

Oaks Estate News

Oaks Estate Progress Association

-Vol.2, No.5, December 2012



OEPA News Brief

- **Oaks Estate publicised on ABC TV and Radio.**
- **Further delay in Oaks Estate Master Plan – now not due for completion until August 2013.**
- **OEPA contests re-zoning of Railway land for light industry.**
- **OEPA lobbies ACT Chief Minister and the Mayor of Queanbeyan.**
- **OEPA meeting with public housing agencies.**
- **River rehabilitation Stage 2 started.**

CHILDREN NOT FACTORIES

OEPA Media release 20.11.12

“Living in Heritage since 1837”

On the eve of Canberra’s much publicised Centenary, Oaks Estate, one of Canberra oldest built places, is again in jeopardy of being lost to ill-conceived and inappropriate development – but who cares?

Oaks Estate, a small ACT village built at the junction of the Queanbeyan and Molonglo Rivers, with its built history dating from 1837, when the Campbell family (Duntroon) was given its land grant, is being dealt another blow in a decades-long planning farce.

The Oaks Estate Progress Association (OEPA) has repeatedly sought high-level assistance, through the ACT & NSW Governments, to review

a recent decision made by Queanbeyan City Council in favour of Railcorp interests.

In a unanimous vote Queanbeyan City Council (QCC), led by Mayor Overall, allowed the construction of industrial factories adjacent to a local children’s playground and an organic community garden (COGS) – the village’s only open community space.

The planned industrial development will see the construction of a wall of 9.00m high bay factories along Railway Street – the only entry to the village of Oaks Estate – effectively annexing it as another low-grade industrial suburb of Queanbeyan.

The rationale given by QCC for this decision... ”Railcorp could have put dirtier, dangerous industries here... our zoning decision has made it safer...” This thinking in 2012 does not make sense given that the much pilloried Railcorp has no remaining commercial/economic use for this space. The Chief Minister in response stated...” the ACT Government, acknowledges the right of the QCC to determine outcome for its community”... The OEPA restates - Oaks Estate is in the ACT!

The question we (OEPA) ask is – why do NSW residents have the land adjacent to the railway line zoned for community and recreational use, while ACT residents have their adjacent railway land zoned industrial?

Oaks Estate, while marginalised and mistreated, is a diverse social, built and environmental story conveniently overlooked in favour of the quick political and business ‘dollar’. The community of Oaks Estate, as ACT ratepayers, expect only what other ACT residents have – social equity and certainty in planning decisions and inclusion of a broad range of social, built, environment and heritage issues in the development decision making process.

Without recognition of its heritage and environmental values – without proper protections the rural village of Oaks Estate – Canberra’s misunderstood ‘poor cousin’ with its pre and post

federation links, remains excluded from the upcoming Centenary celebrations in 2013.

BUT Who Cares?

Preserving Oaks Estate

(Letter to Editor, *Canberra Times*, 13 Dec 2012)

Canberra is a relatively new city, and it is vital we protect our comparatively few heritage precincts. It is astonishing that more is not being done to protect the fine historical and environmental values of Oaks Estate.

Oaks Estate is blessed with a marvellous natural environment, adjacent as it is to the junction of the Molonglo and Queanbeyan rivers. It has a built heritage stretching right back to colonial times.

To walk through Oaks Estate, as I did the other day with members of the Oaks Estate Progress Association, is to witness in microcosm the story of the development of Canberra through early settlement, Federation, wars, depression and prosperity.

Regrettably, due to its small electoral enrolment, Oaks Estate has not received its fair share of attention from successive federal and ACT governments going back many decades. Failure to adopt much-needed heritage and environmental plans, the potentially adverse impact of industrial development across the border in Queanbeyan and inadequate cross-border governmental dialogue is threatening the future of this special corner of the ACT.

Earlier this year the Inner South Canberra Community Council accepted the OEPA as a constituent member. We will work hard to promote the interests of the community and the benefits to all Canberra of protecting this historic place. Discussions occurring this month between the OEPA and the ACT government and Queanbeyan Council will hopefully produce a way forward after years of neglect.

**Gary Kent, Chair,
Inner South Canberra Community Council**

OEPA Campaign Report:

Master Plan and Railway Land Rezoning, June-December 2012

Jun – Following OEPA representations ESDD appointed David Hobbes, of Philip Leeson Architects, as Oaks Estate Master Plan built heritage consultant.

29 Jun – ESDD Oaks Estate Heritage Meeting.

20 Aug – Official minutes of Heritage meeting, 29 June, revised and confirm (a) increased Oaks Estate

master plan budget to include contracting a cultural landscape heritage expert; (b) set a new date in early 2013 for final Oaks Estate master planning proposals.

– ESDD appointed Naven Officer Heritage Consultants P/L to report on Aboriginal heritage and cultural landscape heritage in Oaks Estate.

Cross-border MOU. Katy Gallagher replied on 31 August to Karen's letter (14/8/12) referring the matter to the NSW Planning Minister.

13 Sep – Caroline Le Couteur MLA wrote to Katy Gallagher re parking and access issues in Oaks Estate.

28 Sep – Karen wrote to Gary Chapman (QCC General Manager) re Queanbeyan Development Control Plan 2012.

2 Oct – OEPA meeting with Mike Kelly (MP, Eden-Monaro) re Railway lands. Dr Kelly offered to make contact with John Barilaro (State MLA) and suggested that OEPA contact with Steve Thomas (Cross-Border Commissioner).

9 Oct – David Papps (Director General ESDD) wrote to Caroline Le Couteur in response to her letter 13/9 deferring traffic and parking arrangements on Railway St to the Master Plan outcome.

15 Oct – Gai Brodtmann (Member for Canberra) Oaks Estate Community Forum.

26 Nov – ESDD released their *Oaks Estate Master Plan, Public Engagement Outcomes, Sep 2012*, accessible on the ESDD website.

20 Nov – OEPA media release, *Children Not Factories – Oaks Estate – But Who Cares?*

3 Dec – OEPA meeting with Mayor Tim Overall, Queanbeyan City Council.

6 Dec – Karen Williams and Michel Starling interviewed by Alex Sloan on ABC Radio 666 about Oaks Estate issues.

7 Dec – Oaks Estate on StateLine, ABC TV.

9 Dec – OEPA meeting with John Barilaro (Member for Monaro).

12 Dec – OEPA meeting with Chief Minister, Katy Gallagher and Acting Director ESDD, Ben Ponton.

– OEPA meeting with advisers to David Rattenbury MLA.

**Letter to the Community from
Gai Brodtmann (MP for Canberra)
following-up on her Oaks Estate
Community Forum, 15 October**

It was great to catch up with many of you at my recent meeting with the Oaks Estate Progress Association and the community forum that followed.

I enjoy spending time in Oaks Estate and the meeting and forum gave me the chance to hear about the issues that matter to you and your community.

My team is following up on the issues raised, including:

- the Master Plan
- public transport
- policing
- housing
- new developments
- cross-border matters, and
- changing the postcode.

As I write, the Ministers responsible for the ACT issues are still to be decided. However, the letters on each issue have been drafted and will be sent as soon as we know who is responsible for what.

I am currently working on the Federal issues with the relevant Ministers, and will contact you as soon as I know the outcome.

I look forward to seeing you all again soon, but please feel free to contact me on gai.brodtmann.mp@aph.gov.au or 6293 1344 if you'd like to discuss any issues before then.

Gai Brodtmann
Member for Canberra
1 November 2012



Christine Hill, Gai Brodtmann, Keith Talbot, Anthony Hill and Alex Saeck at the community meeting.

ACT Housing has not become involved in the Oaks Estate Master Planning process. The OEPA had been informed that ACT Housing will not consider a major upgrade of public housing in Oaks estate for another 10 years.

On 7 December, after months of negotiations, the OEPA set up a meeting of agencies responsible for public housing tenants in Oaks Estate. However ACT Housing did not attend.

The agency representatives were: Chris Redmond and Julie Evans (Woden Community Service); Liz Parker and Tim Coxhead (St Vincent de Paul); and Lyn Diskon (Southside Community Services).

The OEPA's aims were:

to develop a long term strategy for improving the amenity of Housing ACT properties in Oaks Estate and

to encourage the appointment of an officer for community development in Oaks Estate, possibly by directing Health Department funds toward Oaks Estate.

The meeting discussed:

- The need for inter-agency departments to take more of a role in communication, including ACT Health and Housing ACT. Despite being approached to engage in communication with the OEPA committee in relation to amenity and services of the public housing buildings there has been no involvement by Housing ACT in discussions about this or with the Master Planning process.

- Funding for a long term liaison project worker, to focus on public housing tenants and facilitate programs/projects that have long term outcomes. It was queried whether this item was feasible by Lyn and whether there would be funds available.

- How to get public tenants involved in communication and feedback on what the needs are. The large turnover of tenants, including a lot of emergency housing tenants (due to risk of homelessness), was discussed in relation to this.

Outcomes:

1. Continue roundtable discussions with the agencies –

- # to facilitate a full understanding of the issues
- # to get deeper engagement with Housing ACT tenants

- # to explore ways of more effectively using current relationships.

2. Contact a newly created outreach team:

Improved Support Stronger Communities (ISSC).

3. Communicate a clear picture of needs to Housing ACT and persuade them to join the roundtable discussions.
4. Invite University of Canberra and ANU, Seachange to participate in mentorship program, Active Communities, to explore potential involvement in maintenance stages of Oaks Estate river rehabilitation project.
5. Meet again late January – early February – invite other stakeholders.

River Rehabilitation Project

River rehabilitation Stage 2 has commenced. The focus is on tree thinning or removal of most of the invasive species on both sides of the river downstream from River Street towards National Capital Flowers. The historic plantings around the Oaks will be protected. The large elms near the Oaks will remain, but suckers along the creek bed will be removed. Poplars will be thinned, but not cleared, as they protect the bridge against damage during floods.

A Weed Identification Workshop was held on 27 October, conducted by Lynton Bond and Anna See. The workshop participants looked at the area of new plantings to the East of River Street.

Updating the OEPA Constitution

An OEPA sub-committee has drafted a revised constitution. The draft revised constitution is being checked by the Committee and will be submitted to the 2013 AGM for consideration.

The current constitution (click the OEPA link on www.oaksestateact.org, or contact one of the committee for a paper copy) contains some drafting errors and also relies on definitions that have now been repealed. The simplest way of resolving these issues and staying consistent with ACT law would be to adopt the Model Rules under the *ACT Associations Incorporation Act*. However, there are some things in our constitution that have worked well in the past. We can choose what we want, and what we don't.

We need to consider whether the present rules/definitions covering the following matters should be kept:

- who can be a member (residents of Oaks Estate, and other people if approved by Committee - but perhaps removing the present ban on executives of political parties being on committee)
- financial year

- quorum for committee meetings (1 office bearer and any three other committee members) and general meetings (1 office bearer, one other committee member and at least eight other members present in person).
- limit on the number of terms an office bearer may hold office.

The ACT Model Rules have a bigger set of definitions and procedures. However, adopting these wherever possible would avoid conflict with ACT law (*eg* who can audit the financial report for the AGM) and means that our constitution has the same layout as that of many other incorporated associations.

What might change?

a) Limit on the size of the committee

- 1) Is allowing (as now) a committee of unlimited size the best way of getting an active and representative committee?
- 2) Would a maximum of 'four plus four office bearers' result in an effective committee – possibly one where committee positions are filled by election – or would it be too small to readily allow a quorum for committee meetings?

b) Nominations, with the express consent of the person nominated, to be received at or before the AGM.

Our current constitution allows the nomination of people who are not at the AGM and with no evidence that they agree to be nominated. Would requiring evidence of their consent encourage the nomination of people who are fully enthusiastic about being committee members?

c) Fees. The ACT Model Rules allow the committee, rather than a general meeting, to set joining and membership fees. What fees there should be (*if any*: the Model Rules allow the committee to set them at zero) is probably best resolved by allowing an elected committee to set fees that and vary them when necessary.

d) Vice-President. Our current constitution does not include a Vice-President. Should we include a Vice-President on the OEPA Executive, in accordance with the Model Rules? The result would be that the Vice-President would conduct meetings when the President is absent.

e) Notice of General meeting. Our current constitution allows only 48 hours notice. More notice would probably be better.

If you have an opinion of any of the above or any other matter associated with the proposed revision of the rules, please contact the any member of the

Committee or send an email to
<oeпа@hotmail.com.au>.

Oaks Estate Websites

OEPA website: www.oaksestateact.org

ACT Government, Environment and Sustainable
Development Directorate, website for Oaks Estate
master planning:

http://www.actpla.act.gov.au/topics/significant_projects/planning_studies/oaks_estate_master_plan/

OEPA Committee Members

President: Karen Williams

Treasurer: Judith Saeck

Secretary: Ewan Maidment

General Committee Members:

John Bruggeman

Bernadette Fitzgerald

Francis Lethbridge

Alex Saeck

Nick Saeck

Michael Starling

Public Officer: Ewan Maidment

Web Master: Terry Williams

Proposed agenda for meeting with Chief Minister Katy Gallagher Wed 12 Dec 2012

1. Master Plan

(a) Best Practice including:

- Incorporation of existing key documents and studies concerning environmental and heritage management.
- Creating best practice case study as an outcome to the Master Plan process integrating sustainability and green technology, and leadership in public/private partnerships.
- Commitment to the creation of a precinct code that is inclusive of Oaks Estate's setting, curtilage and buffering issues.

(b) Heritage

- Heritage management plan – there are risks to achieving a good outcome to the planning brief of 'heritage inspired development and redevelopment integrating sustainability principles if the Master Plan process continues without a heritage management plan in place.
- Comparative analysis of heritage management of places like Elmgrove and Braidwood.
- Peer review of all heritage assessment reports.

(c) Housing ACT

- Long-term plans for public housing stock are connected to the Master Plan. If anything this particular stakeholder has a competing agenda. All stakeholders need to show commitment to the process and its aims if there is to be a meaningful dialogue in the process.

(d) Environment

- Environmental Protection Agency is a stakeholder that needs to be involved in the planning process from the beginning so that there is meaningful dialogue. Environmental management is a Master Plan issue and should not left to the development application stages.

(e) Cross-border issues

- Preferred option of Rail Corp is for densification, which impacts on the Oaks Estate Master Plan objectives.

2. Creative communities – Catalyst Project with an aim to address Oaks Estate's low brand, poor reputation of public housing, broad perception due to proximity to Queanbeyan. A catalyst project focus should provide solutions to those issues by encouraging:

buildings that promote good community engagement,

a reduction in density of public housing and the scale of industry,

recognises cross-border heritage precinct,

a change in general public perception about Oaks Estate.

Changing the brand of Oaks Estate is linked to land use and plot ratios. Potential notional ideas for change include:

'Pialligo' style redevelopment – small scale, boutique. Big buildings (9 & 12 metre height) are out of scale and erases the pre and early Canberra characteristics of Oaks Estate.

Cross-border heritage precinct to drive, stimulate economic growth and create socio-economic change. Aim is to enhance the potential of an existing precinct that has limited capacity for train shunting etc, but has a railway station of high ranking NSW heritage status.

Requires sensitive development of railway land and a moratorium on big developments in Oaks Estate until Master Plan and precinct codes is finalised.

3. Inclusion

2013 celebrations

Party at the Shops

Linking outlying ACT villages

Regional Development Australia potentially linking ACT villages/ ACT and Queanbeyan region.

Potential creative projects

Digitising oral history tapes

Stage 2 Robertsons' house

Heritage inspired website

Reprint/E-book Oaks Estate – No Man's Land

Having heard our stated concern that the railway rezoning, particularly dealing with current and potential development, road and traffic and buffering issues, was impacting on our own Master Planning process, John Barilaro undertook to raise the matter (and follow it through to an outcome) with the Cross-border Commissioner directly. He seemed confident that the Cross-Border Commissioner's office had proven to be effective in the past and could help in our issue.

Barilaro also undertook to talk to Mayor Overall and ask what has changed that the Mayor was supporting rezoning to light industry now, when in the past he was happy with open space.

Barilaro said that he and Mike Kelly (C'wealth MP) were both keen to have State and C'wealth Governments included in the MoU forum between Queanbeyan Mayor and Chief Minister (the Mayor inevitably turns to both NSW reps to get funding for things that have been agreed to, so why not include them from the beginning).

Barilaro said he had a good relationship with Gallagher and that she was very effective in making local things happen in the region.

We suggested that there was an opportunity for some sort of joint celebration activity – recognising historical links between Oaks Estate and Queanbeyan (175 years next year).

There is the potential to change light industry zoning after the NSW Government completes its move to shift responsibility for changes to zoning back to local Councils. Because this may not happen till next year, if at all, we need to lobby for a moratorium on the sale to developers and/or development of the railway land before that change in responsibility is made.

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Meeting with Chief Minister 12 December

What we want

The Oaks Estate Progress Association believes that the matters being raised with the Chief Minister today should be overseen by the Chief Minister to ensure a co-ordinated, all of Government approach, that includes meaningful engagement with Queanbeyan City Council and Australian Rail Track Corporation (Railcorp).

Why

1 **Planning brief of ‘heritage inspired development and redevelopment’** modelled on **sustainability principles**, by definition, means that we are dealing with economic and infrastructure driven planning issues, but also a cross-border heritage precinct and a social and cultural landscape that extends across the river and takes in the entire Oaks Estate drainage basin. (I have serious reservations about the standard of heritage assessment currently underway – Canberra is notoriously short on consultancies with adequate cultural landscape expertise. I will be writing shortly to ESDD asking for a peer review of heritage assessments being undertaken.).

Our Eastern Broadacre experience has shown that planning processes do not work when study findings and planning processes are pre-empted by projects such as the Beard development.

2 There are no heritage or environmental management plans guiding the Oaks Estate Master Plan process. The planning process increases risks the longer the process proceeds without either in place. With the current mismatch of the various heritage decisions making and assessment processes, and the lack of any meaningful engagement with the EPA in the initial stages of the planning process, there needs to be more energy put into risk management.

3 Queanbeyan LEP – railway rezoning – issues associated with current and potential development are now driving the direction of planning thoughts concerning Railway Street and the blocks between Railway and Hazel Street.

Since they were recently changed, NSW DCPs are no longer effective and strong tools to protect heritage and amenity. Even flagged handing over of responsibility for zoning changes City Councils, in our case, will be made redundant to our dialogue with the Mayor if a Railcorp sell or lease railway land zoned light industry to a developer before any variation can be negotiated.

Community Notice Board

Please utilise the Community Notice Board to promote matters that may be of interest to the local residents and visitors to our community. OEPA places cuttings of newspaper articles relevant to Oaks Estate and a copy of the OEPA newsletter on the board from time to time. It's located on the front of the Foodlane Store (corner of Railway St and McEwan Ave).