavin and trudy mansfield <[REDACTED]>  
**Subject:** Hall Children's Recreation Track [SEC=UNCLASSIFIED]

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<201812XX - Correspondence - ACT Heritage Council to TCCS - Hall Bike Tra....doc>

**From:** [Doug Williams](#)  
**To:** [Moore, FionaF](#); [REDACTED]  
**Cc:** [Russell, Meaghan](#); [REDACTED]  
**Subject:** RE: Hall Children's Recreation Track [SEC=UNCLASSIFIED]  
**Date:** Monday, 10 December 2018 4:54:47 PM  
**Attachments:** [image006.gif](#)  
[image007.gif](#)  
[image001.jpg](#)  
[image003.png](#)

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Hi Fiona,

I think the letter eloquently sums up the issue and our position. I agree with it being issued to TCCS.

Regards

Doug

emailReply



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---

**From:** Moore, FionaF [mailto:FionaF.Moore@act.gov.au]  
**Sent:** Thursday, 6 December 2018 12:09 PM  
**To:** [REDACTED]  
**Cc:** Russell, Meaghan; [REDACTED]  
**Subject:** FW: Hall Children s Recreation Track [SEC=UNCLASSIFIED]

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Yours sincerely



**David Flannery FRAIA MPIA**  
Chair, ACT Heritage Council

11 December 2018

cc - Mr Stephen Alegria, Director, City Presentation, City Services, TCCS

**From:** [Moore, FionaF](#)  
**To:** [Walker, IanS](#)  
**Subject:** FW: Hall Children's Recreation Track [SEC=UNCLASSIFIED]  
**Date:** Tuesday, 11 December 2018 1:21:00 PM  
**Attachments:** [20181211 - Correspondence - ACT Heritage Council to TCCS - Hall Bike Tra....pdf](#)  
[image001.gif](#)  
[image002.gif](#)  
[image004.png](#)

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As discussed. Attached is the Council's reconsideration decision not approving the construction of a recreational bike track within the heritage-registered 'Aboriginal Sites Zone' in Hall.

FYI if you receive any queries. I have added this matter to the weekly brief.

**Fiona Moore** | Senior Manager, ACT Heritage & Secretary, ACT Heritage Council (Mon – Thurs)

Phone: +61 2 6205 9974 | Email: [fionaf.moore@act.gov.au](mailto:fionaf.moore@act.gov.au)

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**From:** Moore, FionaF

**Sent:** Tuesday, 11 December 2018 11:59 AM

**To:** Bathgate, Brian <[Brian.Bathgate@act.gov.au](mailto:Brian.Bathgate@act.gov.au)>

**Cc:** Alegria, Stephen <[Stephen.Alegria@act.gov.au](mailto:Stephen.Alegria@act.gov.au)>; Russell, Meaghan <[Meaghan.Russell@act.gov.au](mailto:Meaghan.Russell@act.gov.au)>

**Subject:** RE: Hall Children's Recreation Track [SEC=UNCLASSIFIED]

Good morning Brian,

Please find attached correspondence from the ACT Heritage Council in relation to your below request for reconsideration.

Regards,

**Fiona Moore** | Senior Manager, ACT Heritage & Secretary, ACT Heritage Council (Mon – Thurs)

Phone: +61 2 6205 9974 | Email: [fionaf.moore@act.gov.au](mailto:fionaf.moore@act.gov.au)

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

Dame Pattie Menzies House, Dickson | GPO Box 158 Canberra ACT 2601 | [www.environment.act.gov.au](http://www.environment.act.gov.au)



---

**From:** Bathgate, Brian

**Sent:** Friday, 30 November 2018 3:54 PM

**To:** Heritage <[Heritage@act.gov.au](mailto:Heritage@act.gov.au)>

**Cc:** Alegria, Stephen <[Stephen.Alegria@act.gov.au](mailto:Stephen.Alegria@act.gov.au)>; gavin and trudy mansfield <[\[REDACTED\]](#)>

**Subject:** Hall Children's Recreation Track [SEC=UNCLASSIFIED]

Good afternoon

Following your advice of 18 October 2018, attached, we have further looked into your suggestion of an alternative solution of locating at "Site D".

This "Site D" has proved to be unsuitable, as per the advice in the attached email from the land custodian.

Please find the Statement of Heritage Effects and previous response for the request for further information, resubmitted for consideration given this new information.

Kind regards.

**Brian Bathgate** | Operations Manager Belconnen/Gungahlin

P 6205 5350 | E [Brian.Bathgate@act.gov.au](mailto:Brian.Bathgate@act.gov.au)

**Place Management, City Presentation** | Transport Canberra and City Services Directorate | **ACT Government**

490 Northbourne Ave, Dickson | GPO Box 158 Canberra ACT 2601

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**From:** [David Flannery](#)  
**To:** [Moore, FionaF](#)  
**Cc:** [Russell, Meaghan](#); [REDACTED]  
**Subject:** RE: Hall Children's Recreation Track [SEC=UNCLASSIFIED]  
**Date:** Tuesday, 11 December 2018 11:45:12 AM  
**Attachments:** [image001.gif](#)  
[image002.gif](#)  
[image004.png](#)  
[20181211 - Correspondence - ACT Heritage Council to TCCS - Hall Bike Tra\\_DFsign.pdf](#)

---

Thanks Fiona... signed copy attached.

David

David Flannery

[REDACTED] | [website](#)

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**From:** Moore, FionaF [mailto:FionaF.Moore@act.gov.au]  
**Sent:** Tuesday, December 11, 2018 9:01 AM  
**To:** [REDACTED]  
**Cc:** Russell, Meaghan; [REDACTED]  
**Subject:** RE: Hall Children's Recreation Track [SEC=UNCLASSIFIED]

Hi David,

All Aboriginal Taskforce members have now reviewed and agreed to the attached letter. Could you please sign, and return to me for distribution.

Regards,

**Fiona Moore** | Senior Manager, ACT Heritage & Secretary, ACT Heritage Council (Mon – Thurs)  
Phone: +61 2 6205 9974 | Email: [fionaf.moore@act.gov.au](mailto:fionaf.moore@act.gov.au)  
**ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government**  
Dame Pattie Menzies House, Dickson | GPO Box 158 Canberra ACT 2601 | [www.environment.act.gov.au](http://www.environment.act.gov.au)



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**From:** Moore, FionaF  
**Sent:** Thursday, 6 December 2018 12:09 PM  
**To:** [REDACTED]  
[REDACTED]  
[REDACTED]  
**Cc:** Russell, Meaghan <Meaghan.Russell@act.gov.au>; [REDACTED]  
[REDACTED]  
**Subject:** FW: Hall Children's Recreation Track [SEC=UNCLASSIFIED]

Good afternoon Aboriginal Taskforce,

Transport Canberra and City Services (TCCS) have requested a reconsideration of the Council's decision on the SHE application for the Halls Creek recreational bike track. See below and

attached.

In short, the reconsideration has been made following brief enquiry into the feasibility of one alternative site, known as 'Site D', which they consider is 'unsuitable' due to its historical use as a playing surface for polocrosse.

Recommendation from ACT Heritage is to reaffirm Council's decision of 17 October 2018 to not approve the SHE, and request any further consideration of the 'Aboriginal Sites Zone' as an option is removed. A draft letter is attached for your consideration.

**Aboriginal Taskforce:** please provide your direction and edits by **COB Tuesday 11 December**.

**David:** please await DA Taskforce direction and edits before signing.

*Reminder: Aboriginal Taskforce member Ken Heffernan has a declared conflict of interest with matters pertaining to Hall and will not participate in the consideration of this matter.*

Regards,

**Fiona Moore** | Senior Manager, ACT Heritage & Secretary, ACT Heritage Council (Mon – Thurs)

Phone: +61 2 6205 9974 | Email: [fionaf.moore@act.gov.au](mailto:fionaf.moore@act.gov.au)

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---

**From:** Bathgate, Brian

**Sent:** Friday, 30 November 2018 3:54 PM

**To:** Heritage <[Heritage@act.gov.au](mailto:Heritage@act.gov.au)>

**Cc:** Alegria, Stephen <[Stephen.Alegria@act.gov.au](mailto:Stephen.Alegria@act.gov.au)>; gavin and trudy mansfield

**Subject:** Hall Children's Recreation Track [SEC=UNCLASSIFIED]

Good afternoon

Following your advice of 18 October 2018, attached, we have further looked into your suggestion of an alternative solution of locating at "Site D".

This "Site D" has proved to be unsuitable, as per the advice in the attached email from the land custodian.

Please find the Statement of Heritage Effects and previous response for the request for further information, resubmitted for consideration given this new information.

Kind regards.

**Brian Bathgate** | Operations Manager Belconnen/Gungahlin

P 6205 5350 | E [Brian.Bathgate@act.gov.au](mailto:Brian.Bathgate@act.gov.au)

**Place Management, City Presentation** | Transport Canberra and City Services Directorate | **ACT Government**

490 Northbourne Ave, Dickson | GPO Box 158 Canberra ACT 2601

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## Easton, Denise

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**From:** Russell, Meaghan  
**Sent:** Friday, 15 February 2019 12:19 PM  
**To:** Moore, FionaF  
**Subject:** RE: question re Hall [SEC=UNCLASSIFIED]  
**Attachments:** 20190215 - Halls Creek Aboriginal Sites Zone - Blke Track Alignments.pdf; ACT Heritage Register entry\_Hall Village Heritage Precinct.pdf

Hi Fiona,

I am a little confused by the map provided – which is virtually unchanged from the original SHE application, and still wholly within the Aboriginal Sites Zone.

Side by side comparisons provided in the attachment.

In summary, the proposal has moved c.100m north – with key differences being (a) the total trail length is reduced from c.1km to c.650m, and (b) a low bridge crossing over Halls Creek itself is no longer included.

However, the proposal remains entirely within the Aboriginal Sites Zone – despite the TCCS comment below, which shows that they do not have an understanding of the heritage area or issues.

I recommend the response to be:

- Identify that the amended proposal is still wholly within the Aboriginal Sites Zone – as defined by the Hall Village Heritage Precinct register entry (attached for reference);
- Recommend that alternative locations beyond the Aboriginal Sites Zone be considered, as previously advised by the Council;
- Identify that, if this option were to be pursued, a *Heritage Act 2004* approval would be required for works at this location – being a SHE approved by the Council; and
- Identify that the Council is unlikely to approve a SHE for this location, unless TCCS demonstrate (to the Council's satisfaction) that no other location is reasonably practicable. Reiterate that, as per previous Council advice, permanent damage to Aboriginal heritage will not be approved based only on a preference for this location and its convenience re parking and amenities. Other locations should be meaningfully considered at this time.

Additionally – note that the geoarchaeological study of the Halls Creek Aboriginal Sites Zone was submitted this week, and it concludes that the elevated landforms along the creek are late Pleistocene surfaces, of alluvium/colluvium with podzolic soils on footslopes. These landforms would have been the focus of past Aboriginal use, being drier slightly elevated landforms adjacent to the former swampy meadows – and therefore have higher archaeological potential than the lower landforms along the creek. Although most archaeological sites throughout the Zone will be low density deposits, sites in these areas are also likely to be relatively undisturbed. Overall, the Aboriginal Sites Zone is characterised as an archaeologically significant area containing Aboriginal sites which are vulnerable to disturbance.

It is likely that the findings of this study would also reinforce Aboriginal Taskforce comments to date that the Aboriginal Sites Zone is of heritage significance and the proposed impacts are not justifiable.

Cheers,  
Meaghan

Meaghan Russell | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: [meaghan.russell@act.gov.au](mailto:meaghan.russell@act.gov.au)

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**From:** Moore, FionaF

**Sent:** Thursday, 14 February 2019 7:50 PM

**To:** Russell, Meaghan <[Meaghan.Russell@act.gov.au](mailto:Meaghan.Russell@act.gov.au)>

**Subject:** FW: question re Hall [SEC=UNCLASSIFIED]

Hi Meaghan,

For advice please - some points I can provide to Stephen noting the plan is very preliminary and absent of any detail at this stage.

Regards,

**Fiona Moore** | Director, ACT Heritage | Secretary, ACT Heritage Council | (Mon – Thurs)

Phone: +61 2 6205 9974 | Email: [fionaf.moore@act.gov.au](mailto:fionaf.moore@act.gov.au)

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**From:** Alegria, Stephen

**Sent:** Tuesday, 12 February 2019 5:41 PM

**To:** Moore, FionaF <[FionaF.Moore@act.gov.au](mailto:FionaF.Moore@act.gov.au)>

**Subject:** RE: question re Hall [SEC=UNCLASSIFIED]

Hi Fiona,

The attached is a rough indication.

Thanks



**Stephen Alegria | Executive Branch Manager | City Presentation**

**T 02 6207 9833 | M** [REDACTED]

City Services | Transport Canberra and City Services Directorate

Level 2 Wotso House, 490 Northbourne Avenue, Dickson ACT | GPO 158, Canberra ACT 2601.

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---

**From:** Moore, FionaF

**Sent:** Tuesday, 12 February 2019 4:53 PM

**To:** Alegria, Stephen <[Stephen.Alegria@act.gov.au](mailto:Stephen.Alegria@act.gov.au)>

**Subject:** RE: question re Hall [SEC=UNCLASSIFIED]

Do you have a map showing extent?

**Fiona Moore** | Director, ACT Heritage | Secretary, ACT Heritage Council | (Mon – Thurs)

Phone: +61 2 6205 9974 | Email: [fionaf.moore@act.gov.au](mailto:fionaf.moore@act.gov.au)

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**From:** Alegria, Stephen

**Sent:** Tuesday, 12 February 2019 4:11 PM

**To:** Moore, FionaF <[FionaF.Moore@act.gov.au](mailto:FionaF.Moore@act.gov.au)>

**Subject:** question re Hall

Hi Fiona,

I have a question I hope you can assist with.

If the Hall community proposed to build a low key adventure trail within the existing park, outside the Aboriginal heritage zone , would an additional SHE be required?

Regards

**Stephen Alegria | Executive Branch Manager | City Presentation**

**T 02 6207 9833 | M** 

City Services | Transport Canberra and City Services Directorate

Level 2 Wotso House, 490 Northbourne Avenue, Dickson ACT | GPO 158, Canberra ACT 2601.

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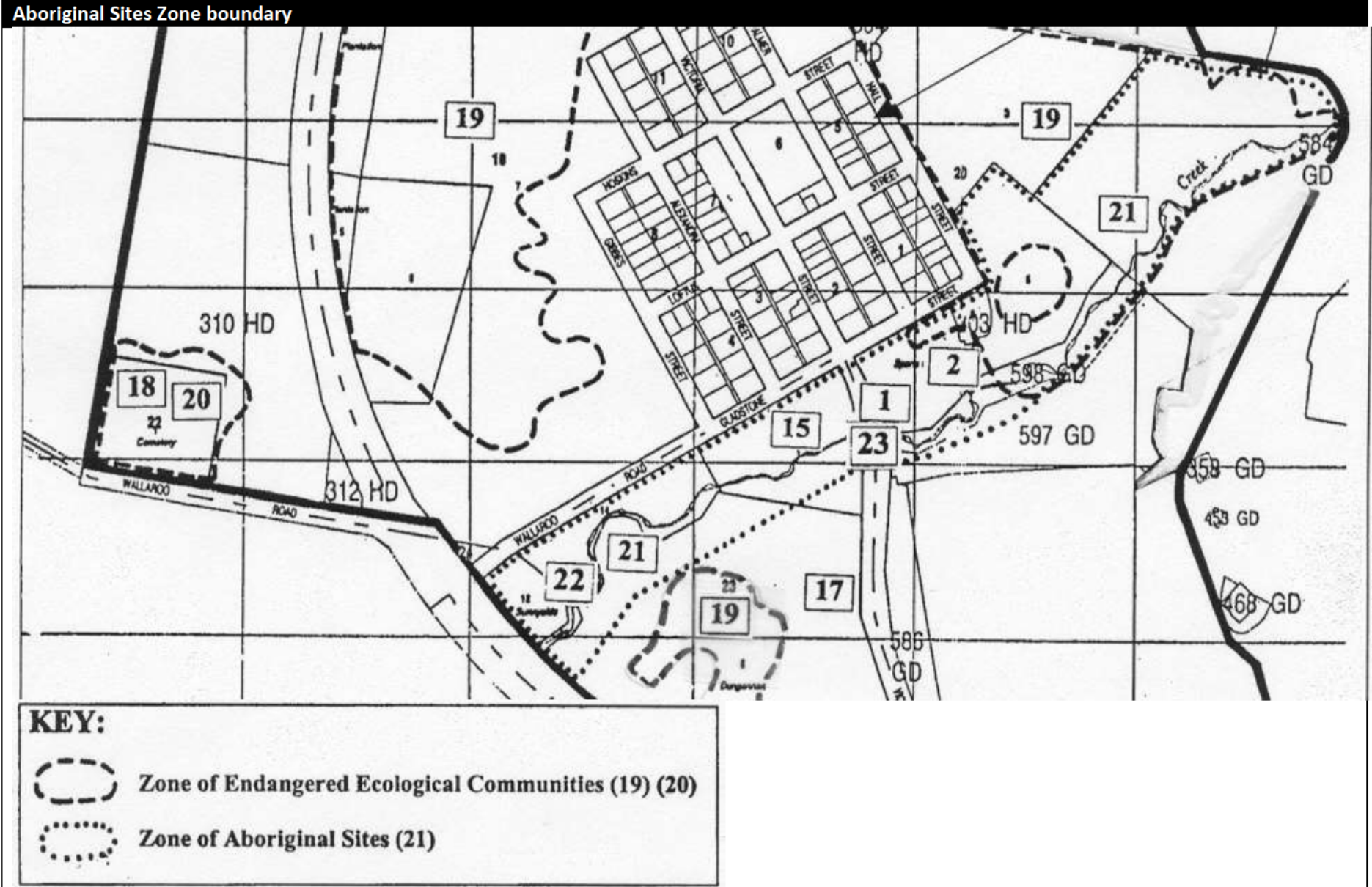
SHE application proposal:



February 2019 query:



Aboriginal Sites Zone boundary





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

Lynham ACT 2602  
e-mail [heritage@act.gov.au](mailto:heritage@act.gov.au)

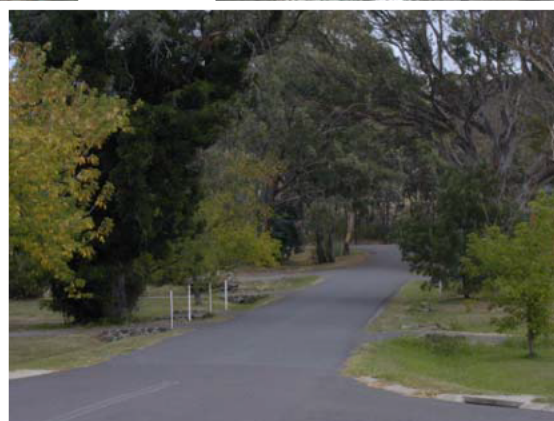
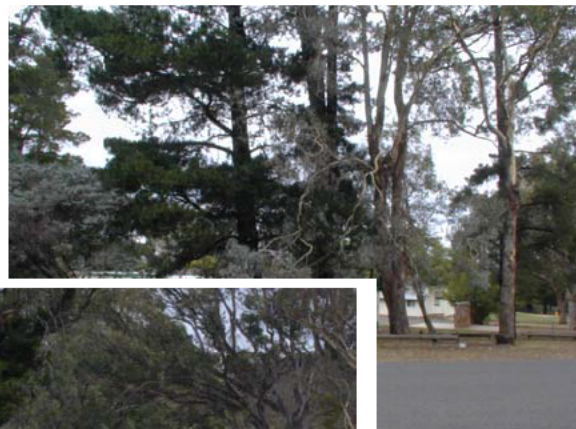


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E-mail: [EnvironmentACT@act.gov.au](mailto:EnvironmentACT@act.gov.au)



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](mailto: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 2000m<sup>2</sup> 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**

<b>#</b>	<b>Element:</b>	<b>Street Address:</b>	<b>Cadastral Location:</b>
<b>The Hall Village Main Street</b>			
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
<b>The Hall Village Residential Precinct</b>			
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
<b>The Hall Village Surrounds</b>			
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 1500m<sup>2</sup>, and not closer than 3m for blocks less than 1500m<sup>2</sup>.
- (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)

<b>#</b>	<b>Element:</b>	<b>Additional Specific Requirements</b>
<b>The Hall Village Main Street</b>		
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	'Cooee'	4 (a - l) inclusive
11	St Francis Xavier Catholic Church	4 (a - o) inclusive
23	Halls Creek Road Bridge	4 (a, b, h, o)
<b>The Hall Village Residential Precinct</b>		
12	'Glenona'	4 (a - l) inclusive
13	Slab Cottage	4 (a, d, e, h, l)
14	'Ottocliffe'	4 (a - l) inclusive
<b>The Hall Village Surrounds</b>		
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.

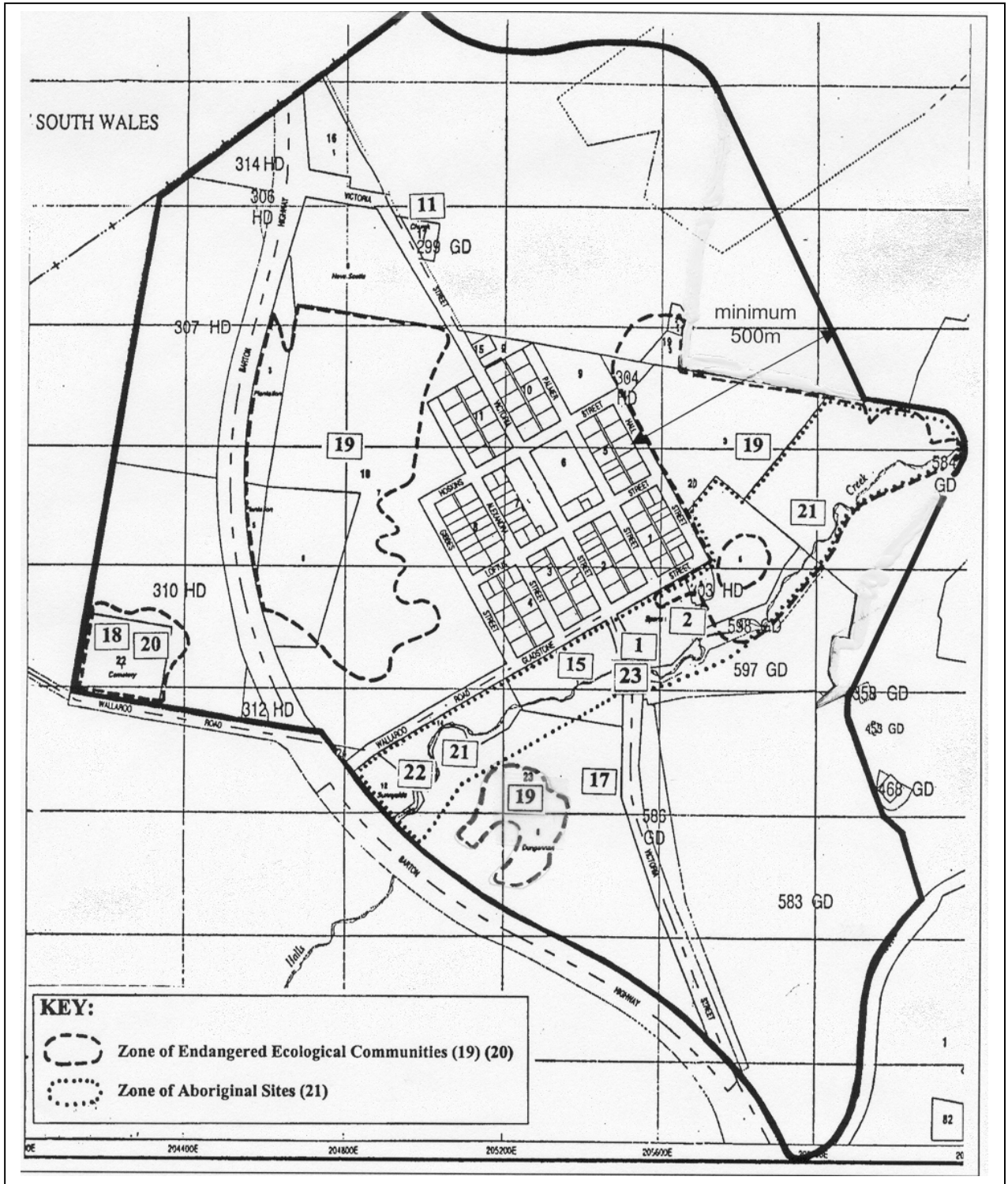
- (d) Additions to buildings should be designed to minimise disturbance to the form of the original building. Wall articulation and roof form should complement the original building.
- (e) The addition of roof forms larger than the original roof should be avoided. The original roof shall not be replaced 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:**

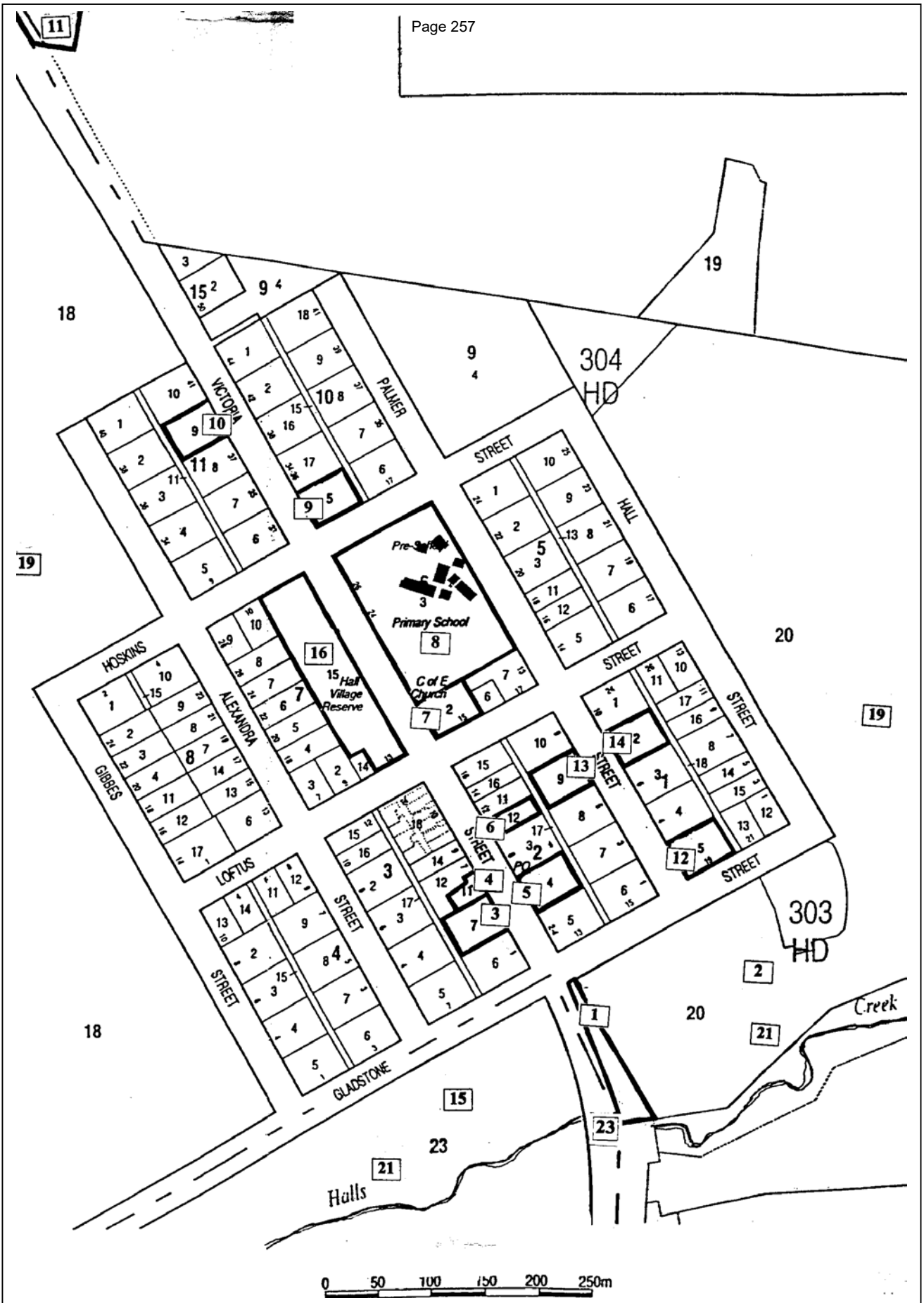
To retain the landscape setting of individual historic places plus individual historical plantings and minor built features.

- (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

**From:** [Alegria, Stephen](#)  
**To:** [Moore, FionaF](#)  
**Subject:** RE: Hall Progress Association Meeting tonight [SEC=UNCLASSIFIED]  
**Date:** Wednesday, 20 February 2019 3:25:46 PM  
**Attachments:** [image001.gif](#)  
[image002.gif](#)

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Hi Fiona,

These are very sensible and I have made all suggested changes.

The original meaning of "interpretation" referred specifically to interpretive information but I think it's worthwhile to talk about heritage values in general as you suggest.

Thanks

**Stephen Alegria | Executive Branch Manager | City Presentation**

**T 02 6207 9833 | M** [REDACTED]

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---

**From:** Moore, FionaF

**Sent:** Wednesday, 20 February 2019 1:55 PM

**To:** Alegria, Stephen <Stephen.Alegria@act.gov.au>

**Subject:** RE: Hall Progress Association Meeting tonight [SEC=UNCLASSIFIED]

Hi Stephen,

Thank you for the opportunity to comment on the presentation. I offer the below suggestions for change, notably in the language used when referring to heritage considerations. Happy to chat through if needed.

**Slide 2**

**Amend:** *'TCCS role as land custodian is to support and facilitate, including funding Heritage report'*

to

*'TCCS role as land custodian is to support and facilitate, including seeking required approvals (including heritage).'*

**Amend:** *'Heritage constraints have dictated that an alternative proposal is needed'*

to

*'Heritage decision did not support proposed location and an alternative location and/or proposal is to be explored'*

**Slide 6**

**To note:** the play spaces being planned in Telopea and Glebe Park are being done in consultation with the Heritage Council as they are both heritage-registered places.

**Slide 13**

*'Abandon original plans for bike track noting unacceptable impacts on Heritage values'* might be a little inflammatory. Remembering the Council was supportive of a bike track that could be built in an alternative location outside the 'Aboriginal Sites Zone' that would not have significant heritage impacts. However, if it is a TCCS decision to consider alternatives projects to a bike track I'll leave the use of 'abandon' to you.

**Amend:** *'...unacceptable impacts on heritage values'*

To

*'...as required approvals not obtained'*

**Suggest removal** of *'(outside the creek zone)'* as following our discussion earlier this week, the potential new proposals we discussed are still within the creek zone.

**Suggest removal** of *'...of interpretation...'* in last box.

Regards,

**Fiona Moore** | Director, ACT Heritage | Secretary, ACT Heritage Council | (Mon – Thurs)

Phone: +61 2 6205 9974 | Email: [fionaf.moore@act.gov.au](mailto:fionaf.moore@act.gov.au)

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---

**From:** Alegria, Stephen

**Sent:** Wednesday, 20 February 2019 12:02 PM

**To:** Moore, FionaF <[FionaF.Moore@act.gov.au](mailto:FionaF.Moore@act.gov.au)>

**Subject:** RE: Hall Progress Association Meeting tonight [SEC=UNCLASSIFIED]

Thanks Fiona, noted.

Here is the latest iteration of my presentation, any thoughts you have would be welcome.

Regards

**Stephen Alegria** | Executive Branch Manager | City Presentation

**T 02 6207 9833** | M [REDACTED]

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---

**From:** Moore, FionaF

**Sent:** Wednesday, 20 February 2019 11:01 AM

**To:** Alegria, Stephen <[Stephen.Alegria@act.gov.au](mailto:Stephen.Alegria@act.gov.au)>

**Subject:** RE: Hall Progress Association Meeting tonight [SEC=UNCLASSIFIED]

FYI – I have been advised that the *Canberra Times* may be invited by a disgruntled community member to attend the meeting.

Regards,

**Fiona Moore** | Director, ACT Heritage | Secretary, ACT Heritage Council | (Mon – Thurs)

Phone: +61 2 6205 9974 | Email: [fionaf.moore@act.gov.au](mailto:fionaf.moore@act.gov.au)

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---

**From:** Moore, FionaF

**Sent:** Wednesday, 20 February 2019 10:26 AM

**To:** Alegria, Stephen <[Stephen.Alegria@act.gov.au](mailto:Stephen.Alegria@act.gov.au)>

**Subject:** Hall Progress Association Meeting tonight [SEC=UNCLASSIFIED]

Hi Stephen,

Can you call me when available.

Thanks,

**Fiona Moore** | Director, ACT Heritage | Secretary, ACT Heritage Council | (Mon – Thurs)

Phone: +61 2 6205 9974 | Email: [fionaf.moore@act.gov.au](mailto:fionaf.moore@act.gov.au)

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**From:** [Russell, Meaghan](#)  
**To:** [Lee, Naomi](#)  
**Cc:** [Duarte, Renee](#)  
**Subject:** RE: Hall Park project- next steps for feedback [SEC=UNCLASSIFIED]  
**Date:** Tuesday, 26 March 2019 11:21:00 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.gif](#)  
[image005.gif](#)

---

Hi Naomi,

Thanks for the confirmation, and I will send a meeting invite through now to confirm. Euroka Gilbert and I from ACT Heritage will be attending.

Cheers,

Meaghan

**Meaghan Russell** | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: [meaghan.russell@act.gov.au](mailto:meaghan.russell@act.gov.au)

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**From:** Lee, Naomi

**Sent:** Tuesday, 26 March 2019 11:08 AM

**To:** Russell, Meaghan <[Meaghan.Russell@act.gov.au](mailto:Meaghan.Russell@act.gov.au)>

**Cc:** Duarte, Renee <[Renee.Duarte@act.gov.au](mailto:Renee.Duarte@act.gov.au)>

**Subject:** RE: Hall Park project- next steps for feedback [SEC=UNCLASSIFIED]

Hi Meaghan

Thanks for follow up. Could we please met on Monday 2 April at 2pm? Renee and I will attend the meeting (not Stephen).

Cheers

Naomi

---

**From:** Russell, Meaghan

**Sent:** Tuesday, 26 March 2019 11:01 AM

**To:** Lee, Naomi <[Naomi.Lee@act.gov.au](mailto:Naomi.Lee@act.gov.au)>

**Cc:** Duarte, Renee <[Renee.Duarte@act.gov.au](mailto:Renee.Duarte@act.gov.au)>; Alegria, Stephen <[Stephen.Alegria@act.gov.au](mailto:Stephen.Alegria@act.gov.au)>

**Subject:** FW: Hall Park project- next steps for feedback [SEC=UNCLASSIFIED]

Hello Naomi,

Thank you for your email, which Fiona has forwarded to me for action.

Presently, ACT Heritage is available to meet next week at the following times:

- Monday 1 April – between 11am and 4pm;
- Tuesday 2 April – between 11.30am and 1pm; and
- Wednesday 3 April – between 1pm and 4pm.

Please let me know what time suits your team, and I will book a room here at DPMH.

Regards,

Meaghan

**Meaghan Russell** | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: [meaghan.russell@act.gov.au](mailto:meaghan.russell@act.gov.au)

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---

**From:** Lee, Naomi

**Sent:** Friday, 22 March 2019 11:58 AM

**To:** Moore, FionaF <[FionaF.Moore@act.gov.au](mailto:FionaF.Moore@act.gov.au)>

**Cc:** Duarte, Renee <[Renee.Duarte@act.gov.au](mailto:Renee.Duarte@act.gov.au)>; Alegria, Stephen <[Stephen.Alegria@act.gov.au](mailto:Stephen.Alegria@act.gov.au)>

**Subject:** FW: Hall Park project- next steps for feedback [SEC=UNCLASSIFIED]

Hi Fiona

I am working with Stephen Alegria on community engagement for the Hall park upgrade project. Would you be available for a meeting next week to discuss the approach?

Kind regards

Naomi

---

**From:** Moore, FionaF

**Sent:** Tuesday, 26 February 2019 2:49 PM

**To:** Alegria, Stephen <[Stephen.Alegria@act.gov.au](mailto:Stephen.Alegria@act.gov.au)>

**Cc:** Russell, Meaghan <[Meaghan.Russell@act.gov.au](mailto:Meaghan.Russell@act.gov.au)>; OConnell, Jennifer <[Jennifer.OConnell@act.gov.au](mailto:Jennifer.OConnell@act.gov.au)>

**Subject:** RE: Hall Park project- next steps for feedback [SEC=UNCLASSIFIED]

Hi Stephen,

Feedback to your approach outlined below:

- The existing park is located within the Aboriginal Sites Zone, and any further development of this area would require *Heritage Act 2004* approvals from the ACT Heritage Council.
- Opportunities to enhance the existing park should consider ways to minimise Aboriginal heritage impacts from the outset of the design process. For example, a nature play space could be co-located with existing infrastructure in the northeast corner of Block 1, (on western side of Victoria St opposite side of road to existing playspace) and installed in ways that involve minimal excavation. Such a proposal may be supported by the ACT Heritage Council (subject to detailed design and future consultation).
- In contrast, new infrastructure proposed further west within Block 1 – for example, south of Gladstone Street and west of Alexandra Street – (This is the existing play space/rec area) may have greater heritage impacts and may not be supported by the ACT Heritage Council.
- Prior to commencement of the design process and community consultation, TCCS should meet with ACT Heritage to discuss project concepts and locations at which they could be delivered. This early consultation would identify projects and locations that are more likely to receive the *Heritage Act 2004* approvals required for their delivery; which could be further planned in consultation with the local Hall community.

- As works would be proposed within the registered Aboriginal Sites Zone, consultation with Representative Aboriginal Organisations must also be undertaken as part of this process. ACT Heritage is available to facilitate such consultation, and could – for example – organise a site visit and meeting once concept plans have been developed.

Regards,

**Fiona Moore** | Director, ACT Heritage | Secretary, ACT Heritage Council | (Mon – Thurs)

Phone: +61 2 6205 9974 | Email: [fionaf.moore@act.gov.au](mailto:fionaf.moore@act.gov.au)

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**From:** Alegria, Stephen

**Sent:** Thursday, 21 February 2019 1:18 PM

**To:** Gordon, TomWJ <[TomWJ.Gordon@act.gov.au](mailto:TomWJ.Gordon@act.gov.au)>; Lee, Naomi <[Naomi.Lee@act.gov.au](mailto:Naomi.Lee@act.gov.au)>;

[REDACTED] Moore, FionaF

<[FionaF.Moore@act.gov.au](mailto:FionaF.Moore@act.gov.au)>; Bathgate, Brian <[Brian.Bathgate@act.gov.au](mailto:Brian.Bathgate@act.gov.au)>

**Subject:** Hall Park project- next steps for feedback

Hi all,

Following the meeting with the Hall Progress Association last night and as discussed since, I propose these next steps for the project in the Hall Park:

- Based on a continuing appetite from the proponents of this project to progress enhancements to Hall Park, TCCS will organise a co-design process to engage community members including children (Naomi/Renne and Tommy to drive with support and input from Trudi et al)
  - The co-design will identify a staged approach to inform how to best use current funding as well as provide a basis and direction for seeking future funding
- Resulting concept plans will be made available for input by Hall residents and others with an interest (inc early Heritage engagement)
- More detailed plans will be prepared to inform ACT Heritage and seek formal advice about approvals required (Tommy- can this be done in house or would some \$ be needed for a consultant?)
- The necessary approvals process will be undertaken (CP to fund)
- If approved, works will be implemented (community \$ and resources)

Feedback welcome on this approach. Once agreed I will provide this advice back to the progress association.

Regards

**Stephen Alegria** | Executive Branch Manager | City Presentation

**T 02 6207 9833** | M [REDACTED]

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**From:** [Russell, Meaghan](#)  
**To:** [Moore, FionaF](#)  
**Subject:** RE: Hall Park project- next steps for feedback [SEC=UNCLASSIFIED]  
**Date:** Thursday, 21 February 2019 4:27:52 PM  
**Attachments:** [image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.gif](#)  
[image007.gif](#)

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Hi Fiona,

As discussed, I suggest the following response to inform the co-design process – and to ensure that heritage is considered early. I have also included the first point as Stephen’s email questions whether heritage approvals would be required, and we can already answer that question (yes).

Key points:

- The existing park is located within the Aboriginal Sites Zone, and any further development of this area would require *Heritage Act 2004* approvals from the ACT Heritage Council.
- Opportunities to enhance the existing park should consider ways to minimise Aboriginal heritage impacts from the outset of the design process. For example, a nature play space could be co-located with existing infrastructure in the northeast corner of Block 1, and installed in ways that involve minimal excavation. Such a proposal may be supported by the ACT Heritage Council (subject to detailed design and future consultation).
- In contrast, new infrastructure proposed further west within Block 1 – for example, south of Gladstone Street and west of Alexandra Street – may have greater heritage impacts and may not be supported by the ACT Heritage Council.
- Prior to commencement of the design process and community consultation, TCCS should meet with ACT Heritage to discuss project concepts and locations at which they could be delivered. This early consultation would identify projects and locations that are more likely to receive the *Heritage Act 2004* approvals required for their delivery; which could be further planned in consultation with the local Hall community.
- As works would be proposed within the registered Aboriginal Sites Zone, consultation with Representative Aboriginal Organisations must also be undertaken as part of this process. ACT Heritage is available to facilitate such consultation, and could – for example – organise a site visit and meeting once concept plans have been developed.

Cheers,

Meaghan

**Meaghan Russell** | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: [meaghan.russell@act.gov.au](mailto:meaghan.russell@act.gov.au)

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**From:** Moore, FionaF

**Sent:** Thursday, 21 February 2019 3:45 PM

**To:** Russell, Meaghan <Meaghan.Russell@act.gov.au>

**Subject:** FW: Hall Park project- next steps for feedback [SEC=UNCLASSIFIED]

Do you wish to make any feedback at this stage?

Regards,

**Fiona Moore** | Director, ACT Heritage | Secretary, ACT Heritage Council | (Mon – Thurs)

Phone: +61 2 6205 9974 | Email: [fionaf.moore@act.gov.au](mailto:fionaf.moore@act.gov.au)

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---

**From:** Alegria, Stephen

**Sent:** Thursday, 21 February 2019 1:18 PM

**To:** Gordon, TomWJ <[TomWJ.Gordon@act.gov.au](mailto:TomWJ.Gordon@act.gov.au)>; Lee, Naomi <[Naomi.Lee@act.gov.au](mailto:Naomi.Lee@act.gov.au)>;

[REDACTED]; Moore, FionaF

<[FionaF.Moore@act.gov.au](mailto:FionaF.Moore@act.gov.au)>; Bathgate, Brian <[Brian.Bathgate@act.gov.au](mailto:Brian.Bathgate@act.gov.au)>

**Subject:** Hall Park project- next steps for feedback

Hi all,

Following the meeting with the Hall Progress Association last night and as discussed since, I propose these next steps for the project in the Hall Park:

- Based on a continuing appetite from the proponents of this project to progress enhancements to Hall Park, TCCS will organise a co-design process to engage community members including children (Naomi/Renne and Tommy to drive with support and input from Trudi et al)
  - The co-design will identify a staged approach to inform how to best use current funding as well as provide a basis and direction for seeking future funding
- Resulting concept plans will be made available for input by Hall residents and others with an interest (inc early Heritage engagement)
- More detailed plans will be prepared to inform ACT Heritage and seek formal advice about approvals required (Tommy- can this be done in house or would some \$ be needed for a consultant?)
- The necessary approvals process will be undertaken (CP to fund)
- If approved, works will be implemented (community \$ and resources)

Feedback welcome on this approach. Once agreed I will provide this advice back to the progress association.

Regards

**Stephen Alegria** | Executive Branch Manager | City Presentation

T 02 6207 9833 | M [REDACTED]

City Services | Transport Canberra and City Services Directorate

Level 2 Wotso House, 490 Northbourne Avenue, Dickson ACT | GPO 158, Canberra ACT 2601.

[www.tccs.act.gov.au](http://www.tccs.act.gov.au)

**From:** [Russell, Meaghan](#)  
**To:** [Moore, FionaF](#)  
**Subject:** Dot points - Halls Creek bike track [SEC=UNCLASSIFIED]  
**Date:** Friday, 22 February 2019 10:28:13 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)

---

Hi Fiona,

Assorted dot points on Halls Creek for your reference and use are below. Please let me know if more detail/other issues are needed today.

**Key points:**

- Transport Canberra and City Services (TCCS) made a Heritage Act application on 18 September 2017, seeking ACT Heritage Council (the Council) approval for a mountain bike track in the Hall Village Heritage Precinct (the Precinct).
- In later correspondence, in June 2018, TCCS identified that this application was a partnership project with the Hall Village Progress Association, who undertook local fundraising to contribute towards the project.
- The proposed bike location was wholly located within the identified 'Aboriginal Sites Zone' along Halls Creek, a known area of archaeological and cultural sensitivity.
- This location was selected for its convenience, being directly adjacent to the Village Shops and close to parking.
- The original SHE application did not meet *Heritage Act 2004* information requirements, and the Council twice requested further information. A complete application that meet requirements was received on 25 July 2018.
- The application was assessed by members of Council's Aboriginal Taskforce, who considered that the convenience of the location did not justify Aboriginal heritage impacts, and that the bike track could be built in another location at Hall.
- On this basis, the application did not meet Heritage Act approval thresholds (under Section 61H of the Act), and the Council decided to not approve the SHE application on 17 October 2018.
- The Council is not opposed to the construction of a bike track elsewhere in the Hall Village area, and has offered to meet and collaborate with TCCS to discuss alternate locations that could see delivery of the project.

**Conflict of interest concerns – Ken Heffernan:**

- Council member Ken Heffernan is excluded from all Council assessments and decisions relating to the Hall Village Heritage Precinct, being a local resident.
- Additionally, Ken Heffernan declared his conflict of interest in the Halls Creek bike track matter on 31 October 2017, after attending a Hall meeting and being made aware of the project.
- The assessment was therefore undertaken by remaining members of Council's Aboriginal Taskforce, being Doug Williams (archaeological expert), Gary Shipp (Aboriginal community representative) and Edwina Jans (community representative); with Council advice issued by David Flannery (Council Chair).

**Community and media interest:**

- While local fundraising has supported the project, there are strong views within the Hall community about the original bike track location – both for and against.
- For example, a December 2017 community workshop with Hall residents found that only 50% supported the proposed location.

- MLA Meegan Fitzharris, as the TCCS Minister, has received letters both supporting and opposing the Halls Creek bike track location.
- MLA James Milligan, as the Member for Yerrabi, has also sought information on the project and has been critical of the Council's SHE decision to not approve the bike track.
- Articles on this matter have appeared in the Canberra Times on 30 December 2018, 20 January 2019 and 3 February 2019. These articles have been critical of the Council's SHE decision to not approve the bike track, and have asserted that heritage impacts would have been minimal.
- A Canberra Times journalist was also in attendance at a 20 February 2019 Hall Progress Association meeting, at which the bike track matter was further discussed.
- As part of this meeting, Dean Bell – a (Ngunnawal) Bell family member – attended and was also critical of the Council's SHE decision. However, note that Dean Bell is not a RAO member or representative, has no involvement in ACT Aboriginal heritage management matters, and has not been involved in the project in any capacity to date. His comments are therefore not representative of RAO and Traditional Custodian views on this issue.

**Additional background:**

- The SHE heritage assessment by Navin Officer Heritage Consultants (NOHC) recognised the archaeological potential of the Aboriginal Sites Zone, but concluded that heritage impacts would be minimal and recommended management actions such as the identification and collection of any Aboriginal objects encountered during works.
- The NOHC assessment did not locate any surface Aboriginal sites in the bike track area, however, independent assessment by a qualified archaeologist located four surface Aboriginal sites in the vicinity of the proposed works.
- While the findings of the NOHC report are noted, the Council is the statutory authority for heritage in the ACT and in this instance is not satisfied that proposed heritage impacts are justifiable, and that reasonably practicable alternatives to heritage impacts have been adequately considered.
- Under the Heritage Act, four Representative Aboriginal Organisations (RAOs) have been declared and have a formal role in the management of Aboriginal heritage in the ACT. The NOHC heritage survey was attended by one RAO, and the project was also discussed with a second RAO. The NOHC report stated that both RAOs consulted agreed with the heritage recommendations.
- Under the Heritage Act, the Council also consults with RAOs regarding their views on heritage impacts and recommendations. RAOs consulted advised that they would prefer the bike track to be located beyond the Aboriginal Sites Zone, to avoid cultural heritage impacts.

Cheers,

Meaghan

**Meaghan Russell** | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: [meaghan.russell@act.gov.au](mailto: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

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cid:image001.png@01D4615B.1E81D390



**From:** [Duarte, Renee](#)  
**To:** [Russell, Meaghan](#)  
**Subject:** Accepted: Halls Creek project meeting

---

**From:** [Russell, Meaghan](#)  
**To:** [Lee, Naomi](#); [Duarte, Renee](#); [Gilbert, Euroka](#)  
**Subject:** Halls Creek project meeting

---



ACT Heritage Council

## HERITAGE ACT 2004

**AF2017-2**

### REQUEST FOR LIMITED ACCESS TO RESTRICTED INFORMATION *Heritage Act 2004, section 57*

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

The ACT Heritage Register contains details of places and objects of significance to the ACT.

This form must be used to request access to restricted information under section 57 of the *Heritage Act 2004* (the Act). Under section 54 of the Act, the ACT Heritage Council (the Council) can declare particular information to be restricted if satisfied, on reasonable grounds, that public disclosure of the information would be likely to have a substantial adverse effect on the heritage significance of a place or object, or to an Aboriginal place or object.

A person may apply for access to restricted information under section 57 of the Act. The Council must give the applicant the restricted information if:

- (a) the land is offered for sale; and
- (b) the applicant is an interested person for the land, or someone considering buying an interest in the land; and
- (c) the restricted information is relevant to the conservation and use of the land.

The council may give the applicant the restricted information if:

- (a) the council is satisfied on reasonable grounds that the release of the information will not diminish the heritage significance of a place or object, or damage an Aboriginal place or object; and
- (b) the applicant satisfies the council that the applicant will use the information for 1 or more of the following:
  - i. academic research in connection with a recognised tertiary institution;
  - ii. as a consultant or researcher engaged by an interested person in connection with planning, land management, or a development proposal;
  - iii. to assess heritage significance;
  - iv. to assess whether proposed conduct will diminish the heritage significance of a place or object, or damage an Aboriginal place or object.

The Council must give a written explanation about the operation of Part 9 of the Act when providing restricted information.

Where the Council has given limited access to restricted information, the information is not to be made available for the general public or an audience broader than that described in the Council's advice.

Please note that a separate application must be made, in accordance with section 56 of the Act, to seek approval to publish restricted information.

A fee is not required for lodgement of this form.

#### 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](mailto:heritage@act.gov.au). Incomplete or inadequate forms will be returned with feedback.

#### Please send this form

by mail to: The ACT Heritage Council, PO Box 158, Canberra ACT 2601;  
by hand to: ACT Heritage, Dame Pattie Menzies House, 16 Challis Street, Dickson ACT  
by email to: [heritage@act.gov.au](mailto:heritage@act.gov.au)

More information about ACT Heritage is available at [www.environment.act.gov.au/heritage](http://www.environment.act.gov.au/heritage)

*Approved form AF 2017-2 approved by Mick Gentleman MLA, Minister for the Environment and Heritage on 19 January 2017 under s119 Heritage Act 2004 and revokes AF2015-148.*



**If no, please indicate why limited access to restricted information is required:**

- academic research in connection with a recognised tertiary institution;
- as a consultant or researcher engaged by an interested person in connection with planning, land management, or a development proposal;
- to assess heritage significance;
- to assess whether proposed conduct will diminish the heritage significance of a place or object, or damage an Aboriginal place or object.

Please outline your reasons for seeking access to this information:

Proposed nature play space as an extension of existing playground to be built by the Hall community with support from Transport Canberra + City Services.

**04 DETAILS OF REQUEST****What details do you require?**

- Restricted location details
- Restricted details of site name/type
- The restricted Heritage Register entry (ie – all restricted details)
- Other Geoarchaeological Study

**Do you intend to publish the information?**

- No, own use only – note that information must not be knowingly transmitted to third parties including your agents and other eligible parties. They must apply separately.
- Yes:  
You must complete a separate form to apply for approval to publish restricted information.

**05. AUTHORISATION AND PERSONAL INFORMATION DISCLOSURE STATEMENT**

By signing this form, you agree that you are requesting the above information in accordance with the *Heritage Act 2004*, and that the information provided here is accurate to the best of your knowledge.

By signing this form, you further agree that you will not release or publish restricted information except in accordance with any approval given by the Council, including any conditions that may be imposed.

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

- I have read and understand the provisions of Part 9 of the *Heritage Act 2004*.

Signed: \_\_\_\_\_ Date: 5/4/19

*The personal information on this form is provided to the ACT Heritage Council (the Council) and the Environment, Planning and Sustainable Development Directorate (EPSDD) to enable the processing of your application. The collection of personal information is required by the Heritage Act 2004 (the Act). The Act requires the details of the applicant's name and address to be provided with an application for limited access to restricted information. If all or some of the personal information is not collected EPSDD and the Council cannot process your application. EPSDD's Information Privacy Policy contains information about how you may access or seek to correct your personal information held by EPSDD, and how you may complain about an alleged breach of the Territory Privacy Principles. The EPSDD Information Privacy Policy can be found at <http://www.environment.act.gov.au/about/privacy>*



**From:** [Lee, Naomi](#)  
**To:** [Russell, Meaghan](#)  
**Cc:** [Gilbert, Euroka](#); [Duarte, Renee](#)  
**Subject:** RE: ACT Heritage Council advice - Section 57 application - Halls Creek Aboriginal Sites Zone [SEC=UNCLASSIFIED]  
**Date:** Friday, 5 April 2019 1:22:11 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)

---

Thanks so much Meaghan.

Kind regards

Naomi

---

**From:** Russell, Meaghan  
**Sent:** Friday, 5 April 2019 12:59 PM  
**To:** Lee, Naomi <Naomi.Lee@act.gov.au>  
**Cc:** Gilbert, Euroka <Euroka.Gilbert@act.gov.au>; Duarte, Renee <Renee.Duarte@act.gov.au>  
**Subject:** ACT Heritage Council advice - Section 57 application - Halls Creek Aboriginal Sites Zone [SEC=UNCLASSIFIED]

Hello Naomi,

On 5 April 2019, the ACT Heritage Council (the Council) received your application for limited access to restricted information on Aboriginal places and objects located in the Halls Creek 'Aboriginal Sites Zone'; for the purpose of informing the proposed expansion of the existing playground within [REDACTED] Hall.

Following review of the application, the Council is satisfied that the release of restricted information will not damage Aboriginal places and objects; and therefore approves the application subject to the following conditions:

- Use of information is restricted to that as stated above; and
- Information is not to be made available for the general public or an audience broader than that described above.

Information on Aboriginal places and objects located within the Hall Aboriginal Sites Zone area is provided in the attached documents, which include the recently completed geoaerchaeological study of the Sites Zone.

Regards,

Meaghan

**Meaghan Russell** | Manager (Approvals and Advice), as delegate for ACT Heritage Council

Phone: 13 22 81 | Email: [meaghan.russell@act.gov.au](mailto: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

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**From:** [Lee, Naomi](#)  
**To:** [Russell, Meaghan](#); [Gilbert, Euroka](#)  
**Cc:** [Duarte, Renee](#)  
**Subject:** RE: Halls Creek - nature play project [SEC=UNCLASSIFIED]  
**Date:** Friday, 5 April 2019 8:56:43 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)

---

Thanks so much Meaghan and Euroka. We will keep you posted on the progress of the project and ensure the ROAs are involved as soon as we confirm the go-ahead with the consultants.

Kind regards

Naomi

---

**From:** Russell, Meaghan  
**Sent:** Tuesday, 2 April 2019 11:31 AM  
**To:** Lee, Naomi <Naomi.Lee@act.gov.au>; Duarte, Renee <Renee.Duarte@act.gov.au>  
**Cc:** Gilbert, Euroka <Euroka.Gilbert@act.gov.au>  
**Subject:** Halls Creek - nature play project [SEC=UNCLASSIFIED]

Hello Naomi and Renee,

It was good to meet you yesterday, and as discussed:

- A Section 57 application is required to access restricted information on the Halls Creek Aboriginal Sites Zone, including the recently completed geoarchaeological study. This form can be found online at: <https://www.legislation.act.gov.au/af/2017-2/default.asp>. There is no application fee, and I recommend that you make the application at this stage, and identify on the form that information will also be provided to the selected heritage consultant.
- In relation to upcoming engagement of a heritage consultant and RAOs, ACT Heritage also recommends:
  - RAOs should be engaged early, provided information about the revised project concept and afforded the opportunity to participate in the heritage inspection. It would be prudent to select an inspection date that RAOs can attend (to avoid other scheduled heritage work), and RAOs should be given at least 5 working days' notice of this inspection.
  - The heritage inspection should cover the project concept footprint and surrounding area, and aim to assess and map the relative sensitivity of the area – for example, to identify previously disturbed areas of lower sensitivity and relatively intact areas of higher sensitivity. This approach will inform the design process, by placing infrastructure in areas of lower sensitivity. This approach will also provide sufficient information to inform future design changes that may be considered.
  - If archaeological excavation is recommended at this stage – to assess heritage values and potential project impacts – an Excavation Permit will need to be sought, approved and the work undertaken prior to submission of the Statement of Heritage Effect (SHE) application.
  - However, in the event that such excavation is not recommended, a combined Cultural Heritage Assessment (CHA) and SHE report can be submitted with the SHE application form.
  - Once a draft Statement of Heritage Effect report is prepared, RAOs should be given at least 15 working days to review and respond, and if no written comments are provided, verbal comments should be sought and documented (in detail) in the

finalised report.

Regards,  
Meaghan

**Meaghan Russell** | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: [meaghan.russell@act.gov.au](mailto:meaghan.russell@act.gov.au)

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**From:** [Lee, Naomi](#)  
**To:** [Heritage](#)  
**Cc:** [Russell, Meaghan](#); [Duarte, Renee](#)  
**Subject:** Section 57 application [SEC=UNCLASSIFIED]  
**Date:** Friday, 5 April 2019 9:08:59 AM  
**Attachments:** [application to access restricted heritage information.pdf](#)

---

Good morning

Please see an application to access information for Halls Creek Aboriginal Sites Zone (attached).

Kind regards

Naomi

**Naomi Lee | Policy Lead, Better Suburbs**

Phone: (02) 6207 8854 | Email: [naomi.lee@act.gov.au](mailto:naomi.lee@act.gov.au)

**City Presentation | Transport Canberra and City Services Directorate | ACT Government**

Level 1, 490 Northbourne Avenue, Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)

**From:** [Sophie McLean](#)  
**To:** [Russell, Meaghan](#); [Gilbert, Euroka](#); [Heritage](#)  
**Subject:** Hall Playground - URGENT  
**Date:** Wednesday, 24 July 2019 9:04:18 AM

---

Hi Meaghan and Oka

Please disregard the email below -

I clean forgot that I have a summary of what's needed from you previously.

It's been a bad week,

Cheers

Sophie

Hi Meaghan and Oka,

I'm just putting together the required SHE for the proposed Hall Adventure Playground.

The client has provided us with Phil and Marjorie's report on the Halls Creek Aboriginal Sites Zone and a heritage site location map based on their finds.

The report shows the entirety of our study area as having been investigated as part of the investigation and identifies several spots where soil profiles were established.

Are you able to please let us know if this report qualifies as the area having been surveyed or whether additional investigation is required? The project is being funded by the Hall community and constructed pro bono by one of its members. He needs to be able to complete it during the school holidays if possible, so if we need to survey etc again before writing the SHE we will need to push on ASAP.

Thanks so much

Sophie

[Dr Sophie Collins](#)

Senior Archaeologist, Lithics Specialist  
Cultural Heritage Management Australia

website: [chma.com.au](http://chma.com.au)

**From:** [Gilbert, Euroka](#)  
**To:** [Sophie McLean](#); [Caddy, Gabrielle](#)  
**Cc:** [Duarte, Renee](#); [Russell, Meaghan](#)  
**Subject:** RE: Mapping query - Hall Village [SEC=UNCLASSIFIED]  
**Date:** Tuesday, 13 August 2019 1:03:20 PM  
**Attachments:** [image001.png](#)

---

Hi Soph.

Can I query the attached maps please. The original map you gave me shows site 6 as being close to the study area but the list of co-ordinates provided by Oka to me on Friday doesn't include co-ordinates for Site 6? [REDACTED]

[REDACTED] (converted from 'Cultural Heritage Assessment and Statement of Heritage Effect Halls Creek Track [REDACTED], Hall' – NOHC)

Also, the list he sent me includes sites 19, 20 and 21 - but no information about them?

As supplied in '2019 - Halls Creek Geoarchaeological assessment - Site descriptions reduced'

Also, Sites 5 and 21 appear to have the same location mapped?? Can you clarify urgently please?

"There is a spatial clustering of Sites 5, 6, 19, 20 and 21 that may require aggregation as future finds emerge

from the A horizon.." '2019 - Halls Creek Geoarchaeological assessment - Site descriptions reduced' p. 9

If further information is required please don't hesitate to contact me.

Cheers

**Euroka Gilbert** | Aboriginal Liaison Officer (Approvals and Advice)

Phone: 13 22 81 | Email: [euroka.gilbert@act.gov.au](mailto:euroka.gilbert@act.gov.au)

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I acknowledge the Traditional Custodians of the ACT and region, their continuing connection to Country and community. I pay my respect to them and their culture, and to the Elders past, present and future.

---

**From:** Sophie McLean [REDACTED]

**Sent:** Monday, 12 August 2019 2:50 PM

**To:** Gilbert, Euroka <[Euroka.Gilbert@act.gov.au](mailto:Euroka.Gilbert@act.gov.au)>; Caddy, Gabrielle <[Gabrielle.Caddy@act.gov.au](mailto:Gabrielle.Caddy@act.gov.au)>

**Cc:** Duarte, Renee <[Renee.Duarte@act.gov.au](mailto:Renee.Duarte@act.gov.au)>

**Subject:** Re: Mapping query - Hall Village

Hi All, just following up on the request again. It's now becoming quite urgent that we receive this info,

All the best

Sophie

Dr Sophie Collins

Lithics Specialist and Senior Archaeologist  
Cultural Heritage Management Australia

[REDACTED]

On 4 Aug 2019, at 3:06 pm, Sophie McLean [REDACTED] wrote:

Hi again Oka and Gabrielle,

Can I query the attached maps please. The original map you gave me shows site 6 as being close to the study area but the list of co-ordinates provided by Oka to me on Friday doesn't include co-ordinates for Site 6?

Also, the list he sent me includes sites 19, 20 and 21 - but no information about them?

Also, Sites 5 and 21 appear to have the same location mapped?? Can you clarify urgently please?

Many thanks

Sophie

<Mapping query.pdf>

<map query.pdf>

Dr Sophie Collins  
Senior Archaeologist, Lithics Specialist  
Cultural Heritage Management Australia

[REDACTED]  
website: [chma.com.au](http://chma.com.au)

**From:** [Heritage](#)  
**To:** [Gilbert, Euroka](#)  
**Subject:** FW: Hall Discovery Playground - SHE Submission [SEC=UNCLASSIFIED]  
**Date:** Tuesday, 20 August 2019 9:46:00 AM  
**Attachments:** [REPORT - Hall Village Adventure Playground CHA and SHE.pdf](#)  
[SHE App - Hall.pdf](#)  
[image001.png](#)  
[image002.png](#)

---

FYI – the amended Halls Creek proposal SHE application has arrived. I have added this one to my list for review....

Cheers,  
Meaghan

**Meaghan Russell** | Manager (Approvals and Advice)  
Phone: 13 22 81 | Email: [meaghan.russell@act.gov.au](mailto:meaghan.russell@act.gov.au)  
**ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government**  
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---

**From:** Sophie McLean [redacted]  
**Sent:** Tuesday, 20 August 2019 9:26 AM  
**To:** Heritage <[Heritage@act.gov.au](mailto:Heritage@act.gov.au)>; Russell, Meaghan <[Meaghan.Russell@act.gov.au](mailto:Meaghan.Russell@act.gov.au)>  
**Cc:** Duarte, Renee <[Renee.Duarte@act.gov.au](mailto:Renee.Duarte@act.gov.au)>  
**Subject:** Hall Discovery Playground - SHE Submission

Hello Heritage  
Can someone please confirm receipt of the attached report,  
With thanks  
Sophie

**Dr Sophie Collins**  
Senior Archaeologist, Lithics Specialist  
Cultural Heritage Management Australia  
[redacted]  
website: [chma.com.au](http://chma.com.au)

**From:** [Sophie McLean](#)  
**To:** [Heritage; Russell, Meaghan](#)  
**Cc:** [Duarte, Renee](#)  
**Subject:** Hall Discovery Playground - SHE Submission  
**Date:** Tuesday, 20 August 2019 9:27:34 AM  
**Attachments:** [REPORT - Hall Village Adventure Playground CHA and SHE.pdf](#)  
[SHE App - Hall.pdf](#)

---

Hello Heritage  
Can someone please confirm receipt of the attached report,  
With thanks  
Sophie

[Dr Sophie Collins](#)  
Senior Archaeologist, Lithics Specialist  
Cultural Heritage Management Australia

website: [chma.com.au](http://chma.com.au)

**From:** [Russell, Meaghan](#)  
**To:** [Sophie McLean](#)  
**Cc:** [Duarte, Renee](#)  
**Subject:** RE: Hall Discovery Playground - SHE Submission [SEC=UNCLASSIFIED]  
**Date:** Tuesday, 20 August 2019 9:45:00 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

Hello Sophie,  
Thank you for the email, and I confirm receipt of the Halls Discovery Playground SHE report.  
For future submissions, please take the automatic reply issued from the heritage inbox as confirmation of receipt.

Regards,  
Meaghan

**Meaghan Russell** | Manager (Approvals and Advice)  
Phone: 13 22 81 | Email: [meaghan.russell@act.gov.au](mailto:meaghan.russell@act.gov.au)

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---

**From:** Sophie McLean [redacted]  
**Sent:** Tuesday, 20 August 2019 9:26 AM  
**To:** Heritage <[Heritage@act.gov.au](mailto:Heritage@act.gov.au)>; Russell, Meaghan <[Meaghan.Russell@act.gov.au](mailto:Meaghan.Russell@act.gov.au)>  
**Cc:** Duarte, Renee <[Renee.Duarte@act.gov.au](mailto:Renee.Duarte@act.gov.au)>  
**Subject:** Hall Discovery Playground - SHE Submission

Hello Heritage

Can someone please confirm receipt of the attached report,

With thanks

Sophie

**Dr Sophie Collins**  
Senior Archaeologist, Lithics Specialist  
Cultural Heritage Management Australia

[redacted]  
website: [chma.com.au](http://chma.com.au)



CULTURAL  
HERITAGE  
MANAGEMENT  
AUSTRALIA

Adventure Trail and Nature Play Space, Hall

Cultural Heritage Assessment and Statement of  
Heritage Effect

AUTHORS NAME : Dr Sophie Collins  
PO Pox 9463, Deakin, ACT 2600

**CLIENT NAME: TCCSD, Village of Hall and District  
Progress Association and the  
Rotary Club of Hall  
19<sup>th</sup> August 2019**

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## Executive Summary

### Project Description

The Transport Canberra and City Services Directorate (TCCSD) have collaborated with the Hall Village Community (Village of Hall and District Progress Association and Rotary Club of Hall) to construct an adventure trail and nature play space on the corner of Gladstone and Victoria Streets in Hall. The adventure trail and nature play can be used by people of all ages and abilities – including walkers, bike riders and people in wheelchairs. The play space will enhance the existing playground and surrounding parkland, and create a new opportunity for play that enables the Hall community to connect socially and physically. The adventure trail and nature play space is a community-driven and funded initiative to create an inclusive play space for Hall village and provides a relatively low cost, sustainable way to enhance play quality and diversity in Hall.

The site of the works falls within [REDACTED], Hall (see Figures 1 and 2).

CHMA have now been engaged by TCCSD and the Village of Hall and District Progress Association to undertake a Cultural Heritage Survey and Statement of Heritage Effects for the adventure trail and play space (the study area).

### Consultation and Involvement of the Representative Aboriginal Organisations

At present there are four Representative Aboriginal Organisations (RAOs) in the ACT. These are:

- Buru Ngunanwal Aboriginal Corporation;
- King Brown Tribal Group;
- Mirrabee (formerly Little Gudgenby River Tribal Council); and
- Ngarigu Currawong Clan.

Representatives from each of the four RAOs were contacted to be involved in this cultural heritage assessment. The fieldwork program for this project was undertaken over 2 hours on the 17<sup>th</sup> May 2019. The field team included the following personnel:

- Wally Bell (Buru Ngunanwal Aboriginal Corporation);
- Paul House (Mirrabee – formerly Little Gudgenby River Tribal Council);
- Dr Sophie Collins (CHMA Archaeologist);
- Renee Duarte and Naomi Lee (TCCSD);
- Anna Chauval (Place Laboratory);
- Darren Stewart (Makin Trax and representative of the Hall Village Community Group).

Representatives from King Brown Tribal Group and Ngarigu Currawong Clan were invited to attend but were unable to attend on the day. The results of these works were discussed

verbally with Tina Brown and James Mundy on 25<sup>th</sup> July 2019 for comment and feedback. All representatives present during the field survey and over the phone, contributed to the management recommendations proposed in this report.

The field visit also included consultation with the Representative Aboriginal Organisations on play elements proposed for the playground. Ideas generated during this discussion have since been incorporated into the playground design.

### **Previously Recorded Sites within the Study Area**

As part of the background research for the investigation, a heritage register search was undertaken on the 4<sup>th</sup> April 2019. The study area falls within the heritage registered area of the Hall Village Heritage Precinct (Citation 20087). The citation is available through the ACT Heritage Register, with pertinent features of intrinsic significance summarized as follows:

- The 'rural village' urban landscape character of the Hall Village
- The informal streetscape character consistent with a rural village
- The landscape setting of Hall Village
- Individually identified built heritage places of collective historic and social value including: War Memorial Grove, Hall Showground and Sportsground, Winarlia, Premier Store, Hall Antiques and Garage, Morris' Bootmakers Shop, St Michael & All Angels Anglican Church, Hall Primary School, Hall education Museum, 'Avoca', 'Cooee', St Francis Xavier Catholic Church, Halls Creek Road Bridge, Village Well, Hall Village Reserve, Cricketers Arms Hotel and Hall Cemetery.

The closest of these sites to the current proposal is the Hall Village Well which occurs over 70m from the proposed study area.

There are no previously recorded Aboriginal sites in the study area. The closest Aboriginal site to the impact area occurs >60m from the proposed trail and is separated from the study area by Halls Creek.

### **Summary Field Survey Results**

The extremely low archaeological visibility present at the site meant that no Aboriginal sites or items of cultural concern were identified during the current investigation. No trees demonstrating potential for Aboriginal scarring were identified.

Despite the poor visibility, however, the study area is assessed as being of low archaeological potential with the current absence of sites considered to be an accurate representation of the archaeological resource of the site. Detailed justification of this is provided in Section 7.3.

### **Impact Assessment, Minimising Harm and Existing Practical Alternatives**

The proposed works will involve minimal ground disturbance, with the entirety of the track and associated play spaces occurring above ground, bar the 10cm removal of the routes. All activities will be brought to the site and placed on the surface of the ground only. Particular attention has been paid to keeping the play areas as far as possible from the creek line and focused around existing areas of recreational activity within the study area.

There are no known sites within the study area; the current proposal will not impact any heritage sites. Alternative options are not necessary.

### **Statement of Heritage Effect**

The proposed discovery trail and adventure play space at hall will not impact any heritage sites. The study area has been assessed as being of low archaeological sensitivity with proposed impacts determined to be minimal.

The proposal avoids recorded sites in the area by at least 60m and Halls Creek and will not adversely impact heritage values within the study area.

### **Management Recommendations**

The proposed discovery trail and adventure play space at hall will not impact any heritage sites. The study area has been assessed as being of low archaeological sensitivity with proposed impacts determined to be minimal. As such, there are no specific further heritage requirements for the study area. The following general recommendations are forwarded:

1. In the event that unanticipated finds occur during construction of the FPF, the Unanticipated Discovery Plan included in section 13.0 must be adhered to.
2. This report must be presented to the ACT Heritage Council (through the ACT Heritage Unit for review and advice.
3. Copies of this report have been provided to the four Representative Aboriginal Organisations. These are:
  - Buru Ngunawal;
  - King Brown's Tribal Group;
  - Mirrabee; and
  - Ngarigu Currawong Clan.
4. The RAOs are to be involved in ongoing discussions regarding the name of the park and to act as consultants for the play elements proposed for the playground.

## 1.0 Project Outline

### 1.1 Project Description

The Transport Canberra and City Services Directorate (TCCSD) have collaborated with the Hall Village Community (Village of Hall and District Progress Association and Rotary Club of Hall) to construct an adventure trail and nature play space on the corner of Gladstone and Victoria Streets in Hall. The adventure trail and nature play can be used by people of all ages and abilities – including walkers, bike riders and people in wheelchairs. The play space will enhance the existing playground and surrounding parkland, and create a new opportunity for play that enables the Hall community to connect socially and physically. The adventure trail and nature play space is a community-driven and funded initiative to create an inclusive play space for Hall village and provides a relatively low cost, sustainable way to enhance play quality and diversity in Hall.

The adventure trail will be made of natural materials, such as dirt and decomposed granite gravels. There may be some sections that are made from recycled wood sourced from the old Tharwa bridge and other places. Some sections of the trail may have bumps, bridges over logs, or be made from logs.

The adventure trail will be approximately 500m in length and located around the existing playground. It does not extend past the carpark/toilets or cross the creek. Most of the adventure trail and nature play space is intended to be inclusive for use by people of all ages and abilities. The trail can be used by walkers, bikes and wheelchairs.

Consultation with the RAOs led to the following playground element suggestions:

- Bush tucker garden
- Yarn circle
- Smoking ceremony at opening of the playground
- Naming the park and play space signage

Ongoing consultation with the RAOs will result in their active involvement in the design and implementation of each of these cultural elements.

The site of the works falls within [REDACTED], Hall (see Figures 1 and 2). The proposed design for the adventure trail is included in Figure 3.

CHMA have now been engaged to undertake a Cultural Heritage Survey and Assessment and Statement of Heritage Effects for the proposed discovery trail and playground.

### 1.2 Consultation with the Representative Aboriginal Organisations

At present there are four Representative Aboriginal Organisations (RAOs) in the ACT. These are:

- Buru Ngunanwal Aboriginal Corporation;

- King Brown Tribal Group;
- Mirrabee (formerly Little Gudgenby River Tribal Council); and
- Ngarigu Currawong Clan.

Representatives from each of the four RAOs were contacted to be involved in this cultural heritage assessment. Representatives were involved in all aspects of the project including:

- Participation in fieldwork;
- Provision of advice on culturally appropriate and educational playground elements;
- Input into the interpretation of the potential of the study area
- Input in determining management and impact mitigation recommendations.

The cultural heritage recommendations made in this report directly stem from discussions held in person with the RAO representatives during the field survey on the 25<sup>th</sup> July 2019.

Copies of this report were issued to all four RAOs on 5<sup>th</sup> August 2019 with a request for comment and feedback within 14 days. No other written responses were received.

During the field program, discussions were held with the RAOs regarding culturally appropriate educational playground elements. The introduction of the bush tucker garden and yarning circle were outcomes of this discussion. An additional outcome was a request for the park to be named a culturally appropriate name, given Henry Hall's reputation for poor treatment of Aboriginal people. The naming of the park has yet to be finalized but will be heavily influenced by the RAOs and will be the outcome of a program of consultation.

### **1.3 Fieldwork Program**

The fieldwork program for this project was undertaken over two hours on the 17<sup>th</sup> May 2019. The field team included the following personnel:

- Wally Bell (Buru Ngunanwal Aboriginal Corporation);
- Paul House (Mirrabee – formerly Little Gudgenby River Tribal Council);
- Dr Sophie Collins (CHMA Archaeologist);
- Renee Duarte and Naomi Lee (TCCSD);
- Anna Chauval (Place Laboratory);
- Darren Stewart (Makin Trax and representative of the Hall Village Community Group).

Representatives from King Brown Tribal Group and Ngarigu Currawong Clan were invited to attend but were unable to attend on the day. The results of these works were discussed verbally with Tina Brown and James Mundy on 3<sup>rd</sup> August 2019 for comment and feedback. All representatives present during the field survey and over the phone, contributed to the management recommendations proposed in this report.

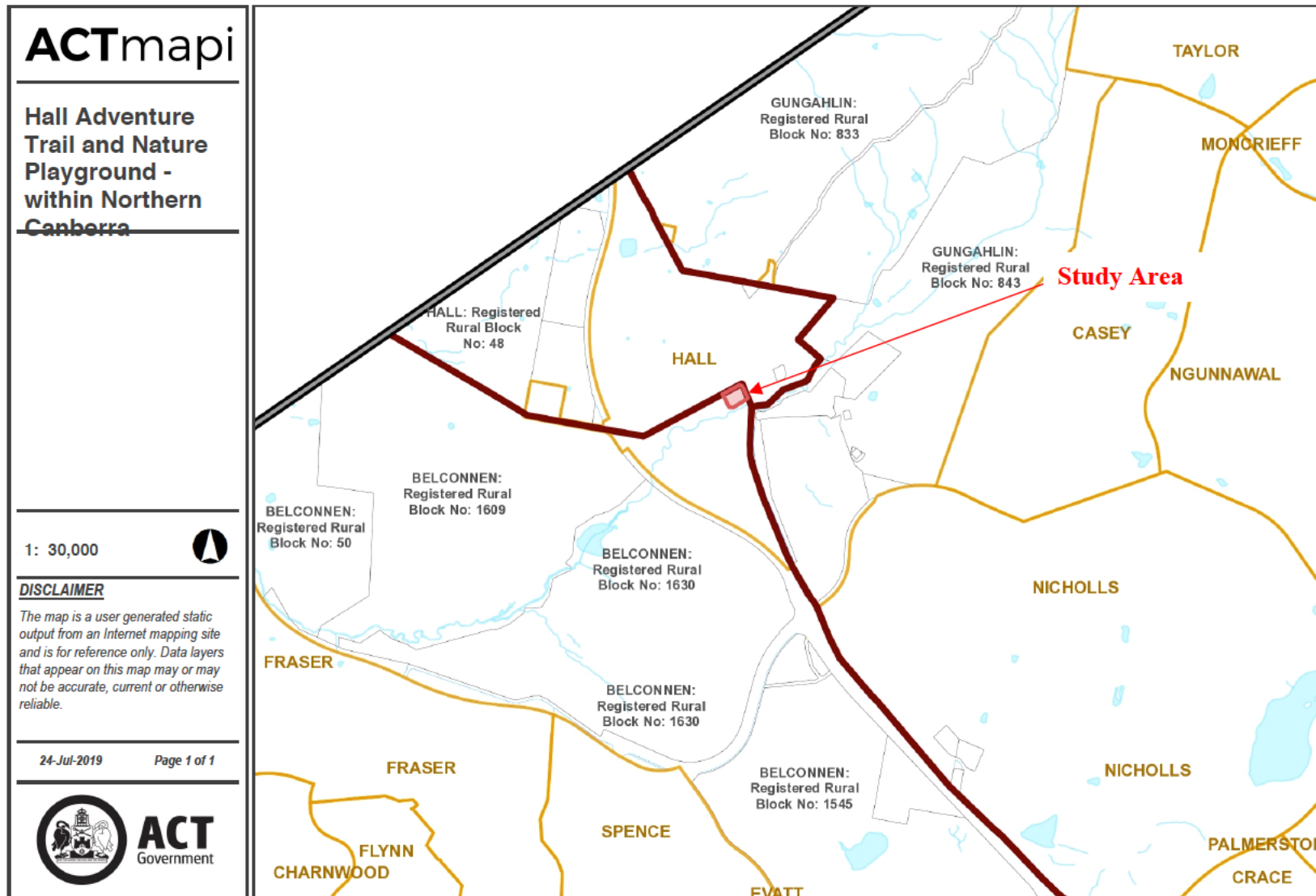


Figure 1. Location of Hall Adventure Play Ground and Nature Play Space within broader ACT Region

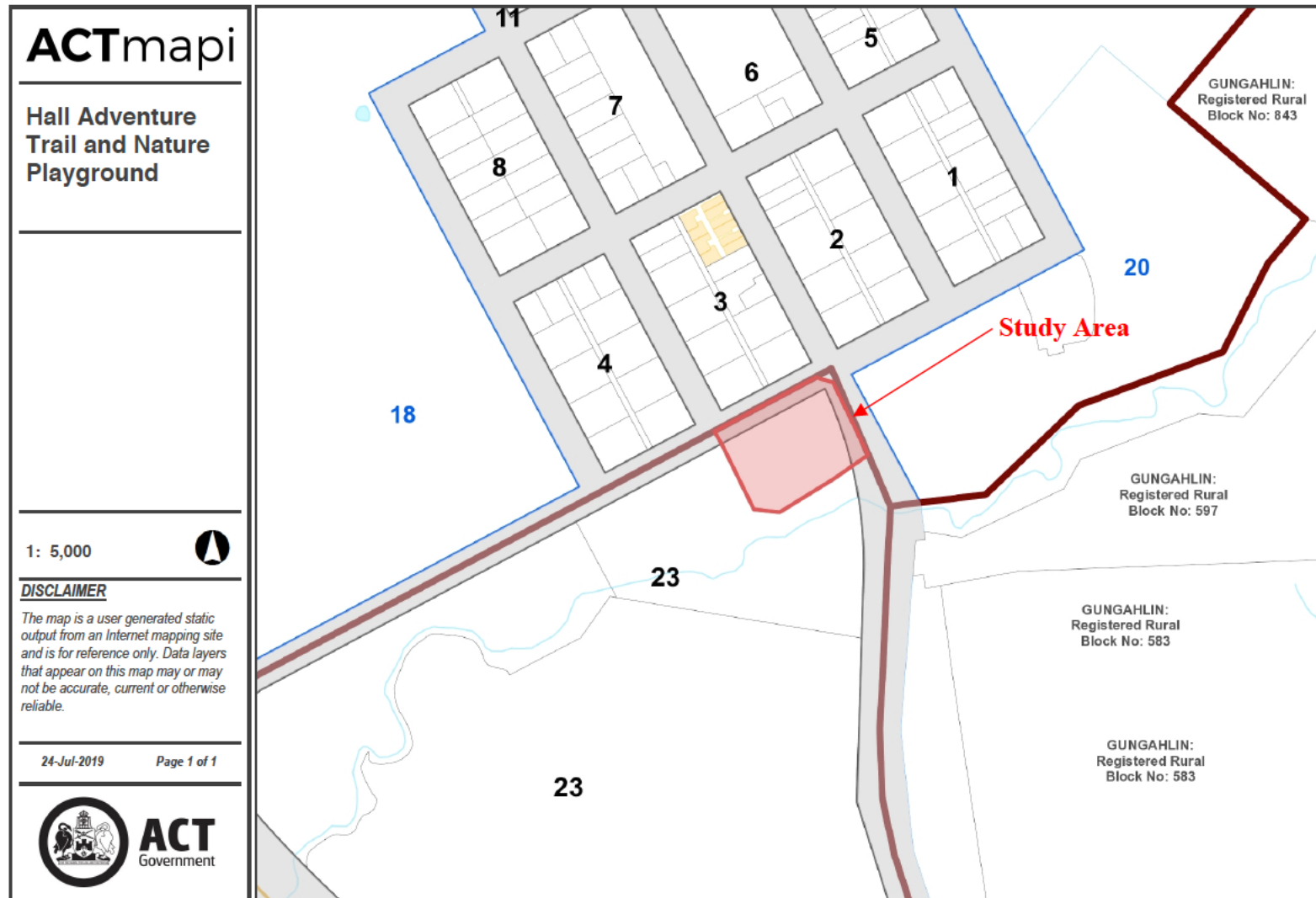


Figure 2. Location of Study Area within Hall Village.



#### **1.4 Purpose of this Report**

This report details the following:

- Review of the context of the study area, including details of previous archaeological work;
- Details of the field survey methodology and results;
- Significance and impact assessments in relation to the proposed development and the known cultural heritage sites in the study area;
- Management recommendations for cultural heritage sites in the study area; and
- Statement of Heritage Effects for the proposed playground.

This report was written by Dr Sophie Collins.

## 2.0 Environmental Context

The following is a discussion of the geology, soils, landforms and hydrology within the broader study area. These aspects of environment have influenced past occupation of the area in many ways as well as affecting archaeological site formation processes.

### 2.1 Landscape and Hydrology

The study area is located immediately adjacent (15-100m) to Halls Creek, which runs approximately east to west across the southern edge of the study area. The proximity of the study area to the middle reach of Halls Creek means the it is entirely occupied by gently undulating floodplains of quaternary alluvium.

A recent assessment of the geomorphic history of the Halls Creek landscape by Huonbrook (2019) showed that prior to European settlement on the floodplains of valleys such as this and similar creeks such as Sullivans Creek, Ginninderra Creek, Gooromon Ponds and Cow Flat Creek, 'had no discernible channels and mainly supported trances of swampland and swampy meadows. Others had discontinuous channels, commonly referred to as chains of ponds.....phases of accumulation of alluvium across these partially to largely unchanneled valley floors lasted thousands of years, separated by shorter intervals (typically decades or centuries) of channel incision and expansion)' (Huonbrook 2019:8).

European settlement of the region from c1820 onwards resulted in the destabilization of many creeks and rivers in the region, through pastoral activities. Chains of ponds, such as those described by Hoddle in 1832 as the 'Ginninginderry Chain of Ponds' were the likely form of the local drainage zones near Hall during early period of European settlement (Huonbrook 2019:8).

Extensive disturbance to the upper soil layers through sheep grazing, rabbit activity, wind and wash and reductions in vegetation cover led to enhanced runoff resulted in the newly mobile upper soil layers accumulating along drainage lines and in downstream reaches of channels (Huonbrook 2019:8). Sediment accumulated in the drainage lines causing downcutting of deeply entrenched channels into valley floor alluvium. Channel erosion was further exacerbated by the destruction of the valley floor vegetation and through a series of floods across the region between 1851 and 1879 (Johnson and Brierly cited in Huonbrook 2019:8).

Halls Creek itself is not reported to have overtopped its banks (i.e. those of the present channel) in more than 50 years, indicating that overtopping of the creek ceased following initial impacts of European settlement and land use in the area (Huonbrook 2019:9).

## 2.2 Geology

Existing geology within the study area has been identified by Abell (1993) as entirely alluvium (see Figure 4) which surrounds the middle reaches of Hall Creek. The broader region, around Hall and surrounds is underlain by the Mount Ainslie Volcanics of the Hawkins Volcanic Suite. The lithology of the area, specifically around Hall is identified as discontinuous outcrops of shale (Abell 1993:22). Naturally occurring quartz is common within the Mount Ainslie Volcanics amongst dacitic ignimbrite and porphyry.



**Figure 4. Geology of the Hall Region (image modified from Abell 1993) (Yellow denotes Mount Ainslie Volcanics, white denotes alluvium)**

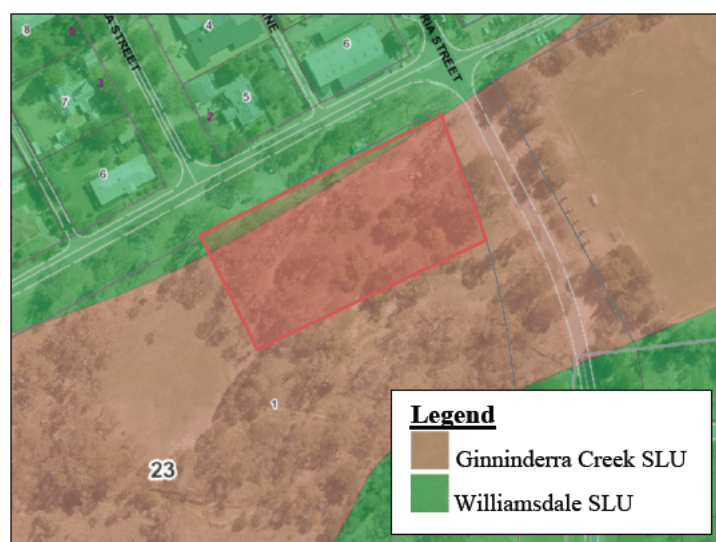
## 2.3 Soils and Vegetation

Two mapped soil units occur within the vicinity of the study area. More than 90% of the study area is occupied by the Ginninderra Creek SLU (Jenkins 2000) which occurs over gently undulating flood plains with a local relief <10m developed on Quaternary alluvial sediments. This soil unit is confined to stream courses and riparian zones along creeks and contains imperfectly drained areas. Extensive land clearance as occurred within this SLU with only remnants now remaining of the former riparian woodland that would once have been present. Huonbrook (2019:12) characterize the landform unit as ‘a highly erodible or unstable system likely to exhibit waterlogging, flooding and gully erosion reflecting the fact that these drainage systems have undergone major changes in the historical past’.

The northern fringe of the study area, bordered by Gladstone Street falls within the Williamsdale SLU (Jenkins 2000), which covers an area of undulating rises, fans, valley flats and depressions developed on the Silurian volcanic rocks of the Canberra lowlands. The Williamsdale SLU occurs to both the north and south of the study area, sandwiching the more defined Ginninderra Creek SLU on either side (Figure 5).

A recent geoarchaeological assessment of the archaeological sensitivity of the HCASZ identified late Pleistocene sediments representing slightly elevated surfaces adjacent to the creek line as having the most potential for archaeological material. 'These (podzolic) soils have a pale, bleached grey top layer (the A horizon) overlying a darker firmer lower layer (the B horizon) with yellow, red and brown colours..... A horizons on remnants of (Pleistocene age) higher ground are zones likely to have cultural value' (Hunbrook 2019:22).

The original vegetation of this SLU would have comprised woodland, now cleared to altered grasslands and patches of regrowth woodland. Within the immediate study area, introduced grasses dominate for the creation of the recreational facilities currently in place. Hunbrook (2019:12) determined that 'elevated, well drained areas of the wi SLU adjacent to major creeks such as this [Halls Creek] would have been highly suitable for Aboriginal occupation and use'.

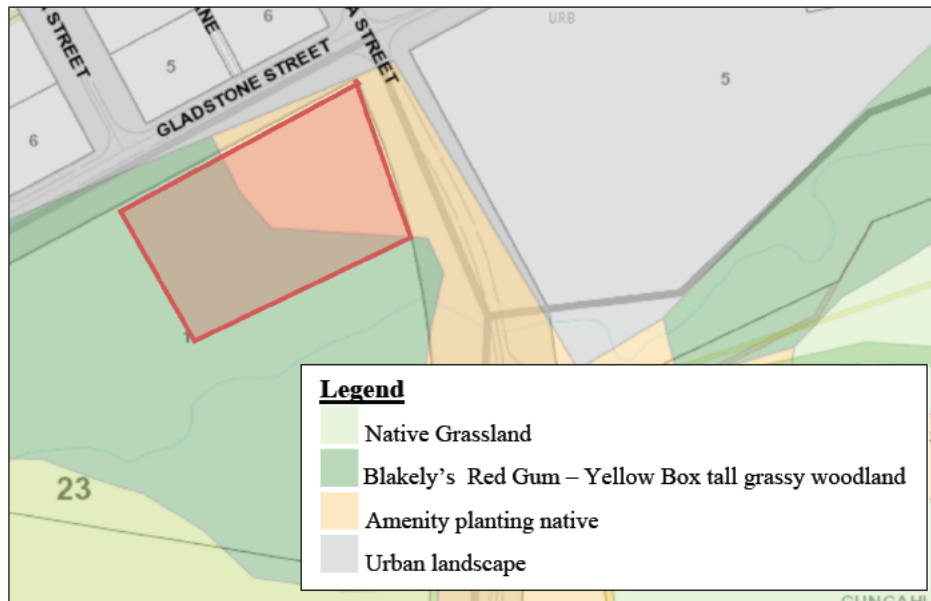


**Figure 5. Soil Landscapes within the Study Area (image modified from ACTMAPI accessed 25<sup>th</sup> July 2019).**

#### 2.4 Previous Land Use Impacts

In addition to the alterations reported in section 2.1 to the incision of creek channels and hydrology of the area, the study area has been subject to several kinds of ground disturbing activities since European settlement. The most significant of these is the establishment of the township of Hall to the north of the study area and the existing recreational facilities within the immediate vicinity which include:

- Extensive land clearance and grazing;
- Use for pastoralism, agriculture and repeated cultivation;
- Construction of existing playground, carpark and public toilets;



**Figure 6. Vegetation within the study area – (image modified from ACTMAPI accessed 25<sup>th</sup> July 2019).**

- 1978 sewer line along southern edge of Hall Creek and to the immediate west of the existing carpark;
- Previous concrete slab/hut base;
- Garbage in the form of building material and other rubbish is evident eroding from the surface and parts of the creek bank.

## 2.5 Resource Statement

Changes to the local channel hydrology from swamp meadows with intermittent chains of ponds to the existing deeply eroded and continuous channel (Huonbrook 2019:10) has important implications for prehistoric Aboriginal occupation and site locations.

From the perspective of occupation, the chains of ponds present prior to European occupation would have held water in the landscape over extended periods, retaining predominantly wet valley bottoms and attracting game and other animals attracted to the wetland margins. The Ginninderra Creek SLU occupying the majority of the current study area would have comprised swampy meadows and swampland, making the area wet and ill-suited to occupation, while providing important riverine and riparian resource zones. It is therefore likely that occupation sites occurred above the wet valley floor bottoms but within sufficient proximity to enjoy the predictable water availability and associated resource rich areas; further north towards the Williamsdale SLU.

Following the landscape becoming drier and the entrenchment of channels, water flows would have become more ephemeral, and precluding the sorts of resources in terms of

game and vegetation that would have originally occupied the wetlands. As such, the current environment is much less attractive than it would once have been.

These changes also had important implications for site patterning. Huonbrook (2019:10) note that ‘this change in the pattern of sediment erosion, transport and deposition will have destroyed ancient campsites in locations where the valley floor alluvium was eroded as the deep channels formed’.

## 3.0 Aboriginal Occupation Models – Ethnohistory

### 3.1 Background Information

Ethnohistory entails the use of historical literature as a source for constructing ethnographic analogies and models in the study of the prehistory and contact history of indigenous peoples (McBryde 1979). Although ethnohistoric accounts have been recognised as a valuable source for providing insights into the life-ways of prehistoric people, their application can be problematical. These problems relate primarily to the nature of the sources, their accuracy and/or validity.

Flood (1990) identifies three types of ethnohistoric observations:

- the first hand, eyewitness observations made at the time of first contact with Europeans,
- first hand observations made at a later stage when Aboriginal society had become ‘Europeanised’, and
- second-hand or generalised accounts of Aboriginal life.

Of these sources of information, the most valuable and reliable for the reconstruction of pre-contact Aboriginal life are the first-hand observations made at the time of first contact with Europeans. These include the accounts by explorers, surveyors and pioneer settlers. This does not necessarily mean that other forms of observations should be disregarded. However, caution must be exercised in their application.

### 3.2 Overview of Ethno-Historic Models

The following provides a brief overview of the nature of pre-contact Aboriginal groupings, Aboriginal concepts of land ownership, and the relationship of both these to pre-contact Aboriginal land use in Australia. While this section does not specifically relate to the study area it does provide a basic framework of understanding regarding Aboriginal social organisation, within which the archaeology of the study area may then be viewed. Such an understanding is an essential prerequisite to any archaeological research analysing the relationship between Aboriginal people and their environment.

The model of Aboriginal society being divided into a series of tribes, based on Tindale’s 1974 publication is now generally considered to be defunct. The tribe is described by the early ethnographers as having rights over a defined tract of land, that included control over entry to people from outside and the right to hunt and extract resources from within the bounds of that area (Keen 2010:46). Several researchers have argued that the concept of a tribe does not account for the complexities of social interaction and organisation found in Aboriginal society (e.g. Keen 2004). The tribal model was used for most of the twentieth century by anthropologists to describe the social organisation of Aboriginal groups and how this related to land ownership. There has been a shift to attempts to describe Aboriginal

society as multi layered and to explore interconnected relationships that operated within broad social groups.

In Australia, the band is generally considered by anthropologists as the basic social and economic unit in pre-contact Australian Aboriginal society (Service 1966, Peterson 1976). The band is described as a small-scale population, comprised of between two to six extended family units, or about 14 – 33 people, which together cooperate in the food quest (Service 1966; Keen 2004:106). The composition of this group (in terms of numbers) was not rigid; group size fluctuated in response to factors such as the availability of resources and visiting kin (Peterson 1975).

Individual bands are seen to occupy and exploit a specific range (Service 1966). The concept of a band's 'range' is not easily defined, and is therefore somewhat problematical to delineate. The ideal method of defining range would be to identify the outermost points of an area used by a group to demonstrate the total area, or range, in which that band operated. Yet, as Peterson (1986) points out, the kind of evidence needed to achieve this, (details of daily movements over several years) is not available for any group within Australia. Nor is such evidence likely to be discernible in the archaeological record. The practical alternative, both from an archaeological and an anthropological perspective, is to identify the base camps used over a period by a group. This provides a rough equivalent of a band's "home range".

### 3.2.1 Environmental Determinants of Social Organisation

Ecology is, according to Peterson (2008:186) a 'crucial variable' when assessing estate, range and domain. Range normally encompassed the estate, although there were exceptions to this (Peterson 2008:186). In cultures across the world it is impossible to separate natural landscapes from cultural landscapes (White 2003:188). From an archaeological perspective, it is equally impossible to discuss economy and subsistence without reference to the environment.

As Sutton (2008:170) explains, WEH Stanner explored the connectedness of economy, environment and spirituality over forty years ago. Stanner's famous paper 'Aboriginal territorial organisation: estate, range, domain and regime' published in Oceania in 1965 was a benchmark as it provided a new framework within which to define and discuss Aboriginal land ownership (Peterson 2008:185). This framework separated concepts of land ownership from the land that people used. Peterson (2008:185) suggests that this was a fundamental shift that has influenced the last forty years of anthropological debate.

In coastal and riverine environments where a higher population density could be supported compared to desert environments, people could lead more sedentary lives (Keen 2004:103). In these situations, the social organisation of neighbouring groups could become more

individualised; whereas in more arid climates people relied on being able to traverse vast tracts of land to access food and water, requiring closer social relations with neighbouring people (Keen 2004:103).

This argument reflects Louis Binford's model of 'foragers' and 'collector' societies. Foragers are highly mobile groups that move regularly and as a whole to new locations to exploit resources. In contrast, collector societies may move less often but rely on individual members of a society venturing out beyond the camp site location to provide the group with resources to continue residing at the location (Keen 2004:104). Keen (2004:104) suggests that most Australian Aboriginal societies fall within Binford's 'collectors' model – forming home bases and voyaging out from these bases to exploit resources from the surrounding area, which could be very large.

It was economically vital for Aboriginal people to be organised into bands, as this made groups more effective at surviving. Subsistence becomes more efficient and reliable if people are organised into groups that are larger than the nuclear family. This increases the number of 'producers' (people who can actively provide food for a group) and acts as a buffer against the sickness, injury or death of any one individual (Keen 2004:105). However, these groups will never become too large, as increased numbers reduce the mobility of the band, as well as potentially leading to broader social disintegration (Keen 2004:106).

The range of a band had to be capable of providing for the survival of the group for much of the year. Keen (2004) takes an economic view of range and presents a case for the range of a group to be determined by access to preferred food resources. As Keen (2004) argues, availability of foods, food preferences, production techniques and methods of transport all affect how Aboriginal people across Australia could access food resources at varying times of the year. These factors therefore greatly affected mobility; groups had to be able to mobilise and move to where the preferred, available and accessible foods were located (Keen 2004:23).

Keen (2004:126) suggests that seasonal mobility of a particular group is largely influenced by rainfall. In Gippsland where there are clearly defined seasons, but steady year-round rainfall people operated within a broad seasonal migration pattern. However, in the Western desert where rainfall was much less reliable, this was a weaker pattern of seasonal movement. Regular droughts brought on by the El Nino cycles and other more haphazard climatic events all influenced the seasonal movement based on food resources that Aboriginal people required (Keen 2004:79). These affected issues of range, ceremony and interactions with neighbouring groups (Keen 2004:79).

The factors that influence selection of a 'home base' are varied and illustrate the nature of pre-contact Aboriginal societies. Access to fresh water is probably the most fundamental

requirement, and will be common to all home base sites. Distance to food resources is the next consideration. As Keen (2004:104) notes it may be that home sites are better located adjacent to less transportable resources, rather than in areas where there is the highest abundance of food items. The distance that an individual collector can travel within a single day forms an important scope of the range of the home base, and therefore the size of the resource pool available. Keen (2004:104) suggests that in hunter-gatherer societies around the world, 20-30km is considered the maximum foraging distance from a home base. People could then establish smaller temporary camps away from the central home site to enable longer foraging journeys (Keen 2004:105).

Despite the difficulties faced in defining ranges, Peterson (1986) believes there is good evidence for supposing that bands are localised and generally have bounded and exclusive ranges. The most significant evidence is ethnographic accounts recording the elaborate rites of entry accorded to visitors when entering a bands range (see Peterson 1986). However, it appears that the boundaries of a group's 'range' were not necessarily clearly demarcated lines. Trigger describes these overlapping boundaries as 'zones of transition' (Trigger 2010:155).

### 3.2.2 Aspects of Aboriginal Social Organisation

Individual bands or clans were by no means a social or cultural isolate, but rather interacted with each other in a variety of ways. Typically, these interactions involved visitations, marriage, ceremonies and trade. Through these interactions, links were established or reaffirmed between neighbouring bands. The result was the formation of a cluster of bands, wherein there was some sense of collective identity, often expressed in terms of possessing a common and distinctive language (White & Cane 1986). Most people in pre-contact Aboriginal society were multi-lingual and marriages outside of the language group were common (Keen 2004:134). Indeed, within some totemic groups several languages were spoken (Keen 2004:135).

Linguistic inheritance could be multi-layered. Trigger (1992:104) records how in some northern Australian societies most people were (a) multi-lingual and (b) adopted a primary linguistic label based on where their present circumstances were aligned.

This implies that linguistic affiliation was perhaps a less formal and more adaptive social mechanism. Trigger (1992:105) suggests that this undermines the concept of linguistic groups, which was a characteristic often used in the past to define tribal groups.

Similarly, Keen argues that a shared language did not necessarily indicate shared cosmic beliefs or social customs, nor did language or dialect clearly define social groups (Keen 2004:135). Rather, Keen suggests that broad social groups tended to define themselves more by location, with reference to the type of environment (coastal, hinterland etc.) or

direction (northerners or southerners) (Keen 2004:135). Groups were also sometimes named after and therefore defined by, the name of the leader or a prominent person in that community (Keen 2004:135). Blundell (2003) discusses how the Wandjina rock art sites of the Kimberly formed the cultural and cosmic centres for the 'little countries' or 'dambina' which correlate with the concept of an estate as used by anthropologists (Blundell 2003:162).

Keen (2004:170) presents a model of the complexities of Aboriginal society, where an individual's identity depended largely on context. In some situations, Keen (2004) argues language was the defining factor, in another the broad region to which you claimed affinity, and in yet other circumstances it may be totemic identity that was important. Interestingly, Keen (2004:170) suggests that identity was 'most clearly defined' in areas rich in resources, such as coastal zones, while people in more arid environments had less strongly applied rules governing identity. This reflects the imperative for desert people to be on solid relationships with their neighbours. The following section discusses issues of Aboriginal connection to the land in more detail.

### 3.2.3 Concepts of Aboriginal Land Ownership

The band was in essence a land using group, but not a land-owning group. Land ownership was vested in 'the clan' or 'corporate group' which is defined as a broad group of people that shared social characteristics, and was often tied to having rights over certain tracts of land, known as an 'estate' (Keen 2004:134; Peterson 1986). It is uncertain whether clans within eastern Australia were strictly patrilineal (as is suggested in other parts of Australia), or whether membership was determined more on the basis of place of birth (White and Cane 1986). Keen (2004:136) argues that across Australia it was common for totems to be patrilineal, where a child took their father's totem, and that this was strongly tied to land ownership. The totem was an important feature of Aboriginal society and was used to define individuals, small groups and larger groups (Keen 2004:135). This was by no means the only form of land connection across Australia; in some parts, a person's place of birth determined which country they were tied to (Keen 2004:137).

Where matrilineal systems operated (where a totem was passed from mother to child) it tended to cause people of the same totemic identity to be dispersed among several land based groups. In this way, matrilineal relations become important when determining marriage and other social ceremonies, but were not generally connected to land ownership (Keen 2004:137).

The system of patrilineal transition of land ownership concepts is reflected in Patterson's 1811 account of Bennelong's sense of ownership of Goat Island (Keen 2010:45). Patterson wrote that Bennelong had 'inherited' Goat Island from his father and that he in turn had the right to pass it on to his companion By-gone (Keen 2010:45). This is supported by Eyre's

1845 observations about the hereditary transmission of Aboriginal land ownership (Keen 2010:46).

Ancestral law was the defining principle that controlled access to country and landmarks, including water sources (Keen 2004:299). Tied to this notion are concepts of cosmology, religion and the ongoing influence of the ancestors (Keen 2004:303). Keen suggests that: ‘ancestral significance integrated country, resources and technologies into the all-encompassing framework of ancestral law, not only as a mode of control, but as a way of being.’ (Keen 2004:303). Myers has also argued that ownership of territory was largely vested in knowledge of the ‘stories, objects, and ritual associated with the mythological ancestors of the dreaming at a particular place (in Peterson 2008:192).

Ethnographic and anthropological research provides a context within which to view the archaeological record. The overview presented here reveals the complexities of Aboriginal societies across Australia. It indicates the interrelated nature of the environment, religion and social structure in pre-contact Aboriginal societies and has implications for discussions of the archaeological record.

### **3.3 Aboriginal Social Organisation, Customs and Lifestyle in the ACT**

According to Tindale (1974), the ACT was primarily occupied by the Ngunnawal (previously the Kamberri), whose country Tindale recorded as extending from Marulan and Goulburn to the Shoalhaven and Molonglo rivers, including Lake George and Queanbeyan, across to the Goodradigbee and Tumut rivers, north to Boorowa and back across to Goulburn. However, arguments have arisen suggesting that this boundary reflects the 20th century developments and not the territory of the Ngunnawal at the time European explorers first arrived at Lake George (see Jackson-Nakano 2001:21). According to Jackson-Nakano, the broader area now known as the ACT was originally occupied by a wide range of Aboriginal groups, including the Pajong, Wallagalooa and Yass Communities, the Kamberri and the Moolingoolah or Molonglo Plains community.

Within the earliest historical documents, the Aboriginal of the Canberra region were variously referred to as the ‘Kamberra’ tribe (William Davis Wright of Lanyon), the ‘Nganbra Pialligo’ tribe and the ‘Kgamburry’ tribe (William Philip Bluett) and the ‘Kembery’ tribe (Dr. John Lhotsky) by the various early European explorers of the region (Gillespie 1984:2). Importantly, the tribal names used by early settlers and explorers rarely mimicked the correct tribal names; instead tribes were regularly referred to by their location with numerous references appearing in early records to the ‘Murrumbidgee blacks, the Lachlan blacks, the Limestone blacks, the Yass blacks and other similar appellations’ (Gillespie 1984:45). Nevertheless, these records provide the best documentation for what is currently known of the customs and lifestyle of the Canberra Aboriginal peoples prior to and at the time of European settlement.

### 3.3.1 Population

Whilst an accurate count of the Ngunnawal tribal numbers was never made, available records seem to indicate that at the time of settlement Ngunnawal people numbered between 400 and 800, with 500 as the most frequent estimate (Gillespie 1984:2). William Davis Wright of Lanyon wrote in 1923 'From many conversations I had with various members of the tribe I got to know them and their customs pretty well.... It was an ordinary sized tribe, between 400 and 500 at the time of first white settlement', however subsequent reports suggest numbers of between 7 and 800 once existed (cited in Gillespie 1984:2).

More detailed records were made in 1938 by George Augustus Robinson, given his particular interest in Aboriginal people, who recorded a list of 48 Aboriginal people he encountered near Yarralumla. His list included Ong gong and several other members including Jemmy the Rover (Coolup). Robinson described the Limestone natives as 'a fine, sturdy, athletic race, men and women well-proportioned and finely finished' (cited in Gillespie 1984:45).

Early explorers suggest that Aboriginal people generally lived in family groups or sub-groups, with gatherings of larger numbers only occurring on special occasions and involving the meeting of several tribes (Gillespie 1984).

Regardless of exact population counts, it is abundantly clear that Aboriginal people frequented the Canberra region in substantial numbers at the time of European settlement.

### 3.3.2 Hunting, Gathering and Settlement

The observations of early explorers indicate that, like most Aboriginal tribes, those of the Canberra region were hunter gatherers, with men taking the role of hunting and women gathering food (Gillespie 1984:45). Given the limited ability of tribes to transport and store large quantities of food, food procurement occurred on a daily basis.

Early observations by W.P Bluett indicate that the area surrounding the Limestone plains (prior to European settlement) abounded with bird and animal life including terrestrial animals around the open plains such as kangaroos, emus and brolgas, as well as resources related with the Queanbeyan, Molonglo and Murrumbidgee Rivers which provided excellent aquatic resources as well as scrubby growth and reeds which provided excellent cover and nesting places for aquatic birds. Smaller game included birds, lizards, opossums, native cats, squirrels, fish, birds' eggs, yams, berries, grubs and seed (cited in Gillespie 1984:45). The ready plentiful availability of kangaroos, opossums and wombats meant they were highest on the list of Aboriginal diets, however the smaller game was equally important.

The availability of game and other resources was noted to largely determine the location of campsites. However, the weather and the corresponding seasonal availability of some

resources or droughts would also cause Aboriginal people to move on to more favourable locations. The arrival of the Bogong moths in late spring each year was noted to be a dependable food source, resulting in an annual trek to the mountains (Gillespie 1984). Campsites were usually in areas that provided shelter from the wind, were near water sources.

John Gale, an early arrival in the area recorded the following method of capturing wombats:

*'A blackfellow enters the burrow, the roof of which he strikes as he progresses. His companions above ground listen for the sounds and by that means follow the direction of the burrow. When the animal is reached at the end of his burrow a certain signal is made, whereupon they dig down and effect a capture, the wombat being prevented from making his exit by the blackfellow who had pursued him'* (Cited in Gillespie 1984:45).

According to Gillespie, the Canberra Aboriginal peoples maximized all resources available to them 'overlooking very little which was tasty and edible' (1984:46).

### 3.3.3 Clothing

In 1834 Lhotsky encountered a group of 60 Aboriginal people near Gunning, recording that

*'They were all naked, excepting that the men wore a girdle with a small sort of apron formed of fringes before and behind.... A few of the strong young men wore a sort of armband upon their left arms, made (as were also the girdles abovementioned) of the twisted hair of kangaroos and which was a sort of distinction for brave warriors'* (Cited in Gillespie 1984:47).

Lhotsky later observed the preparation of opossum skins for cloaks and nets by women sitting in gunyahs, however it was noted that the wearing of cloaks was not for all members of the tribe, being reserved for the more privileged of the group.

### 3.3.4 Habitations

Most reports of the shelters created by Aboriginal people in the area suggest that they were simple structures. Bluett describes their 'gunyahs' as 'flimsy seasonal affairs' (cited in Gillespie 1984:47) constructed from green bushes with leaves sloping downwards against a low branch of a tree or against a pole set between two forks. He also noted furred skins for bedding, along with a few bark dishes vessels for holding water and food.

By comparison, Wright recorded that shelter types and complexity of construction varied with location, ranging between simply bough shelters sufficient to shield the rain to very good bark huts (cited in Gillespie 1984:47).

The Aboriginal people also made use of natural rock shelters wherever possible, with numerous rockshelters retaining rock art and Aboriginal places and objects throughout the broader region.

### 3.3.5 Customs

Very few first-hand recordings exist of traditional Aboriginal customs. One exception is provided by German Naturalist Dr John Lotsky, who visited the area in 1834, who recorded the following information about a corroboree, which he overheard:

*‘Their strain was in 2-4 time, which they marked by beating crotchets and in moments of greater excitement, quavers.....The tones weakened by degrees, the tones died away and grand silence and ethereal clearness filled the plain and all the wilderness about my camp’ (Cited in Gillespie 1984:30).*

## 4.0 Historic Context

### 4.1 Brief Regional History

The first documented European visitor to the Canberra region was Charles Throsby, who arrived in search of the Murrumbidgee River in 1820. Throsby travelled through the northern section of Canberra, exploring from Lake George to the Murrumbidgee River, which he followed to the Queanbeyan River and further into the eastern part of the limestone plains (Cross 1985:3-8).

Following Throsby, officer of the Supreme Court Joshua Moore, also travelled to the area; liking the agricultural prospects of the region, he became the first squatter/settler by 1824. Moore soon established several employees along the Molonglo River with the aim of farming sheep and establishing crops (ERM 2012). Moore's status as squatter had shifted to landowner by 1827 with the purchase of 1000 acres of land, upon which he established the Acton sheep station on the Molonglo River.

By 1824, Robert Campbell had also arrived in the district, occupying Canberra's Duntroon region. Campbell, a Sydney Merchant, lost his ship 'the Sydney' whilst conducting government services, and was compensated for the loss with the land grant known as 'Pialligo'. He advertised in both Sydney and Britain for tenant farmers to work his estate. Each Tenant Farmer was given a house and an area of land to farm, with a portion of each crop going to Campbell. At its most profitable, Duntroon (a sheep grazing estate) included some 32,000 acres of land, with 27 cottages including 'The Oaks Estate', Blundell's Cottage, several stables, an apple shed, an apiary, a dairy and a woolshed.

In 1826, Palmer acquired four portions of land within the Parish of Canberra. Portions 20, 21 and 22 each comprised 640 acres, with Portion 23 comprising 720 acres. Parts of portions 20 and 22 lie within District of Gungahlin (Gillespie 1985).

Around the same period, Morrissett purchased two portions of land within the Parish of Canberra. These being portion 19 of 728 acres and portion 24 of 640 acres. The majority of both portions lie within the district of Gungahlin (Gillespie 1985).

Probably the earliest free selector to settle in the Gungahlin District was John Gillespie, who acquired portion 28, this being 30 acres at 'Dead Horse Gully'. In 1853, Gillespie built his permanent home, 'Horse Park', on this portion. 'Horse Park' is believed to be one of, if not the earliest homestead to be built in the Gungahlin District (Gillespie 1985).

The passing of Robertson Land Acts in 1861 led to an increase in demand for small areas of land within the Gungahlin District. The predominance of small land holdings tended to be in the poorer parts of country within the district. This is due to the fact that the original

grantees (Robert Campbell, George Thomas Palmer senior and James Thomas Morrissett) had already selected the better portions of land.

By the 1890s, most of the land in the Gungahlin District had been taken up by European settlers. The few areas remaining were mostly rough timbered country.

Settlement of the southern ACT Catchment also began in the 1820s, with homesteads established in close proximity to the natural water courses such as the Murrumbidgee and Cotter Rivers and Tuggeranong Creek. By 1835, all the best land on the Limestone Plains was being rapidly occupied. The Tuggeranong and Lanyon Homesteads were established in 1836 and 1859 respectively and represent two of the earliest properties in the region.

#### **4.2 History of Hall**

The first landowner in the broader Ginninderra area was George Palmer Snr who occupied land on 'Ginninderry Creek' in 1826. Three years later Palmer formally applied for permission to bid for 10,000 acres at 'Ginginninderra', obtaining grants in three neighbouring parishes in 1831 (Weetangera Portions 4, 8, 9, 10 & 94; Walleroo Portions 4 & 34 and Canberra Portions 20, 21, 22 and 23). The settlement of Palmerville, run by overseer Duncan McFarlane, a couple of emancipists and several convicts/servants, developed on Portion 20, Parish of Canberra. Subsequent grants were issued to Richard Popham (640 acres), John Langdon (1280 acres, soon bought by Palmer) and Charles Sturt (5000 acres – soon sold to Charles Campbell).

Palmerville later became known as Ginninderra, doubling over time with consecutive ownership by William Davis Jnr and Edward Crace and encompassing additional land at Gungahleen and the purchase of Henry Hall's 'Charnwood'. By 1913 Crace ran 19,424 sheep and had 1500 acres under cultivation. Palmer's village at Ginninderra was the major settlement in the Canberra District prior to the proclamation of Hall Village.

The township of Hall was officially surveyed in 1881, and shows the southern boundaries of Halls Creek near hall as rural portions of between 40 and 79 acres, with the northern side of the creek designated as either 'Reserve for access to water' (the current study area) or 'Reserve for Recreation' (land to the east of Victoria Street). An east to west track through the reserves lead to the Charnwood (marked on the 1881 plan). The township was proclaimed in 1882, some 18 years after the Hotel the Cricketers Arms (also known as One Tree Hill Hotel) received licensing. Wattle Park Church and Ginninderra police station also opened in 1882. The first Hall land sales occurred in 1886, with the post office and first general store opened in 1888 and 1889 respectively. The first village well was dug in 1902, the first telephone exchange opened in 1911 with two subscribers. Following the closure of the Ginninderra School in 1910, the Hall School was opened in 1911. A new Premier Store opened in 1912. In 1924 the Advance Hall and District Association was formed and two

small district shows were held at Hall in 1925 and 1926. In 1925 the Federal Government granted an extension to the Showground area. In 1927, the first Inaugural Canberra Show was held at Hall Showgrounds and remained at this venue until 1963. Electricity was supplied to the town in 1948 and town water connected in 1967.

The township is named after Henry Hall, who was granted 3472 acres of land in the Parish of Ginninderra which he named 'Charnwood' after the forest of Charnwood in Liecestershire, England. Henry and his wife Mary ran 'Charnwood' for 40 years, arriving c1833 and selling the land to Crace c1873. The Halls were well involved in the community, with Henry filling the role of the first church warden at St John the Baptist Anglican Church from 1854-1855 and again between 1857-1861. Hall was also actively involved with the opening and running of the new schools in the district including Ginninderra School and the board of the Glebe School at St Pauls. But despite being known for their hospitality and for wife Mary's gentle, refined and gracious nature, Henry himself was known to be a hard master with convict records showing him dishing out lashings to convicts for trivial infractions. Hall was also known to be violent towards the local Aborigines with Shumack reporting he 'treated them particularly vilely' (Shumack 1965:150). Hall reportedly shot Onyong, a respected Aboriginal warrior and leader, when he caught him spearing a bullock. The wound reportedly stayed with Onyong for the rest of his life (Schumack 1965).

#### **4.3 The Study Area**

Leon Smith's *Memories of Hall* (1975:43) describes some use of the current study area; 'A small area of land situated mainly between the store and the Hotel was always referred to as the reserve. It was used as a camping ground by travellers. Sometimes a 'travelling circus' or entertainment show would erect a tent on the ground....any such entertainment at Hall in the early 1900s was very rare....There were no camping facilities or conveniences'.

The Hall Village Well (no 15 marked in Figure 7), located on the western boundary of the current study area supports the earlier suggestion that the study area was used 'Reserved for access to water' in the earliest days of the town's settlement.

#### **4.4 Previous Historical Studies of Hall Village**

Several historical surveys have been undertaken within the current suburb of Hall and its surrounds, usually in conjunction with Aboriginal archaeological surveys (see Section 5.1).

In 1998, NOHC undertook an investigation of a 550ha area extending eastward from the NSW-ACT border between One Tree Hill and the Barton Highway, including the proposed Gungahlin suburb of Kingleyside. The study area included the majority of the One Tree Hill range.

The study resulted in the discovery of 12 historic sites displayed in Table 1 below. None of these sites occurs within 400m of the current study area.

**Table 1. European Sites identified by NOHC 1998:34**

ID	Site Type/Name	Description
HH1	Site of selector's hut (Henry Rolfe c.1870)	Pile of hearth/ chimney stones, may be associated with archaeological deposit
HH2	Agricultural machinery (mid C20 <sup>th</sup> ?)	15 row tractor drill seeder previously recorded as HSK2
HH3a	'Sunny Corner' (late C19 <sup>th</sup> or turn of century)	Includes original wood frame and corrugated iron clad house with later alterations, c.1950's addition of SMA house, and reconstructed garage around original separate kitchen?
HH3b	Site of Sunny Corner woolshed	Demolished 1970's?
HH4	Cottage (mid C20 <sup>th</sup> )	Wooden frame and fibro clad cottage
HH5	Original ACT boundary markers (1910-13)	Four markers consisting of stone alignments with 3 including marked wooden posts (all north of One Tree Hill fire tower)
HH6	Agricultural machinery (mid C20 <sup>th</sup> ?)	Tractor tandem disc harrows (4 x 8 discs)
HH7	Borrow Pits	Multiple shallow clayey gravel pits
HH8	Bolton's Woolshed (early to mid 1940s)	Wooden frame and corrugated iron clad structure with later additions, incorporating timbers from original Gold Creek homestead, concrete dip constructed 1954
HH9	Site of house (William Rolfe c.1879)	Remnant hearth bricks and ground relief features, may be associated with archaeological deposit
HH10	Remnant stock yards (c1920's)	Post and rail and wire construction, poor condition
HH11	Site of Hall Creamery (1895-1897)	Includes piles of rubble, earth mounds and depressions, and well with dry stone walling, may be associated with archaeological deposit
HH12	Site of former 'well' used as supplementary town water supply	No surviving evidence (location reported in local historical sources). This feature may have been a waterhole rather than a formalised well.

In the same year, NOHC were engaged to undertake heritage investigations ahead of remedial works at the Hall Showground. The study resulted in the identification of several historic sites and features, including the memorial tree grove and fence, the sheep pavilion and old growth eucalyptus trees and other old pine and deciduous trees (NOHC 1998b). None occurs within the current study area.

#### 4.5 Search of the Heritage Register

As part of the background research for the investigation, a heritage register search was undertaken on the 4<sup>th</sup> April 2019. The study area falls within the heritage registered area of the Hall Village Heritage Precinct (Citation 20087). The citation is available through the ACT Heritage Register, with pertinent features of intrinsic significance summarized as follows:

- The 'rural village' urban landscape character of the Hall Village
- The informal streetscape character consistent with a rural village
- The landscape setting of Hall Village

- Individually identified built heritage places of collective historic and social value including: War Memorial Grove, Hall Showground and Sportsground, Winarlia, Premier Store, Hall Antiques and Garage, Morris' Bootmakers Shop, St Michael & All Angels Anglican Church, Hall Primary School, Hall education Museum, 'Avoca', 'Cooee', St Francis Xavier Catholic Church, Halls Creek Road Bridge, Village Well, Hall Village Reserve, Cricketers Arms Hotel and Hall Cemetery.

The closest of these sites to the current proposal is the Hall Village Well which occurs over 70m from the proposed study area.

#### **4.6 Predictive Historical Archaeology Statement**

Given the European history of the study area it is possible that unrecorded historic sites and features of heritage significance may occur within the study area. These may include:

- Indications of historic field systems, drainage channels and/or furrow plough lands;
- Agricultural and transport infrastructure, plantings and evidence of land or animal husbandry;
- Remains of former temporary dwellings, outbuildings, timber-getterers huts etc
- occupational domestic and industrial tools and refuse deposits;
- fence posts and boundary delineators.

## 5.0 The Archaeological Context

### 5.1 Previous Archaeological Investigations Within the Northern Canberra/Gungahlin

The Gungahlin area has been the focus of a large number of previous archaeological investigations. The majority of these investigations have been cultural heritage assessments in connection with proposed urban development. These investigations have resulted in the identification of over 300 Aboriginal sites in the Gungahlin area. The vast majority of these sites are classified as open artefact scatters and isolated finds. However, other site types such as scarred trees, stone procurement sites and an ochre quarry have also been recorded.

One of the first archaeological surveys undertaken of the northern Canberra region occurred in 1975-76 and was completed by the Canberra Archaeological Society. The survey located 'seven sites' and a larger number of 'less significant finds' (Bindon and Pike 1979). From the 1980s, archaeological survey and assessment became more systematic in the ACT, with the majority of work being conducted in the context of development impact assessment (NOHC 2013:13).

As large tracts of land became available for urban development within Gungahlin, several large scale archaeological surveys were completed to define the archaeological resource of the release areas (Kuskie 1992a, 1992b; Officer and Navin 1992; Wood and Paton 1993). Numerous other surveys were conducted for smaller areas of Gungahlin ahead of specific developments such as roads, golf courses, storage facilities or pipelines.

As part of his Honours thesis, Huys (1993) collated the available site data for Gungahlin. Although this information is somewhat out of date now, with many archaeological investigations having been subsequently undertaken within Gungahlin, it still remains one of the most comprehensive summaries of Aboriginal site information available for Gungahlin.

At the time that the review was undertaken a total of 149 Aboriginal sites and 125 isolated artefacts had been recorded within the Gungahlin area. The recorded sites comprised:

- 126 open artefact scatters ;
- 5 stone procurement sites ;
- 1 ochre quarry and associated artefact scatter ;
- 2 sets of axe grinding grooves ;
- 15 possible scarred trees.

The required information about site location was available for 117 open artefact scatters and 98 isolated finds. The table below provides a summary of this information.

**Table 2. Site Details and Locations**

No. of artefacts in site	Sites < 50m of water, on elevated ground	Sites < 50m of water, on flat	Sites 50 to 100m from water, on elevated ground	Sites 50 to 100m from water, on flat	Sites > 100m from water, on elevated ground	Sites > 100m from water, on flat
<b>1 to 9</b>	28	35	22	4	93	3
<b>10 to 49</b>	4	3	7	0	3	1
<b>50 to 99</b>	1	1	2	0	1	0
<b>100 +</b>	0	1	7	0	0	0

The information in the table does not tell us a great deal, other than the fact that the majority of sites are located upon elevated ground. However, when we examine these figures in relation to site size, an interesting pattern emerges.

With smaller sites (those containing less than 10 artefacts) there appears to be no clear relationship between site location and distance to water. Rather, these sites appear to be randomly scattered across the landscape. However, when we look at medium sized sites (10-49 artefacts) a clear pattern emerges with the majority of sites (77%) being located in close proximity to water. With large sites (those containing over 50 artefacts) this pattern is accentuated, the vast majority (over 90%) being located close to water.

It therefore would appear that a clear correlation exists between site size and distance to water, where, as site size increases so to does the percentage of sites located within 100m of water. The same correlation is not apparent with regard to elevation. Rather, it would appear that the majority of sites, regardless of size, are located on elevated ground.

In summary, Huys (1993) found that with isolated artefacts and small artefact scatters, there was no clear pattern of site location in relation to landscape features, except that sites tended to be located on elevated ground. However, with small to medium sized artefact scatters, a very clear pattern of site location was apparent, with the vast majority of sites being located on elevated landscape features, within 100m of a water course. The larger artefact scatters tended to be focused along major creek lines or the raised margins of wetlands (Huys 1993).

In terms of stone artefacts, Huys (1993) reports that at the time of collating the available archaeological information, 2893 stone artefacts had been recorded within the Gungahlin area. Represented in this collection are twelve different material types. The table below provides details of these material types, and the number of artefacts recorded for each type.

**Table 3. Stone Material Types Identified in Gungahlin**

Material Type	No. of artefacts	% of total
<b>Quartz</b>	1436	49.6%
<b>Chert</b>	941	32.5%
<b>Silcrete</b>	162	5.6%
<b>Volcanic</b>	117	3.8%
<b>Quartzite</b>	109	3.5%
<b>River pebble</b>	50	1.8%
<b>Metamorphic</b>	33	1.1%
<b>Rhyolite</b>	21	0.7%
<b>Jasper</b>	9	0.3%
<b>Chalcedony</b>	6	0.2%
<b>Sandstone</b>	4	0.14%
<b>Basalt</b>	3	0.11%
<b>Glass</b>	2	0.07%
<b>TOTAL</b>	2893	100%

From this table it is clear that the dominant stone material type represented in the artefact assemblage of the Gungahlin area is quartz, followed by chert (tuff). This is significant in terms of the present investigations, given the presence of quartz outcrops in the study area.

There have been a number of archaeological investigations undertaken in Gungahlin since study undertaken by Huys (1993). Several of these investigations have been focused within the Mulligans Flat Nature Reserve which is situated around 2km to the north-east of the present study area. The following provides a summary overview of these investigations.

Wood and Paton (1993) carried out a cultural resource assessment of a 1400ha parcel of land known as Area C5, which incorporated the northern portion of Gungahlin, including the Mulligans Flat Nature Reserve. In the course of their investigations Wood and Paton (1993) identified a total of seventeen (17) Aboriginal sites and thirty three (33) historic features within the area C5. With regard to the Aboriginal sites, eight are classified as isolated artefacts, seven sites are classified as open artefact scatters and two sites are potential scarred trees. Of the seven artefact scatters, three sites comprise two stone artefacts, with the remaining four sites each comprising in excess of twenty stone artefacts. Wood and Paton (1993) noted a strong correlation between site location and water courses, with six of the seven artefact scatters being located within 100m of a water course. Eight of the historic features identified by Wood and Paton (1993), and seven of the Aboriginal sites are located within the bounds of the Mulligans Flat Nature Reserve.

Saunders (1994) was contracted by Canberra Nature Park to undertake an archaeological survey of selected areas within the then newly gazetted Mulligans Flat Nature Reserve. In the course of the investigations, Saunders (1994) identified a total of three open artefact scatters and three isolated artefacts, with a total artefact assemblage for all sites of 21 artefacts.

Williams and Barber (1995) was contracted by Canberra Nature Park to undertake a preliminary cultural resource survey of an area known as Stage 2 within the Mulligans Flat Nature Reserve. The Stage 2 area was located within the southern section of the Nature Reserve, and incorporated an area of approximately 208ha. In the course of investigations within this area, Williams and Barber (1995) identified a total of twenty one (21) Aboriginal sites and fourteen (14) European Heritage Sites.

With regard to the Aboriginal sites, fourteen are classified as open artefact scatters and eight are isolated artefacts. Of the fourteen artefact scatters, twelve of the sites comprise less than 20 artefacts. The majority of sites were located on elevated landscape features (eg spur and ridge crests), with the majority of sites (13) being located within 200m of a water course. The total artefact assemblage for all sites was 150 artefacts. Flakes and flake pieces were the most common artefact types represented in the assemblage, with cores and a broken ground edged axe also identified. Six different stone material types were represented in the assemblage, with chert being by far the dominant material type. With respect to the fourteen identified European heritage sites, the majority (9 sites) are described as being small and unobtrusive. The exceptions are sites WB/H3, WB/H10, WB/H11 (ploughlands), WB/H8 (Dray) and WB/H13 (Hut site).

Williams and Barber (1999) was contracted by ACT Parks and Conservation Service to undertake a preliminary cultural resource survey of areas B and C within the Mulligans Flat Nature Reserve. Areas B and C were located within the northern section of the Nature Reserve, and incorporated an area of approximately 575ha. In the course of investigations within this area, Williams and Barber (1995) identified a total of forty three (43) Aboriginal sites and 15 historic sites.

Of the 43 Aboriginal sites, 31 are classified as open artefact scatters, 11 are classified as isolated finds and one site (WB/A64) is classified as an Aboriginal stone quarry. The vast majority of artefact scatters were small in size, with only two sites (WB/A28 and WB/A47) comprising more than 50 artefacts. Barber and Williams (1999) report that 69% of the Aboriginal sites located were associated with ridge or spur lines, with the larger artefact scatters tending to be located on more gently elevated landscape features.

The total artefact assemblage for all sites identified in Areas B and C was 542 artefacts. Williams and Barber (1999) identified a total of fourteen stone material types within this assemblage, with quartz and metamorphosed tuff being the two dominant material types. Flakes and flaked pieces were again the dominant artefact typologies represented in the assemblage.

AASC (2006) was contracted by Environment and Recreation, Territory and Municipal Services (the Managers of Canberra Nature Park, including the Mulligans Flat Nature

Reserve) to carry out a cultural heritage assessment for the proposed alignment of an 11km long feral proof fence which was to run around the perimeter of the Reserve. In the course of the field investigations, a total of seven (7) Aboriginal heritage sites and one (1) historic site were identified. Of the seven Aboriginal sites identified, three of these sites had been previously recorded. These were sites WB/A2 (1976), WB/A30 (2156), C5/8 (1453). The remaining four sites (MF1, MF2, MF3, MF4) were all newly recorded sites. MF1 and MF2 were both isolated artefacts, while MF3 and MF4 were small artefact scatters comprising less than five artefacts. The one historic site that was identified during the field survey had also been previously recorded, this being site WB/H20 (The Old Coach Road).

## **5.2 Previous Archaeological Investigations Relevant to the Study Area**

Large numbers of Aboriginal sites within the Hall region have been previously recorded through archaeological investigations completed as part of the urban expansion of Canberra; west Gungahlin, west Belconnen and around Hall Village. Reports of sites identified as occurring in stratigraphic contexts consistently place sites in shallow A horizons of local sediments/soils, exposed in creek and gully sections, eroded in by gully and wash processes or in areas disturbed by land use. Instances of artefacts definitively occurring at depth in B horizon or parent material soils are unrecorded (Huonbrook 2019:13).

One of the earliest surveys of Hall was completed in 1975 by the Canberra Archaeological Society (Bindon and Pike 1979, revised 1989); followed by the Gunghalin EIS completed by Anutech in 1984. Both were preliminary investigations and few sites were identified.

In 1995, Huys and Johnston undertook a survey of Kinleyside, a proposed suburb to the east of Hall Village. The study resulted in the identification of six open scatters and four isolated finds, with a total of 31 artefacts recorded between them (Huys and Johnston 1995).

In 1998, Navin Officer (NOHC 1998a) were engaged to survey a proposed Hall Rural Estate, located to the north and east of Hall Village and including the proposed suburb of Kinleyside. The study identified a total of 20 open scatters and 17 isolated finds.

In the same year, Navin Officer (1998b) were engaged to undertake investigations ahead of remedial works at the Hall Showground. The inspection resulted in the identification of two Aboriginal sites, comprising low density artefact scatters. NOHC concluded that 'The location of these two sites indicates that it is very likely a discontinuous and low density scatter of stone artefacts is present along both banks of Halls Creek in this area.

In 1998, Officer and Navin proposed a regionally specific predictive model for Aboriginal sites within their survey area for the proposed Hall Rural Estate. The model was a refinement of previous models proposed by Hughes et al. (ANU Archaeological Consultancies 1984) and included the following key elements:

- Open artefact scatters are most likely to occur on level ground in locally well-drained contexts, such as spur crests, terraces or elevated creek banks in valley floors, low gradient crests and stream-line banks in mid valley slope settings and level crests, shoulders and saddles on major ridgeline spurs;
- Larger sites commonly occur adjacent to or in close proximity of creek flats or valley bottoms, commonly on low gradient footslopes of hills adjacent to streams or wetlands;
- Largest sites occur within 100-150m of major and relatively permanent drainage lines;
- Open scatters away from footslopes or major tributaries tend to be small and sparse with a preference for major confluences and valley constrictions indicated.

In 2019, an investigation was completed by Navin Officer (NOHC 2019) for an earlier version of the current proposed playground. The previous proposal was for a 1km bike track suitable for enjoyment by all ages. The proposal was to include the construction of a low-level crossing over Halls Creek, installation of a steel platform and clearing of the surface of the soil to 50mm and using a mini excavator and some hand excavation. The proposed area of impact for this track included grounds immediately adjacent to the current study area, including a large portion of land to the south of Halls Creek. A field survey undertaken by NOHC in 2017 failed to identify any Aboriginal sites within the study area, however a member of the public subsequently located several Aboriginal artefacts in the vicinity (Site 4, Site 5 and Site 6). These sites consisted of three isolated finds.

The most recent investigations undertaken in Hall and in particular within the current study area, was the Halls Creek Geoarchaeological Assessment Report produced by Huonbrook 2019. The primary objective of the study was to identify archaeologically sensitive areas, by characterizing landscape units and landforms with the greatest potential to contain subsurface archaeological materials in their original locations. The study therefore sought to establish the geomorphological history of the area, with a specific bent towards depositional landforms likely to contain archaeological materials in stratigraphic sequences that reflected their deposition over time (Huonbrook 2019:5).

Huonbrook gathered existing data from the immediate region to determine a pattern of site occurrences within relevant landscapes within the HCSZ, including mapped site locational data and written descriptions from sites identified along or adjacent to Halls Creek, Ginninderra Creek and Gooromon Ponds. These findings were then mapped relative to the locations of Williamsdale and Ginninderra Creek SLU's according to Jenkins (2000). Only sites located within 200m of a creekline were included in the analysis. A total of 17 sites occurred on elevated surfaces within the Williamsdale SLU, with another 13 sites recorded in unspecified landform locations. A total of 9 sites were identified on Pleistocene terraces within the Ginninderra Creek SLU, with another 26 sites included from unspecified landform

locations. Approximately 40% of sites were definitively located on elevated well drained land surfaces above Holocene flood levels, with another 13 determined by Huonbrook to also have been likely to have occurred on well-drained surfaces above flood levels.

Huonbrook subsequently undertook a systematic field survey, examining the entire length of the HCASZ within 200m of both banks of Halls Creek and identifying relevant landform units. Sedimentary soil profiles were inspected wherever possible, with 13 exposed creek bank sections recorded and another 6 locations were excavated set back from the creek banks.

The study determined that at the time of European settlement, the archaeological record of the area would have been largely intact, with late Pleistocene surfaces remaining relatively undisturbed throughout the Holocene. However, with the introduction of European landuse practices and the resulting impact on the land surface, especially close to the existing village, varying degrees of archaeological disturbance have occurred. Areas with the greatest integrity were identified as those located on the southern side of Halls Creek and particularly to the east and west of the village itself, where relatively intact deposits were identified.

By comparison, it was determined to be much less likely that stone artefact assemblages would survive in the Holocene sediments within paleochannels, stating 'any artefacts found in the post (European) settlement alluvium (PSA) in the creek channel will be completely out of their original context' (Huonbrook 2018:22).

However, while subsurface contexts appear to be less fruitful archaeologically, Huonbrook comment that the 'combination of eucalypts mature enough to have cut bark slabs from, at least one visually impressive scarred tree, artefact scatters and artefact-bearing sediments has created a cultural landscape that is rarely conserved in urban areas, making the Halls Creek Aboriginal Sites Zone an important landscape area..... Once a major focus for Aboriginal occupation' (Huonbrook 2019:22).

The study identified Aboriginal sites eroding out of A horizons of podzolic soils or occasionally on the eroded face of the creek bank having fallen from uncertain provenances above (2018:19). Mapped incidents of artefacts and sites show an even distribution along the creek line but predominate on the southern side.

The study resulted in the establishment of 3 broad predictions of site patterning based on the understanding of the geomorphological development of the study area. These predictions are summarized below:

### Prediction 1 – late Pleistocene surfaces and sediments

- Artefacts will most commonly occur in A horizon podzolic soils formed on late Pleistocene sediments, especially close to the creek bank;
- Assemblages are likely to be sparse and evenly distributed along the valley floor
- Most artefacts within these A horizons will, to varying degrees, no longer be 'in situ';
- It is unlikely that late Pleistocene assemblages can be differentiated from Holocene assemblages within these A horizons;
- The possibility exists for Pleistocene age artefacts in B horizon podzolic soils, but will be difficult to differentiate from younger artefacts that have moved through the profile by pedogenesis.

### Prediction 2 – Holocene surface and sediments

- Contemporary stone artefacts are more likely to have been discarded on elevated Pleistocene surfaces than on Holocene alluvial surfaces due to the episodes of erosion and reburial.

### Prediction 3 – Post European Sediments in the present creek channel

- Out of context finds may be expected along creek banks eroded from A horizon podzolic soils within minor inset PSA terraces or active creek bed sediments.

Most importantly, Huonbrook observed that 'there was no distinct focus in the HCASZ for Aboriginal occupation and use of this landscape. Instead people foraging along the creek could have stopped at any point on the higher late Pleistocene surfaces along the creek, which are the landscape units that comprise most of the HCASZ. The archaeological record left by this pattern of site occupation is one of numerous single artefacts or dispersed, sparse clusters of stone artefacts' (Huonbrook 2019:21).

Within the current study area, three sections/profiles were recorded:

- S7 - Late Pleistocene alluvium with podzolic soil profile -
- P8 – Late Pleistocene colluvium with podzolic soil profile on footslope on Williamsdale SLU.
- P9 – Late Pleistocene alluvium with podzolic soil profile

The locations of these profiles within the current study area are illustrated in Figure 8.

## 5.3 Results of the Search of the ACT Heritage Register

As part of the current assessment, a search was undertaken of the ACT Heritage Register to ascertain whether any previously recorded Aboriginal or historic sites existed within the current study area (5<sup>th</sup> April 2019). The search identified a total of 27 sites within the broader Hall area, comprising 16 open artefact scatters, 10 isolated finds and a scarred tree (Scarred Tree #1). The closest sites to the current study area are Sites 4, 5 and 6, originally

recorded as isolated finds (NOHC 2019) and Sites 19, 20 and 21 recorded by Huonbrook in 2019.

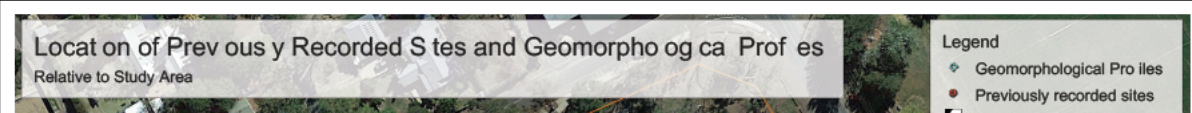
The locations of each of these sites relative to the current study area are mapped in Figure 7 and show the nearest site occurs in excess of 60m from the proposed trail and all are separated from the current study area by Halls Creek, with each occurring on the opposite bank. Summary details for each of these sites is provided in Table 4.

The study area also falls within an area listed as an Aboriginal sites zone as part of the Hall Precinct Listing on the ACT Heritage Register and has been assessed as having moderate potential for Aboriginal sites to occur within the identified zone and moderate potential for those sites to be insitu below the disturbed and bioturbated 5-10cm zone. This area of moderate potential for Aboriginal sites extends 100-150m either side of the creek line.

Importantly, however, Huonbrook's study indicated that the majority of the sites occurring within the creek line are the product of post settlement alluvium and no longer in context, with the majority of the Ginninderra Creek SLU likely to have been damp wetlands and ponds during the Holocene. Huonbrooks study suggests that the landforms slightly further away from the creekline on the Williamsdale SLU and on Pleistocene landforms therefore possess greater potential for in situ sites.



**Figure 7. ACT Heritage Register Extract as provided by ACT Heritage 5<sup>th</sup> April 2019**



**Figure 8. Previously Recorded Sites and Geomorphological Profiles located near the Study Area ACT Heritage 5<sup>th</sup> April 2019**

**Table 4. Summary details for Sites located within 50m of Hall Discovery Trail**

Site Name	Recorder	Description	Heritage Status and Distance from Study Area
Site 4	Navin Officer 2018	Weathered white chert backed blade	Remains in place
	Huonbrook 2019	Scatter of three artefacts including a silcrete backed blade, and two silcrete flakes	
Site 5	Navin Officer 2018	Partly embedded chert flake with bulb protruding from eroding profile at depth of 20cm.	Remains in place
	Huonbrook 2019	Subsequently an additional 3 artefacts located within the profile manufactured on quartz. Site is assessed as likely to contain further buried artefacts.	
Site 6	Navin Officer 2018	A small quartz laminar chip	Remains in place
	Huonbrook 2019	There is a spatial clustering of Sites 5, 6, 19, 20 and 21 that may require aggregation as future finds emerge from the A horizon (pg 9)	

Site Name	Recorder	Description	Heritage Status and Distance from Study Area
Site 19	Huonbrook 2019	A light grey silcrete flake [REDACTED] [REDACTED]	Remains in place [REDACTED]
Site 20	Huonbrook 2019	Site comprises two small flakes [REDACTED] [REDACTED] both manufactured on quartz.	Remains in place [REDACTED]
Site 21	Huonbrook 2019	A triangular quartz flaked piece located [REDACTED] [REDACTED]	Remains in place [REDACTED]

- Natural and Aboriginal Heritage values of the environs around Hall Village listed as follows:
  - 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

Conservation objectives 2.2 (d) and (e) of the Hall Village Heritage Precinct refers to the management of 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.

## 6.0 Predictive Model

### 6.1 Introduction to Predictive Modelling

Predictive modeling, in an archaeological context, is a straightforward concept that has been utilised by archaeologists in Australia for several years as a tool for undertaking research into Aboriginal heritage sites. In summary, predictive modeling involves the collation of information generated from previous archaeological research in each region to establish patterns of Aboriginal site distribution within a given landscape. Based on perceived patterns of site distribution, archaeologists can make predictive statements regarding the potential for various Aboriginal site types to occur within certain landscape settings. This allows preliminary assessments of potential archaeological sensitivity of landscape types to be developed.

### 6.2 Predictive Models: Strengths and Weaknesses

It should be acknowledged that most, if not all, predictive models have several inherent weaknesses, which may limit their value. These include the following:

- The accuracy of a predictive model is directly influenced by the quality and quantity of the available site data and information for a given region. The more data available and the greater the quality of that data, the more likely it is that an accurate predictive model can be developed.
- Predictive-modeling works very well for certain types, most particularly isolated artefacts and artefact scatters, and to a lesser extent scarred trees. For other site types, it is far more difficult to accurately establish distribution patterns and therefore make predictive statements. Unfortunately, these site types are generally the rarer site types (in terms of frequency of occurrence) and are therefore generally the more significant sites.
- Predictive modeling (unless it is very sophisticated and detailed) will generally not consider micro-landscape features within a given area. These micro features may include (but is certainly not limited to) slight elevations in the landscape (such as small terraces) or small soaks or drainage depressions that may have held water. These micro features have been previously demonstrated to occasionally be focal points for Aboriginal activity.
- Predictive modeling to a large extent is often predicated on the presence of watercourses. However, in some instances the alignment of these watercourses has changed considerably over time. Consequently, the present alignment of a watercourse may be substantially different to its alignment in the past. The consequence of this for predictive modeling (if the alignment of these ancient water courses is not considered) is that predicted patterns of site distributions may be greatly skewed.

### 6.3 Predictive Model of Aboriginal Site Type Distribution for the Study Area

Previous investigations within the area, and specifically the recent study by Huonbrook (2019) exploring the geoarchaeological potential of the study area has demonstrated the following patterns in site type and locations within the broader study area:

- Open artefact scatters are most likely to occur on level ground in locally well-drained contexts, such as spur crests, terraces or elevated creek banks in valley floors, low gradient crests and stream-line banks in mid valley slope settings and level crests, shoulders and saddles on major ridgeline spurs;
- Larger sites commonly occur adjacent to or in close proximity of creek flats or valley bottoms, commonly on low gradient footslopes of hills adjacent to streams or wetlands;
- Largest sites occur within 100-150m of major and relatively permanent drainage lines;
- Open scatters away from footslopes or major tributaries tend to be small and sparse with a preference for major confluences and valley constrictions indicated;
- Assemblages are likely to be sparse and evenly distributed along the valley floor;
- Excluding movement of sites by geomorphological processes (ie prior to European Settlement) occupation would have been more appealing above the wet valley floor (Ginninderra Creek SLU) but with sufficient proximity to enjoy the water such as is provided by the Williamsdale SLU.

The geoarchaeological investigations (Huonbrook 2019) demonstrated:

- Pleistocene surfaces will retain artefacts in A horizon podzolic soils, but will no longer be 'in situ';
- Pleistocene assemblages are unlikely to be able to be differentiated from Holocene assemblages within A horizon soils;
- Contemporary stone artefacts are more likely to have been discarded on elevated Pleistocene surfaces than on Holocene alluvial surfaces due to the episodes of erosion and reburial.
- Out of context finds may be expected along creek banks eroded from A horizon podzolic soils within minor inset PSA terraces or active creek bed sediments.

Within the current study area, it is therefore most likely that sites with the greatest archaeological integrity will occur along the northern edge of the study area, adjacent to Gladstone Street where the Williamsdale SLU rises above the Ginninderra Creek SLU. Sites are also likely to occur at random intervals along sections of the creek, however these will be the product of post European settlement as PSA terraces.

Geoarchaeological pits were excavated by Huonbrook at P8 and P9 and shown to reveal Late Pleistocene colluvium with podzolic soil profiles at the interface of the Williamsdale and Ginninderra Creek SLUs, suggesting in context but not *in situ* materials may be present

within the area. However, existing disturbance specifically within the study area, such as the creation of the current recreational space, landscaping and early pastoralism in the area indicates archaeological context has been largely compromised in the study area.

Artefact densities are expected to be generally low in within the HCZA study area with occupation represented by single artefacts or dispersed, sparse clusters of stone artefacts (Huonbrook 2019). Sites such as rock shelters, grinding grooves are unlikely within the study area given existing geology of the site. The potential exists for scarred trees to occur on trees dating to 150 years or older remaining in the study area. A previous scarred tree has been identified in the area.

## 7.0 Field Survey Results

### 7.1 Survey Methodology

The survey methodology involved pedestrian field survey of the study area and recording of any identified Aboriginal cultural heritage sites. The field survey was undertaken over 2 hours on 17<sup>th</sup> May 2019, on foot. The survey involved walking the proposed alignment for the discovery track and discussing concepts for play areas with the RAOs. The area had also been previously surveyed by Huonbrook in 2019. The proposed track will measure less than 2m in width, allowing for an excellent level of survey coverage by the field team.

Records were kept of the general context and ground surface visibility of the survey area to provide an assessment of effective survey coverage.

### 7.2 Survey Limitations and Effectiveness

All archaeological research is subject to certain limitations. In the context of the current field survey assessment the achievement of effective survey coverage is the most pressing limitation to consider.

The combination of survey coverage and surface visibility is referred to as effective survey coverage. This allows the level of effective survey coverage to be assessed.

Survey coverage refers to the estimated proportion of the study area that has been visually inspected as part of the field survey. Given the limited localized area subject to development impacts, 100% survey coverage was able to be achieved by the field team.

Ground surface visibility (GSV) refers to the extent to which the actual soils of a ground surface are available for inspection. GSV has a direct bearing on the ability of a survey team to detect some types of sites including artefact scatters and isolated artefacts. There are many factors that can affect GSV; the main factors affecting the current study area comprised density of grass cover (see Plates 1 and 2 for examples). The main sources of visibility within the study area comprised areas of scuffing and erosion associated with public use of the space. Surface visibility was generally extremely low, with the majority of the area covered in dense grass or obscured by the existing playground.

### 7.3 Survey Results

The extremely low archaeological visibility present at the site meant that no Aboriginal sites or items of cultural concern were identified during the current investigation. No trees demonstrating potential for Aboriginal scarring were identified.

Despite the poor visibility, however, the study area is assessed as being of low archaeological potential broadly on the basis of the following characteristics:



Plates 1 and 2 Examples of dense grass cover currently overlying the study area



Plate 3. Introduced species within the study area. Plate 4. Areas of previous disturbance



Plates 5 and 6. Existing disturbance and landscaping within the study area

- The distribution of sites along the HCLSZe has been previously predicted to be low density and sporadic, with no clear settlement patterns or intensive occupation identified;
- Prior to European settlement, the majority of the study area would have been occupied by wetlands and strings of ponds, creating a larger inundation area than is currently presented by the incised Halls Creek. Much of the study area would have been damp and poorly drained and ill-suited to occupation;
- The sites previously recorded along the creek banks to the south of the current study area have been demonstrated to be the product of post settlement sedimentary processes and out of context;
- The Williamsdale SLU identified as having the greatest potential for Pleistocene landforms occurs in only a small portion of the study area (refer Figure 5);
- The study area has been subject to considerable post settlement disturbance including landscaping, construction of the existing park facility, creation of calverts and previous concrete slabs, exotic plantings, pasture improvement and early European settlement activity.

For these reasons, the current absence of sites is considered to be an accurate representation of the archaeological resource of the site, though isolated finds of unpredictable distribution cannot be ruled out, forming part of a broad background scatter known to occur throughout the ACT. Support for this assertion is also provided by the previous survey of the study area by Huonbrook (2019) which also did not result in the identification of any areas of potential or sites within the current study area.

The area of the site with the greatest archaeological potential occurs outside the proposed footprint of the discovery trail, immediately adjacent to Gladstone Street and away from any of the proposed development works associated with the discovery trail.

## 8.0 Legislation

Heritage in the ACT is protected, or affected, by a number of Acts, which are summarised in the following section. Whilst every effort has been made to ensure that the information contained here is up to date and legally correct, it cannot be construed as being able to replace comprehensive legal advice provided by a legal practitioner admitted to practice in the relevant jurisdictions.

### 8.1 Australian Capital Territory Legislation

#### The ACT Heritage Act 2004

- The *Heritage Act 2004 (ACT)* provides protection to both Aboriginal and non-Aboriginal heritage items within the Australian Capital Territory. The Act aims to identify, register and conserve natural and cultural heritage ‘objects or places’ (collectively referred to as “sites” in this document). The Act also provides instrumentation for the facilitation of the ACT Heritage Council, for the development of heritage agreements to aid in the conservation of heritage items and for the enforcement of provisions within the Act that provide protection for such items.
- Under the Act the ACT Heritage Council has been established as an advisory body to the ACT Government on heritage issues.
- The Heritage Unit of Environment ACT provides secretariat support to the ACT Heritage Council, and is responsible for administration of the Act.
- Amendments to the Act were made in September 2014.

Heritage ‘places’, as defined by the Act include sites, precincts, parcels of land or components of the places, possessing significance, or contributing to the significance, of the place (§8{1}). An ‘object’ is defined as a ‘natural or manufactured object, including an Aboriginal object’ (§8{2}). Aboriginal objects (§9) are defined as being any object associated with Aboriginal people because of Aboriginal tradition. Aboriginal places are likewise any place associated with Aboriginal people because of Aboriginal tradition. In both cases, the term tradition refers to the customs, rituals, institutions, beliefs and/or general way of life of Aboriginal people. The heritage significance of an object or place is assessed against eight criteria. Only one of the eight assessment criteria listed in the Act need be satisfied for the item to be considered significant.

A place or object must be listed on the heritage register or provisional register to gain comprehensive protection under the Act. The process for this registration includes the nomination for provisional registration of the place or object, public notification of this nomination that is then followed by a minimum appeal period of 5 months. If, following the appeal period, no successful appeals are lodged, registration of the item is concluded, also

through public notification. Cancellation of a registered place or object may be considered if the Council is satisfied that an item no longer possesses heritage significance.

The registration of Aboriginal places or objects, in addition to the above registration process, must be undertaken in consultation with the representative Aboriginal organizations. The details of places or objects of Aboriginal significance are restricted from public access and only published or copied after it has been demonstrated that the release of specific site details will not adversely affect the significance of the place or object and with approval from the Council. Discovery of an Aboriginal place or object must be reported to the Council within five (5) working days of the identification.

The Minister issues heritage directions to the owner or occupier of a place or object to assist in the conservation of the heritage significance of the item. Directions issued by the Minister are served to prevent damage, through neglect or action, which may adversely affect the heritage significance of an object or place.

Heritage agreements, contrary to 'directions', are applied following and with the Council's advice and consultation with the owner, or person nominated by the owner. Heritage directions are put in place to assist in the conservation of registered places and objects. Heritage agreements are employed to provide financial, technical or professional advice, to review the valuation of heritage significance, to restrict use of a registered place or object, to apply standards and work requirements or to enable public appreciation and inspection of an object or place.

In accordance with the Act, it is an offence to diminish the significance of a place or object through either neglect or action. Damage to an Aboriginal place or object is also considered an offence under the Act. Exemptions to such offences include official persons acting under the Emergencies Act 2004 (ACT) 'for the purpose of protecting life or property, or controlling, extinguishing or preventing the spread of a fire' (§7(1)).

#### *Excavation Permits*

Permits to undertake Excavations (§61(E and F)) at or near a registered Aboriginal place or object need to be provided formally to the ACT Heritage Council for approval. Written notice of a decision about a permit is to be provided within 15 working days after the decision has been made. Permits are required to include the following information:

- a) applicants details
- b) a description of the heritage site and its location
- c) details about the proposed excavation work including the reason for the excavation, the extent and duration of the excavation and any other work of which the excavation forms part;

- d) details regarding the measures the applicant will adopt during the excavation to reduce the risk of diminishing the heritage significance of, or damage to, the site.

#### *Statement of Heritage Effect (SHE)*

Where activities are proposed that are likely to diminish the heritage significance of a place or object, requires an application to the council for approval of a *Statement of Heritage Effects* (SHE) (§61(G and H)). The SHE requires the inclusion of details regarding the proposed activity, including the reason for the activity, as well as its extent and duration. The likely effects of the proposed activity on the heritage sites must also be included, with a discussion on any effects that may diminish or damage the heritage significance of the site. It must also include a discussion of the measures the applicant will adopt during the activity to reduce the risk of diminishing heritage significance or damage to the site and whether other reasonably practicable ways of carrying out the activity at the heritage site are available.

Under (§61(H)) Council is required to make a decision on the Statement of Heritage Effect as soon as is practicable with notice of the decision provided to the applicant within 15 working days.

#### *Conservation Management Plan (CMP)*

Under (§61(J)) of the amended Act, a person or entity responsible for a heritage site is required to establish an approved Conservation Management Plan for that site. The plan

- a) sets out the conservation measures that must be adopted for, and conditions on future use of the heritage site to preserve its heritage significance; and
- b) identifies any threat, or potential threat, to the heritage significance of the site, and sets out a plan for the management of threats

CMPs must also include a description of the site, its history, details of its heritage significance and any other matter prescribed by regulation.

Under (§61(K)) Council is required to make a decision on a Conservation Management Plan as soon as is practicable with notice of the decision provided to the applicant within 15 working days.

#### **ACT Tree Protection Bill 2005**

It should also be noted that in the ACT, some trees are protected under the provisions of the *Tree Protection (interim scheme) Act 2001*, pending commencement of the *Tree Protection Bill 2005*. A scarred tree may therefore have other forms of significance (i.e. natural), which should be taken into account in any management strategy.

## **ACT Coroners Act 1997**

Human remains are firstly dealt with under the Coroners Act. Any human remains located must in the first instance be reported to the Police. If the remains are determined to be prehistoric and of Aboriginal origin then appropriate management strategies can be formulated in consultation with the Coroners office.

## **8.2 Federal Legislation**

There are a number of Federal Legislative Acts that pertain to Aboriginal cultural heritage, and that are directly relevant to this project. The main Acts are:

- *The Australian Heritage Council Act 2003*,
- *The Aboriginal and Torres Strait Islander Heritage Protection Act 1987*, and
- *The Environment Protection and Biodiversity Conservation Act 1999*.

The following provides a review of these pieces of legislation.

### ***Australian Heritage Council Act 2003 (Comm)***

The *Australian Heritage Council Act 2003* defines the heritage advisory boards and relevant lists, with the Act's Consequential and Transitional Provisions repealing the *Australian Heritage Commission Act 1975*. The *Australian Heritage Council Act*, like the *Australian Heritage Commission Act*, does not provide legislative protection regarding the conservation of heritage items in Australia, but has compiled a list of items recognised as possessing heritage significance to the Australian community. The Register of the National Estate, managed by the Australian Heritage Council, applies no legal constraints on heritage items included on this list.

### ***The Aboriginal and Torres Strait Islander Heritage Protection Act 1987.***

This Federal Act is administered by the Department of Sustainability, Environment, Water, Populations and Communities (SEWPaC) with the Commonwealth having jurisdiction. The Act was passed to provide protection for the Aboriginal heritage, in circumstances where it could be demonstrated that such protection was not available at a state level. In certain instances the Act overrides relevant state and territory provisions.

The major purpose of the Act is to preserve and protect from injury and desecration, areas and objects of significance to Aborigines and Islanders. The Act enables immediate and direct action for protection of threatened areas and objects by a declaration from the Commonwealth minister or authorised officers. The Act must be invoked by, or on behalf of an Aboriginal or Torres Strait Islander or organisation.

Any Aboriginal or Torres Strait Islander person or organization may apply to the Commonwealth Minister for a temporary or permanent 'Stop Order' for protection of threatened areas or objects of significant indigenous cultural heritage.

The Commonwealth Act 'overrides' State legislation if the Commonwealth Minister is of the opinion that the State legislation (or undertaken process) is insufficient to protect the threatened areas or objects. Thus, in the event that an application is made to the Commonwealth Minister for a Stop Order, the Commonwealth Minister will, as a matter of course, contact the relevant State Agency to ascertain what protection is being imposed by the State and/or what mitigation procedures have been proposed by the land user/developer.

In addition to the threat of a 'Stop Order' being imposed, the Act also provides for the following:

- If the Federal Court, on application from the Commonwealth Minister, is satisfied that a person has engaged or is proposing to engage in conduct that breaches the 'Stop Order', it may grant an injunction preventing or stopping such a breach (s.26). Penalties for breach of a Court Order can be substantial and may include a term of imprisonment;
- If a person contravenes a declaration in relation to a significant Aboriginal area, penalties for an individual are a fine up to \$10,000.00 and/or 5 years gaol and for a Corporation a fine up to \$50,000.00 (s.22);
- If the contravention is in relation to a significant Aboriginal object, the penalties are \$5,000.00 and/or 2 years gaol and \$25,000.00 respectively (s.22);
- In addition, offences under s.22 are considered 'indictable' offences that also attract an individual fine of \$2,000 and/or 12 months gaol or, for a Corporation, a fine of \$10,000.00 (s.23). Section 23 also includes attempts, inciting, urging and/or being an accessory after the fact within the definition of 'indictable' offences in this regard.

The Commonwealth Act is presently under review by Parliament and it is generally accepted that any new Commonwealth Act will be even more restrictive than the current legislation.

### ***Environment Protection and Biodiversity Conservation Act 1999 (Comm)***

This Act has been amended, through the Environment and Heritage Legislation Amendment Act (No1) 2003 to provide protection for cultural heritage sites, in addition to the existing aim of protecting environmental areas and sites of national significance. The Act also promotes the ecologically sustainable use of natural resources, biodiversity and the incorporation of community consultation and knowledge.

The 2003 amendments to the *Environment Protection and Biodiversity Conservation Act 1999* have resulted in the inclusion of indigenous and non-Indigenous heritage sites and areas. These heritage items are defined as:

‘indigenous heritage value of a place means a heritage value of the place that is of significance to indigenous persons in accordance with their practices, observances, customs, traditions, beliefs or history;

Items identified under this legislation are given the same penalty as actions taken against environmentally sensitive sites. Specific to cultural heritage sites are §324A-324ZB.

The Act also enables the identification and subsequent listing of items for the Commonwealth and National Heritage Lists. The Act establishes the *National Heritage List*, which enables the inclusion of all heritage, natural, Indigenous and non-Indigenous, and the *Commonwealth Heritage List*, which enables listing of sites nationally and internationally that are significant and governed by Australia.

The legislation provides for:

- A National Heritage List (a list of places of national heritage significance);
- A Commonwealth Heritage List (for significant heritage places that are Commonwealth owned or managed or are on Commonwealth land);
- The continuation of the Register of the national Estate (in modified form whereby no new places can be added to the Register); and
- The creation of an expert body, the Australian Heritage Council, to advise the Minister on the listing and protection of heritage places.

## 9.0 Significance Assessment

Currently, no heritage sites have been identified within the study area and no areas of archaeological potential have been identified. The following is therefore provided for your information only.

### 9.1 Overview

The ACT Heritage Act 2004 provides the mechanism for assigning heritage significance to a site, under Section 10 of the Act. This acknowledges the value of the site to the community and helps provide protection under the Act. However, in terms of site conservation and management, it is necessary to also assign a relative significance rating to sites. The term 'significance' is sometimes used interchangeably to describe a site's 'conservation value'. This rating helps cultural resource managers to make decisions when considering how a site should be managed, given that to some extent resources for actively conserving sites will be limited. It is also a useful tool for giving an overall view of the body of sites in the ACT when developments occur and pragmatic decisions about site management have to be made.

In the discussion below, the ACT Significance Criteria is briefly reviewed. Ways of deciding on relative significance ratings for sites are then discussed. These are the criteria used to assess the relative significance of sites in the Aboriginal Heritage Guidelines.

### 9.2 ACT Significance Criteria

Section 10 of the *Heritage Act 2004* state that a place or object has heritage significance if it satisfies one or more of the following criteria:

- (a) importance to the course or pattern of the ACT's cultural or natural history;
- (b) has uncommon, rare or endangered aspects of the ACT's cultural or natural history;
- (c) potential to yield information that will contribute to an understanding of the ACT's cultural or natural history;
- (d) importance in demonstrating the principal characteristics of a class of cultural or natural places or objects;
- (e) importance in exhibiting particular aesthetic characteristics valued by the ACT community or a cultural group in the ACT;
- (f) importance in demonstrating a high degree of creative or technical achievement for a particular period;
- (g) has a strong or special association with the ACT community, or a cultural group in the ACT for social, cultural or spiritual reasons;
- (h) has a special association with the life or work of a person, or people, important to the history of the ACT.

### 9.3 Rating Site Significance

There are several different ways of defining types of significance, and many practitioners have developed their own system of significance assessment. However, as Pearson and Sullivan (1995) point out, there seems to be a general advantage in using a set of criteria which is already widely accepted. The Burra Charter provides a process for significance assessment for heritage practitioners. More recently, Australian ICOMOS has produced *The Illustrated Burra Charter*, which further defines significance assessment. The guidelines to the Burra Charter comment:

*Although there are a variety of adjectives used in definitions of cultural significance in Australia, the adjectives 'aesthetic', 'historic', 'scientific' and 'social' ... can encompass all other values.*

The following provides the descriptions given for each of these terms.

#### ***Aesthetic Value***

Aesthetic value includes aspects of sensory perception for which criteria can and should be stated. Such criteria may include consideration of the form, scale, colour, texture and materials of the fabric; the smells and sounds associated with the place and its use (Marquis-Kyle & Walker 1992).

#### ***Historic Value***

A place may have historic value because it has influenced, or has been influenced by, an historic figure, event, phase or activity. It may also have historic value as the site of an important event. For any given place the significance will be greater where evidence of the association or event survives in situ, or where the settings are substantially intact, than where it has been changed or evidence does not survive. However, some events or associations may be so important that the place retains significance regardless of subsequent treatment (Marquis-Kyle & Walker 1992).

#### ***Scientific Value***

The scientific or research value of a place will depend upon the importance of the data involved or its rarity, quality or representativeness and on the degree to which the place may contribute further substantial information.

A site or a resource is said to be scientifically significant when its further study may be expected to help current research questions. That is, scientific significance is defined as research potential (Marquis-Kyle & Walker 1992).

### **Social Value**

The social value of a place is perhaps the most difficult value for heritage professionals to substantiate (Johnston 1994). However, social value is broadly defined as ‘the qualities for which a place has become a focus of spiritual, political, natural or other cultural sentimental to a majority or minority group’ (ICOMOS 1988:30). In What is Social Value, Johnston (1994) has provided a clear definition of social value:

*“Social value is about collective attachment to places that embody meaning important to a community, these places are usually community owned or publicly accessible or in some other way ‘appropriated’ into people’s daily lives. Such meanings are in addition to other values, such as the evidence of valued aspects of history or beauty, and these meanings may not be apparent in the fabric of the place, and may not be apparent to the disinterested observer” (Johnston 1994:10).*

Although encompassed within the criterion of social value, the spiritual value of a place is a new addition to the Burra Charter (ICOMOS 1999:1). Spiritual value is predominantly used to assess places of cultural significance to Indigenous Australians.

The degree to which a place is significant can vary. As Johnston (1994:3) has stated when trying to understand significance a ‘variety of concepts [are] used from a geographical comparison (‘national’, ‘state’, ‘local’) to terms such as ‘early’, ‘rare’, or ‘seminal’’. Indeed the Burra Charter clearly states that when assessing historic significance, one should note that for:

*“any given place the significance will be greater where evidence of the association or event survives in situ, or where the setting are substantially intact, than where it has been changed or evidence does not survive”.* (ICOMOS 1988:29)

#### **9.4 Significance Criteria Relevant to Aboriginal Sites**

Aboriginal sites and places may have educational, tourism and other values to groups in society. However, their two principal values are likely to be in terms of their cultural / social significance to Aboriginal people and their scientific / archaeological significance. These are the two criteria, which are commonly used in establishing the significance of Aboriginal sites. The following provides an explanation of these criteria.

##### *1) Aboriginal Cultural / Social Significance*

This relates to the value placed upon a site or suite of sites by the local or regional Aboriginal community. The identification and assessment of those sites that are significant to Aboriginal people is a matter for Aboriginal people. The appropriate Aboriginal representatives of the relevant communities can only make this assessment.

## 2) *Scientific (Archaeological) Significance*

Archaeological significance values (or scientific values) generally are assessed on the potential of a site or place to generate knowledge through archaeological research or knowledge. Scientific significance should be assessed according to timely and specific research questions (research potential) and representativeness.

Research potential entails the potential of a site or suite of sites for scientific research and excavation. This is measured in terms of a sites' ability to provide information on aspects of Aboriginal culture. In this respect, the contents of a site and their state of preservation are important considerations.

Representativeness takes account of how common a site type is. That is, it allows sites to be evaluated with reference to the known archaeological record within the given region. The primary goal of cultural resource management is to afford greatest protection to a representative sample of sites throughout a region. The corollary of a representative site is the notion of a rare or unique site. These sites may help to understand the patterning of more common sites in the surrounding area, and are therefore often considered of archaeological significance. The concept of a rarity cannot be easily separated from that of representativeness. If a site is determined to be rare, then it will by definition be included as part of the representative sample of that site type.

The notions of both research potential and representativeness are ever changing variables. As research interests shift and archaeological methods and techniques change, then the criteria for assessing site significance are also re-evaluated. As a consequence, the sample of site types that are used to assess site significance must be large enough to account for the change in these variables.

## 10.0 Impact Assessment and Statement of Heritage Effects

### 10.1 Description of Proposed Works

The adventure trail will be made of natural materials, such as dirt and decomposed granite gravels. There may be some sections that are made from recycled wood sourced from the old Tharwa bridge and other places. Some sections of the trail may have bumps, bridges over logs, or be made from logs.

The adventure trail will be approximately 500m in length and located around the existing playground. It does not extend past the carpark/toilets or cross the creek. Most of the adventure trail and nature play space is intended to be inclusive for use by people of all ages and abilities. The trail can be used by walkers, bikes and wheelchairs.

There will be no trees removed to create the play space. Some dead trees are to be pruned back to meet OH & S requirements.

Construction of the playground will involve the following:

- Removal of the upper layer of grass and routes to form the alignment (maximum of 5-10cm depth)
- Placement of deco granite along the alignment.
- Use of rocks and logs to form technical trail features which will sit at ground level.

The proposed works will involve minimal ground disturbance, with the entirety of the track and associated play spaces occurring above ground, bar the 10cm removal of the grass roots.

### 10.2 Impact Assessment

There are no known sites located within the proposed impact area. The study area has been assessed as being of low archaeological potential. The proposed impacts will not involve any form of ground disturbance.

### 10.3 Minimising Harm and Practical Alternatives

The current proposal will not impact any heritage sites. Alternative options are not necessary. However, to minimize the potential for inadvertent impacts to artefacts occurring in random locations or broad background scatter, the current proposal includes the following mitigation measures:

- deliberately avoids ground disturbance (with the exception of turf removal – upper 5-10cm);
- All activities will be brought to the site and placed on the surface of the ground only;
- Is located as far as possible from Halls Creek and;
- Is confined as much as possible to areas of existing and previous impacts.

## **11.0 Statement of Heritage Effect**

The proposed discovery trail and adventure play space at hall will not impact any heritage sites. The study area has been assessed as being of low archaeological sensitivity with proposed impacts determined to be minimal.

The proposal avoids recorded sites in the area by at least 60m and Halls Creek and will not adversely impact heritage values within the study area.

## 12.0 Management Recommendations

### 12.1 Introduction to the Management Recommendations

The heritage management options and recommendations provided in this report are made on the following basis:

- Consultation with representatives of the Representative Aboriginal Organisations present at the field assessment, and through subsequent phone conversations (17<sup>th</sup> May and 3<sup>rd</sup> August respectively) being:
  - Wally Bell (Buru Ngunawal Aboriginal Corporation);
  - James Mundy (Ngarigu Currawong Clan);
  - Paul House (Mirrabee – formerly Little Gudgenby Tribal Council);
  - Tina Brown (King Brown Tribal Council);
- The legal and procedural requirements of Environment ACT;
- The results of the investigation as documented in this report; and
- Background research into the extant archaeological and historic record for the study area and its surrounding regions.

The recommendations are aimed at minimising the impacts of the proposed adventure playground on identified Aboriginal heritage resources.

Copies of this report were issued to all four RAOs on 3<sup>rd</sup> August 2019 with a request for comment and feedback within 14 days. No written response were received.

### 12.2 Management Recommendations

The proposed discovery trail and adventure play space at hall will not impact any heritage sites. The study area has been assessed as being of low archaeological sensitivity with proposed impacts determined to be minimal. As such, there are no specific further heritage requirements for the study area. The following general recommendations are forwarded:

1. In the event that unanticipated finds occur during construction of the FPF, the Unanticipated Discovery Plan included in section 13.0 must be adhered to.
2. This report must be presented to the ACT Heritage Council (through the ACT Heritage Unit for review and advice.
3. Copies of this report have been provided to the four Representative Aboriginal Organisations. These are:
  - Buru Ngunawal;
  - King Brown's Tribal Group;
  - Mirrabee; and
  - Ngarigu Currawong Clan.
4. The RAOs are to be involved in ongoing discussions regarding the name of the park and to act as consultants for the play elements proposed for the playground.

## 13.0 Unanticipated Discovery Plan

The following text describes the proposed method for dealing with unanticipated discoveries of Aboriginal places and objects on this project. The plan provides guidance to project personnel so that they may meet their obligations with respect to heritage in accordance with the Heritage Act 2004.

Unanticipated discoveries include all Aboriginal places and objects. This includes (but may not be limited to) moderate to high-density artefact scatters, scarred trees, stone procurement (quarry) sites, ochre deposits, hearths, scarred trees and skeletal remains (burials).

Please Note: There are two different processes presented for the mitigation of these unanticipated discoveries. The first process applies for the discovery of cultural heritage sites or features, which include all of the site types, mentioned above, with the exception of skeletal remains, burials. The second process applies exclusively to the discovery of skeletal remains (burials).

### ***Discovery of Cultural Heritage Items***

#### Step 1

If any project personnel, contractors or subcontractors believe that they have discovered or uncovered Aboriginal cultural heritage materials, the individual should notify machinery operators that are working in the general vicinity of the area that earth disturbance works should stop immediately. Remember health and safety requirements when approaching machinery operators.

#### Step 2

A buffer protection zone of 20m x 20m should be established around the suspected cultural heritage site or items. No unauthorised entry or earth disturbance will be allowed within this 'archaeological zone' until such time as the suspected cultural heritage items have been assessed, and appropriate mitigation measures have been carried out.

#### Step 3

An archaeologist, in consultation with the RAOs should carry out an assessment of the cultural heritage find.

#### Step 4

Based on the findings of the assessment, appropriate management recommendations should be developed for the cultural heritage find. These recommendations should be submitted to ACT Heritage and the ACT Heritage Council for review and endorsement.

### Step 5

Once endorsement has been obtained, the prescribed management recommendations should be carried out by the appropriate personnel.

### Step 6

On the completion of the prescribed works, the relevant authorities (ACT Heritage and ACT Heritage Council) should advise the Site Supervisor (or other Project Personnel) that construction works may recommence in the 'archaeological zone'. If there are further constraints to construction works in the 'archaeological zone', then the Site Supervisor should be informed of these. It is the responsibility of the Site Supervisor to inform construction crews of these constraints.

**NB. Any additional Aboriginal places or objects encountered must be reported to the ACT Heritage Council within five working days, in accordance with Section 51 of the Heritage Act 2004.**

## ***Discovery of Skeletal Material***

### Step 1

Under no circumstances should the suspected skeletal remains be touched or disturbed. If these are human remains, then this area potentially is a crime scene. Tampering with a crime scene is a criminal offence.

### Step 2

Any person discovering suspected skeletal remains should notify machinery operators that are working in the general vicinity of the area that earth disturbing works should stop immediately. Remember health and safety requirements when approaching machinery operators.

### Step 3

A buffer protection zone of 50m x 50m should be established around the suspected skeletal remains. No unauthorised entry or earth disturbance will be allowed within this buffer zone until such time as the suspected skeletal remains have been assessed.

### Step 4

The relevant authorities (police) will be contacted and informed of the discovery. If the skeletal remains are suspected to be of Aboriginal origin, the authorities may decide to seek the advice of an archaeologist or appropriate expert in relation to the discovery.

### Step 5

Should the skeletal remains be declared an Indigenous burial site, the following procedures will be implemented:

- An archaeologist, in consultation with the RAOs should carry out an assessment of the skeletal remains.
- Based on the findings of the assessment, appropriate management recommendations should be developed for the cultural heritage find. These recommendations should be submitted (in the form of a Conservation and Management Plan) to the ACT Heritage Council for review and endorsement.
- Once endorsement has been obtained, the prescribed management recommendations should be carried out by the appropriate personnel.

On the completion of the prescribed works, the relevant authorities (ACT Heritage Council) should advise the Site Supervisor (or other Project Personnel) that construction works may recommence in the 'archaeological zone'. If there are further constraints to construction works in the 'archaeological zone', then the Site Supervisor should be informed of these. It is the responsibility of the Site Supervisor to inform construction crews of these constraints.

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ACT Heritage Council

## ACT HERITAGE ACT

AF2014-108

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

<i>For ACT Heritage Use Only</i>	
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](mailto: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](http://www.environment.act.gov.au/heritage) or by contacting ACT Heritage on 13 22 81 or by email at [heritage@act.gov.au](mailto:heritage@act.gov.au).

#### LODGING YOUR FORM

##### Please send this form

- **by mail to:** The ACT Heritage Council, PO Box 158, Canberra ACT 2601;
- **by hand to:** ACT Heritage, Dame Pattie Menzies House, 16 Challis Street, Dickson ACT
- **by email to:** [heritage@act.gov.au](mailto: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](http://www.legislation.act.gov.au)



**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:

Discovery Trail and Nature Play Space, Hall. Cultural Heritage Assessment and 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](http://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 \_\_\_\_\_ is a serious offence under the *Criminal Code 2002*.

Signed: \_\_\_\_\_

Date: 18/8/2019

**From:** [Russell, Meaghan](#)  
**To:** [Harrison, Kate](#)  
**Subject:** FW: Hall Discovery Playground - SHE Submission [SEC=UNCLASSIFIED]  
**Date:** Wednesday, 11 September 2019 4:18:00 PM  
**Attachments:** [REPORT - Hall Village Adventure Playground CHA and SHE.pdf](#)  
[SHE App - Hall.pdf](#)  
[image001.png](#)  
[image002.png](#)

---

Hi Kate,  
As discussed, for your review – the amended Halls Creek project CHA and SHE application.  
The past SHE application and related correspondence is all filed under [REDACTED]  
Cheers,  
Meaghan

**Meaghan Russell** | Manager (Approvals and Advice)  
Phone: 13 22 81 | Email: [meaghan.russell@act.gov.au](mailto: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

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---

**From:** Sophie McLean [REDACTED]  
**Sent:** Tuesday, 20 August 2019 9:26 AM  
**To:** Heritage <[Heritage@act.gov.au](mailto:Heritage@act.gov.au)>; Russell, Meaghan <[Meaghan.Russell@act.gov.au](mailto:Meaghan.Russell@act.gov.au)>  
**Cc:** Duarte, Renee <[Renee.Duarte@act.gov.au](mailto:Renee.Duarte@act.gov.au)>  
**Subject:** Hall Discovery Playground - SHE Submission

Hello Heritage  
Can someone please confirm receipt of the attached report,  
With thanks  
Sophie

**Dr Sophie Collins**  
Senior Archaeologist, Lithics Specialist  
Cultural Heritage Management Australia

M [REDACTED]

website: [chma.com.au](http://chma.com.au)

**From:** [Duarte, Renee](#)  
**To:** [Russell, Meaghan](#)  
**Cc:** [Sophie McLean](#)  
**Subject:** RE: Hall Discovery Playground - SHE Submission [SEC=UNCLASSIFIED]  
**Date:** Thursday, 12 September 2019 9:14:58 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

UNCLASSIFIED

Hi Meaghan,  
How are you?

I am following up on the progress of our submission for the Hall discovery playground, on behalf of the Hall community. I know it has only been 3 weeks since we submitted, so I am not concerned – the community are just keen to hear where it's at.

Many thanks,  
Renee

**Dr Renee Duarte | Manager, Open Space Planning and Policy**  
**Place Coordination and Planning | Transport Canberra and City Services Directorate | ACT Government**  
Phone: (02) 6205 9253 | Email: [renee.duarte@act.gov.au](mailto:renee.duarte@act.gov.au)

Level 1, 490 Northbourne Ave, Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)

---

**From:** Russell, Meaghan <[Meaghan.Russell@act.gov.au](mailto:Meaghan.Russell@act.gov.au)>  
**Sent:** Tuesday, 20 August 2019 9:45 AM  
**To:** Sophie McLean [REDACTED]  
**Cc:** Duarte, Renee <[Renee.Duarte@act.gov.au](mailto:Renee.Duarte@act.gov.au)>  
**Subject:** RE: Hall Discovery Playground - SHE Submission [SEC=UNCLASSIFIED]

Hello Sophie,  
Thank you for the email, and I confirm receipt of the Halls Discovery Playground SHE report. For future submissions, please take the automatic reply issued from the heritage inbox as confirmation of receipt.

Regards,  
Meaghan

**Meaghan Russell | Manager (Approvals and Advice)**  
Phone: 13 22 81 | Email: [meaghan.russell@act.gov.au](mailto:meaghan.russell@act.gov.au)  
**ACT Heritage | Environment, Planning and Sustainable Development Directorate | ACT Government**  
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**From:** Sophie McLean [REDACTED]  
**Sent:** Tuesday, 20 August 2019 9:26 AM  
**To:** Heritage <[Heritage@act.gov.au](mailto:Heritage@act.gov.au)>; Russell, Meaghan <[Meaghan.Russell@act.gov.au](mailto:Meaghan.Russell@act.gov.au)>  
**Cc:** Duarte, Renee <[Renee.Duarte@act.gov.au](mailto:Renee.Duarte@act.gov.au)>  
**Subject:** Hall Discovery Playground - SHE Submission

Hello Heritage  
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With thanks  
Sophie

**Dr Sophie Collins**  
Senior Archaeologist, Lithics Specialist  
Cultural Heritage Management Australia  
M [REDACTED]

website: [chma.com.au](http://chma.com.au)



ACT Heritage Council  
Attachment A

## Statement of Heritage Effect Advice

Heritage Reference:  
Received by Council:

20 August 2019

### Under Section 61H of the *Heritage Act 2004*

TO: Dr Sophie Collins  
Cultural Heritage Management Australia

Block:	Section:	Division / District:	Heritage Place:
		Hall	Hall Village Heritage Precinct, Site 4, Site 5, Site 6

Status of Place: Registered Heritage Place  
 Description of Works: Hall Village Adventure Trail and Nature Play Space  
 Report Details: “*Adventure Trail and Natural Play Space, Hall - Cultural Heritage Assessment and Statement of Heritage Effect*”  
 (CHMA, August 2019)  
 Council Advice provided by: Chair / Heritage Council

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

Further information is required under Section 61G(1) of the *Heritage Act 2004*.

### Background:

On 20 August 2019, Cultural Heritage Management Australia (CHMA) submitted a Statement of Heritage Effect (SHE) application for the Hall Village Adventure Trail and Nature Play Space project at [redacted] Hall.

[redacted] Hall is located within the Hall Village Heritage Precinct and contains two identified features of heritage significance being the ‘Halls Creek Aboriginal Sites Zone’; and the ‘Village Well’. Additionally, recorded Aboriginal places ‘Site 4’, ‘Site 5’ and ‘Site 6’ occur in the vicinity of the project.

The SHE application proposes construction of a discovery trail and nature play space in the north-east corner of the block, to the north of Halls Creek, and within the ‘Halls Creek Aboriginal Sites Zone’. The works involve excavation down to 10cm; construction of a track made of natural materials (dirt, decomposed granite gravel), with bridges and raised areas/bumps; and associated playground infrastructure.

**Advice:**

Following review, the Council requests the following additional information and amendments to the submitted SHE report, to support the application made on 20 August 2019:

- In accordance with Section 61G(1)(b) of the *Heritage Act 2004*, a detailed and to scale drawing of the proposed development is required, with the location and size of the adventure trail, nature play space and all associated infrastructure clearly marked.
- In accordance with Section 61G(1)(c) of the *Heritage Act 2004*, the assessment of potential heritage impacts should be expanded to consider the Aboriginal cultural landscape of Halls Creek (as identified in the ACT Heritage Register entry for the place), and the moderate archaeological potential of the Aboriginal Sites Zone (as identified in previous heritage investigations of the place).

Note: the Huonbrook (2019) geoarchaeological investigation of the Aboriginal Sites Zone identified that a specific landform context is likely to be of cultural value and is vulnerable to disturbance – being podzolic soils formed on late Pleistocene sediments, left as slightly elevated surfaces adjacent to Halls Creek. The assessment of potential heritage impacts should identify whether this landform context occurs within the development area, and if so, consider how impacts could be avoided or minimised.

- In accordance with Section 61G(1)(d) of the *Heritage Act 2004*, the SHE should further consider measures to reduce the heritage impacts of the proposal. Specifically, use of construction methods to minimise ground surface disturbance should be considered, such as the installation of geotextile membrane on-top of the existing ground surface and addition of fill to establish the adventure trail.

The Council welcomes a revised SHE report that addresses the review comments provided. Following receipt of this information, the Council will provide further advice on the SHE application.

David Flannery  
**Chair (as delegate for),  
ACT Heritage Council**

**xx** September 2019

**From:** [Harrison, Kate](#)  
**To:** [Russell, Meaghan](#)  
**Subject:** Hall Village Adventure Trail and Nature Play Space [SEC=UNCLASSIFIED]  
**Date:** Tuesday, 17 September 2019 4:19:22 PM  
**Attachments:** [20190917 - SHE Advice - Hall Village Adventure Trail and Nature Play Spa....obr](#)  
[image001.png](#)  
[image002.png](#)

---

Hi Meaghan

Please see attached SHE advice for your review and David's signature.

Cheers

**Kate Harrison** | Conservation Officer (Approvals and Advice) (Mon – Wed)

Phone: 02 6207 1278 | Email: [kate.harrison@act.gov.au](mailto:kate.harrison@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](http://www.environment.act.gov.au)



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**From:** [Moore, FionaF](#)  
**To:** [Russell, Meaghan](#)  
**Cc:** [Harrison, Kate](#)  
**Subject:** RE: ACT Heritage Council advice - SHE application - Hall Discovery Playground [SEC=UNCLASSIFIED]  
**Date:** Tuesday, 17 September 2019 3:40:58 PM

---

UNCLASSIFIED

Thanks Meaghan,

I have reviewed the text and am agreeable to its content. Given the complexities of past applications in this area, and prior consideration by DA and Aboriginal Taskforces, please prepare the advice for David's review and delegate sign off.

Regards,

Fiona

---

**From:** Russell, Meaghan <Meaghan.Russell@act.gov.au>  
**Sent:** Tuesday, 17 September 2019 3:34 PM  
**To:** Moore, FionaF <FionaF.Moore@act.gov.au>  
**Cc:** Harrison, Kate <Kate.Harrison@act.gov.au>  
**Subject:** ACT Heritage Council advice - SHE application - Hall Discovery Playground [SEC=UNCLASSIFIED]

Hi Fiona,


Kate has reviewed the Hall Discovery Playground SHE application, and identified that further information is needed before it can be referred to Aboriginal Taskforce for assessment.

I suggest that a delegate email from you would suffice – drafted below – are you happy to send? Alternatively, we can prepare formal advice for David to sign.

Cheers,

Meaghan

\*\*\*\*\*

TO:   
CC: [Renee.Duarte@act.gov.au](mailto:Renee.Duarte@act.gov.au)

Hello Sophie,

On 20 August 2019, the ACT Heritage Council (the Council) received your Statement of Heritage Effect (SHE) application for the proposed Hall Discovery Playground. To inform the Council's assessment of the application, the following additional information is required:

- In accordance with Section 61G(1)(b) of the *Heritage Act 2004*, a detailed and to scale drawing of the proposed development is required, with the location and size of the adventure trail and all associated infrastructure clearly marked;
- In accordance with Section 61G(1)(c) of the *Heritage Act 2004*, the assessment of potential heritage impacts should be expanded to consider the Aboriginal cultural landscape of Halls Creek (as identified in the ACT Heritage Register entry for the place), and the moderate archaeological potential of the Aboriginal Sites Zone (as identified in previous heritage investigations of the place).

Note: the Huonbrook (2019) geoarchaeological investigation of the Aboriginal Sites Zone identified that a specific landform context is likely to be of cultural value and is vulnerable to disturbance – being podzolic soils formed on late Pleistocene sediments, left as slightly elevated surfaces adjacent to Halls Creek. The assessment of potential heritage impacts should identify whether this landform context occurs within the development area, and if so, consider how impacts could be avoided or minimised.

- In accordance with Section 61G(1)(d) of the *Heritage Act 2004*, the SHE should further

consider measures to reduce the heritage impacts of the proposal. Specifically, use of construction methods to minimise ground surface disturbance should be considered, such as the installation of geotextile membrane on-top of the existing ground surface and addition of fill to establish the adventure trail.

The Council welcomes this information, and will provide further advice on the SHE application once received.

If you have any questions about the above advice, please contact ACT Heritage to discuss on 13 22 81.

Regards,

Fiona

*(Delegate signature block here)*

---

**From:** Sophie McLean [REDACTED]

**Sent:** Tuesday, 20 August 2019 9:26 AM

**To:** Heritage <[Heritage@act.gov.au](mailto:Heritage@act.gov.au)>; Russell, Meaghan <[Meaghan.Russell@act.gov.au](mailto:Meaghan.Russell@act.gov.au)>

**Cc:** Duarte, Renee <[Renee.Duarte@act.gov.au](mailto:Renee.Duarte@act.gov.au)>

**Subject:** Hall Discovery Playground - SHE Submission

Hello Heritage

Can someone please confirm receipt of the attached report,

With thanks

Sophie

[Dr Sophie Collins](#)

Senior Archaeologist, Lithics Specialist  
Cultural Heritage Management Australia

[REDACTED]  
website: [chma.com.au](http://chma.com.au)

**From:** [David Flannery](#)  
**To:** [Russell, Meaghan](#)  
**Subject:** FW: Hall Village Adventure Trail and Nature Play Space - SHE additional information [SEC=UNCLASSIFIED]  
**Date:** Sunday, 5 January 2020 12:28:03 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[20190917 - Advice - Hall Village Adventure Trail and Nature Play Space - SHE Application.docx](#)  
[REPORT - Hall Village Adventure Playground CHA and SHE \(A21597302\).pdf](#)

---

Email as requested.. I'll also look for my reply.

David

**David Flannery**

| [website](#)

---

**From:** Harrison, Kate [mailto:Kate.Harrison@act.gov.au]  
**Sent:** Wednesday, September 18, 2019 2:36 PM  
**To:** David Flannery  
**Subject:** Hall Village Adventure Trail and Nature Play Space - SHE additional information [SEC=UNCLASSIFIED]

Hi David,

I hope you are well.

We recently received a SHE application for an Adventure Trail and Nature Play Space in Hall. The project is to the north of Halls Creek, in the area suggested to TCCS as a preferred alternative location for the previous bike path project. We are seeking additional information to confirm project impacts and ensure appropriate management measures have been considered. Could you please review and sign the advice?

If you have any questions, please give me a call.

Cheers

**Kate Harrison** | Conservation Officer (Approvals and Advice) (Mon – Wed)

Phone: 02 6207 1278 | Email: [kate.harrison@act.gov.au](mailto:kate.harrison@act.gov.au)

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

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-----

**From:** [Russell, Meaghan](#)  
**To:** [Harrison, Kate](#)  
**Subject:** RE: Hall Village Adventure Trail and Nature Play Space [SEC=UNCLASSIFIED]  
**Date:** Wednesday, 18 September 2019 2:27:00 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

Hi Kate,

Many thanks for preparing this one – and I have a few minor edits in the text ahead of referral to David.

Cheers,

Meaghan

**Meaghan Russell** | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: [meaghan.russell@act.gov.au](mailto:meaghan.russell@act.gov.au)

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---

**From:** Harrison, Kate

**Sent:** Tuesday, 17 September 2019 4:19 PM

**To:** Russell, Meaghan <[Meaghan.Russell@act.gov.au](mailto:Meaghan.Russell@act.gov.au)>

**Subject:** Hall Village Adventure Trail and Nature Play Space [SEC=UNCLASSIFIED]

Hi Meaghan

Please see attached SHE advice for your review and David's signature.

Cheers

**Kate Harrison** | Conservation Officer (Approvals and Advice) (Mon – Wed)

Phone: 02 6207 1278 | Email: [kate.harrison@act.gov.au](mailto:kate.harrison@act.gov.au)

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ACT Heritage Council

# Statement of Heritage Effect Advice

Heritage Reference:  
Received by Council:

[REDACTED]  
20 August 2019

## Under Section 61H of the *Heritage Act 2004*

**TO:** Dr Sophie Collins  
Cultural Heritage Management Australia  
[REDACTED]

Block:	Section:	Division / District:	Heritage Place:
[REDACTED]	[REDACTED]	Hall	Hall Village Heritage Precinct, Site 4, Site 5, Site 6

Status of Place: Registered Heritage Place  
 Description of Works: Hall Village Adventure Trail and Nature Play Space  
 Report Details: “*Adventure Trail and Natural Play Space, Hall - Cultural Heritage Assessment and Statement of Heritage Effect*”  
 (CHMA, August 2019)

Council Advice provided by: Chair / Heritage Council

---

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

Further information is required under Section 61G(1) of the *Heritage Act 2004*.

---

### Background:

On 20 August 2019, Cultural Heritage Management Australia (CHMA) submitted a Statement of Heritage Effect (SHE) application for the Hall Village Adventure Trail and Nature Play Space project at [REDACTED] Hall.

[REDACTED] Hall is located within the Hall Village Heritage Precinct and contains two identified features of heritage significance being the ‘Halls Creek Aboriginal Sites Zone’; and the ‘Village Well’. Additionally, recorded Aboriginal places ‘Site 4’, ‘Site 5’ and ‘Site 6’ occur in the vicinity of the project.

The SHE application proposes construction of a discovery trail and nature play space in the north-east corner of the block, to the north of Halls Creek, and within the ‘Halls Creek Aboriginal Sites Zone’. The works involve excavation down to 10cm; construction of a track made of natural materials (dirt, decomposed granite gravel), with bridges and raised areas/bumps; and associated playground infrastructure.

**Advice:**

Following review, the Council requests the following additional information and amendments to the submitted SHE report, to support the application made on 20 August 2019:

- In accordance with Section 61G(1)(b) of the *Heritage Act 2004*, a detailed and to scale drawing of the proposed development is required, with the location and size of the adventure trail, nature play space and all associated infrastructure clearly marked.
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Note: the Huonbrook (2019) geoarchaeological investigation of the Aboriginal Sites Zone identified that a specific landform context is likely to be of cultural value and is vulnerable to disturbance – being podzolic soils formed on late Pleistocene sediments, left as slightly elevated surfaces adjacent to Halls Creek. The assessment of potential heritage impacts should identify whether this landform context occurs within the development area, and if so, consider how impacts could be avoided or minimised.

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The Council welcomes a revised SHE report that addresses the review comments provided. Following receipt of this information, the Council will provide further advice on the SHE application.



David Flannery FRAIA MPIA  
**Chair (as delegate for),  
ACT Heritage Council**

18 September 2019

**From:** [David Flannery](#)  
**To:** [Russell, Meaghan](#)  
**Subject:** FW: Hall Village Adventure Trail and Nature Play Space - SHE additional information [SEC=UNCLASSIFIED]  
**Date:** Sunday, 5 January 2020 12:27:36 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[20190917 - Advice - Hall Village Adventure Trail and Nature Play Space - SHE Application\\_Design.pdf](#)

---

Email as requested 2/2

David

**David Flannery**

| [website](#)

---

**From:** David Flannery [redacted]  
**Sent:** Wednesday, September 18, 2019 3:18 PM  
**To:** 'Harrison, Kate'  
**Subject:** RE: Hall Village Adventure Trail and Nature Play Space - SHE additional information [SEC=UNCLASSIFIED]

Hi Kate

Signed advice attached.. David

**David Flannery**

| [website](#)

---

**From:** Harrison, Kate [mailto:Kate.Harrison@act.gov.au]  
**Sent:** Wednesday, September 18, 2019 2:36 PM  
**To:** David Flannery  
**Subject:** Hall Village Adventure Trail and Nature Play Space - SHE additional information [SEC=UNCLASSIFIED]

Hi David,

I hope you are well.

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If you have any questions, please give me a call.

Cheers

**Kate Harrison** | Conservation Officer (Approvals and Advice) (Mon – Wed)

Phone: 02 6207 1278 | Email: [kate.harrison@act.gov.au](mailto:kate.harrison@act.gov.au)

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**To:** [Russell, Meaghan](#)  
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**Date:** Sunday, 5 January 2020 12:28:03 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[20190917 - Advice - Hall Village Adventure Trail and Nature Play Space - SHE Application.docx](#)  
[REPORT - Hall Village Adventure Playground CHA and SHE \(A21597302\).pdf](#)

---

Email as requested.. I'll also look for my reply.

David

**David Flannery**

| [website](#)

---

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**Sent:** Wednesday, September 18, 2019 2:36 PM  
**To:** David Flannery  
**Subject:** Hall Village Adventure Trail and Nature Play Space - SHE additional information [SEC=UNCLASSIFIED]

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If you have any questions, please give me a call.

Cheers

**Kate Harrison** | Conservation Officer (Approvals and Advice) (Mon – Wed)

Phone: 02 6207 1278 | Email: [kate.harrison@act.gov.au](mailto:kate.harrison@act.gov.au)

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-----

**From:** [Sophie McLean](#)  
**To:** [Harrison, Kate](#); [Russell, Meaghan](#)  
**Cc:** [Duarte, Renee](#); [Stu Huys](#)  
**Subject:** Re: Hall Discovery Playground - SHE Submission [SEC=UNCLASSIFIED]  
**Date:** Thursday, 26 September 2019 1:14:48 PM

---

Hello Meaghan and Kate,

Many thanks for the advice on the Hall Discovery Playground. I'm just wanting a little clarification please around a couple of your requests so that I can update the report accordingly.

Point 2 A. You request additional consideration of the Aboriginal cultural landscape of Halls Creek, with reference to the ACT Heritage Register entry, however the register entry only refers to the 'cultural landscape' very broadly with no specifics for me to address. It is clear from the Huonbrook report that any sites within the Aboriginal sites zone are out of context. The Aboriginal community have endorsed the project and are grateful that the proposal will actually be celebrating Aboriginal culture and has included their input. All of this information is included in the report. Are you able to clarify what it is you believe we've overlooked? I'm just unsure what you need from us.

Point 2. B - you comment that the Huonbrook geo arch investigation identified a specific landform as being of cultural value and vulnerable to disturbance ie the podzolic soils formed on late Pleistocene sediments left as elevated surface adjacent to halls cree, and a discussion of whether this landform occurs in the current study area etc. Section 2.3 of the current report refers to the two soil types in the study area, shows their distribution within it and explains that the area with the most potential for materials based on the geoarchaeological assessment is the Williamsdale SLU, the distribution of which is mapped in Figure 5. The resources statement in section 2.5 details a discussion of the two SLU's and states that occupation sites within the study area are most likely within the Williamsdale SLU comprising the tiny norther edge of the study area which has been previously impacted by the construction of the road, as is visible in Figure 5. Are you able to clarify please what additional information you're asking for here? My reading of the report is that we've identified the Williamsdale SLU as having the most potential based on the Huonbrook results and we've mapped it relative to the current study area and proposed impacts. I'm not sure what additional information you're looking for here?

Point 3. We note of course that minimal impacts are required and should be minimised wherever possible. However we've shown that the impact area has been surveyed twice with no sites found, the geomorphology has shown that 90% of the area has low potential for in situ sites with areas of highest potential outside of the current study area. We've detailed that impacts will be minimal with the removal of a grass layer being the only impacts and all other play areas not resulting in ground disturbance at all. We've detailed that this area was previous used for agriculture and that the upper levels affected by the grass removal are already highly disturbed. So you are asking for us to demonstrate lower impacts to an area that has been twice assessed as having low potential, we are not impact any recorded sites, we have the full support of the Aboriginal community who have been actively involved in the design of the project. Again, I'm not sure what you're looking for here? There are no sites in the area and low potential to identify out of context sites. Several efforts have been made to reduce impacts to the max. Why do we need to reduce impacts further? We are not impact any sites?

Can you please just clarify these things as I may be missing your points in here somewhere?

Many thanks

Sophie

Dr Sophie Collins  
Senior Archaeologist, Lithics Specialist  
Cultural Heritage Management Australia

E

website: [chma.com.au](http://chma.com.au)

On 18 Sep 2019, at 3:28 pm, Harrison, Kate <[Kate.Harrison@act.gov.au](mailto:Kate.Harrison@act.gov.au)>  
wrote:

<20190917 - Advice - Hall Village Adventure Trail and Nature Play Space -  
SHE Application\_DFsign (002).pdf>

**From:** [Russell, Meaghan](#)  
**To:** [David Flannery](#)  
**Subject:** RE: Question - Halls Creek Discovery Playground - Further advice [SEC=UNCLASSIFIED]  
**Date:** Monday, 30 September 2019 2:47:00 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

Many thanks David.....

**Meaghan Russell** | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: [meaghan.russell@act.gov.au](mailto: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

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---

**From:** David Flannery [redacted]

**Sent:** Monday, 30 September 2019 1:43 PM

**To:** Russell, Meaghan <[Meaghan.Russell@act.gov.au](mailto:Meaghan.Russell@act.gov.au)>

**Subject:** RE: Question - Halls Creek Discovery Playground - Further advice [SEC=UNCLASSIFIED]

I'm still around in Canberra. I can do signature.

Some discussion about heading to Sydney Friday, but if I know if this is coming I'll take my laptop with me and can sort out for you on the run.

David

**David Flannery**

| [website](#)

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**From:** Russell, Meaghan [<mailto:Meaghan.Russell@act.gov.au>]

**Sent:** Monday, September 30, 2019 1:34 PM

**To:** David Flannery [redacted]

**Subject:** Question - Halls Creek Discovery Playground - Further advice [SEC=UNCLASSIFIED]

Hello David,

On 18 September, you signed a further information request for the Halls Creek discovery playground SHE – which proposes works within the Aboriginal Sites Zone.

Since then, the heritage consultant has emailed seeking minor clarifications on the advice, relating to archaeological and cultural issues. ACT Heritage can prepare a draft response, however, due to the high profile of the project and community/ministerial/media interest, this will need your signature.

Would you be available later this week for delegate review?

Apologies for requesting your time while on leave, but this cannot be referred to Ken in your absence as he has declared a conflict of interest.

Cheers,

Meaghan

**Meaghan Russell** | Manager (Approvals and Advice)

Phone: 13 22 81 | Email: [meaghan.russell@act.gov.au](mailto:meaghan.russell@act.gov.au)

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

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