

West Belconnen European Cultural Heritage Report

**NSW Land:
Lot 1, 2, 3 and 7**



Prepared by

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For

The Riverview Group

EMA

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1.0 INTRODUCTION

1.1 Background

The Riverview Group are developing a proposal for rezoning land in West Belconnen and adjacent NSW for residential development. To assist this task they have requested research and investigation into the area and preparation of a report on European Heritage. The overall site includes four distinct areas divided by ACT and NSW land and land ownership.

1.2 Brief

A summary of the brief is outlined below with a full copy in Attachment 1. The initial brief was expanded to include ACT Land Blocks 1605 and 1606.

1.2.1 Site

The site for this study is:

- Lot 1 NSW 91.8 ha
- Lot 2 NSW 80 ha
- Lot 3 NSW 80 ha
- Lot 7 NSW 80 ha

Refer Figure 1 for a plan of the overall site. The area included in this report (NSW land) is shown in Figure 2 and Figure 3.

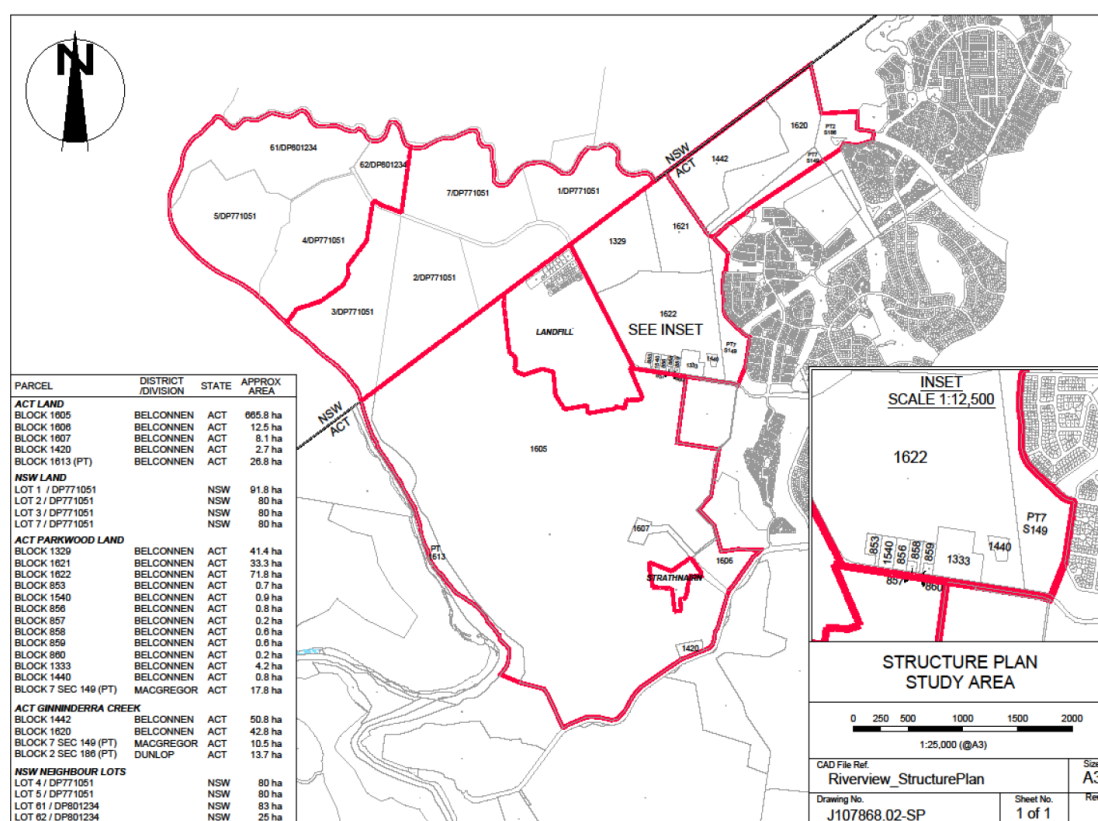


Figure 1: Plan of Overall Site

Source: The Riverview Group

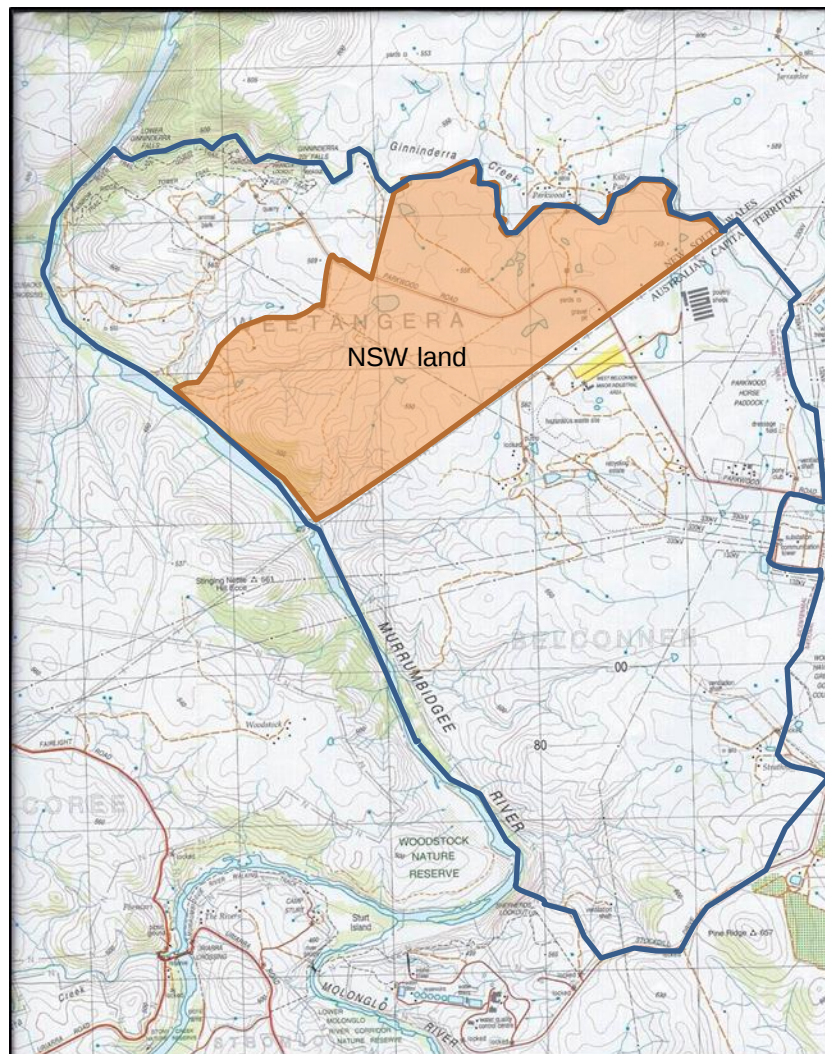


Figure 2: Plan of NSW Land

Source:



Figure 3: Aerial View of NSW Land

Source: Google Earth accessed 4 December 2013, annotated by EMA 2014

1.2.2 Task Description

To undertake necessary research and investigations and prepare a report on the European heritage of the study area.

The report to identify any features that are of heritage interest and provide an assessment of appropriate options for the future management of such features in the context of urban development.

Report to provide a commentary on the European heritage of the study area that may inform future social and cultural planning for the proposed new community.

Report to provide sufficient information to substantiate proposals to rezone the land for urban development including the identification of any requirements for heritage management or protection that should be incorporated into rezoning proposals.

1.2.3 Methodology

The study adopts the principles and practices of Australia ICOMOS and will include:

- Introduction
- Historical background
- Physical evidence and a
- Assessment of significance.

If any significant item is identified then an appropriate statement of significance, opportunities and constraints, conservation policies and management issues will be prepared. If significance does not reach threshold for heritage registration there may be recommendations that guide future development. These will be defined in this report.

1.3 Authorship

The report has been a collaborative effort by:

Conservation Architects	Eric Martin & Associates	Eric Martin
Historian	Di-Petaia Research	Dr Peter Dowling
Cultural Landscape	Consultant	Geoffrey Britton

1.4 Current Status

No part of the NSW land is listed on any heritage register or nominated for heritage listing.

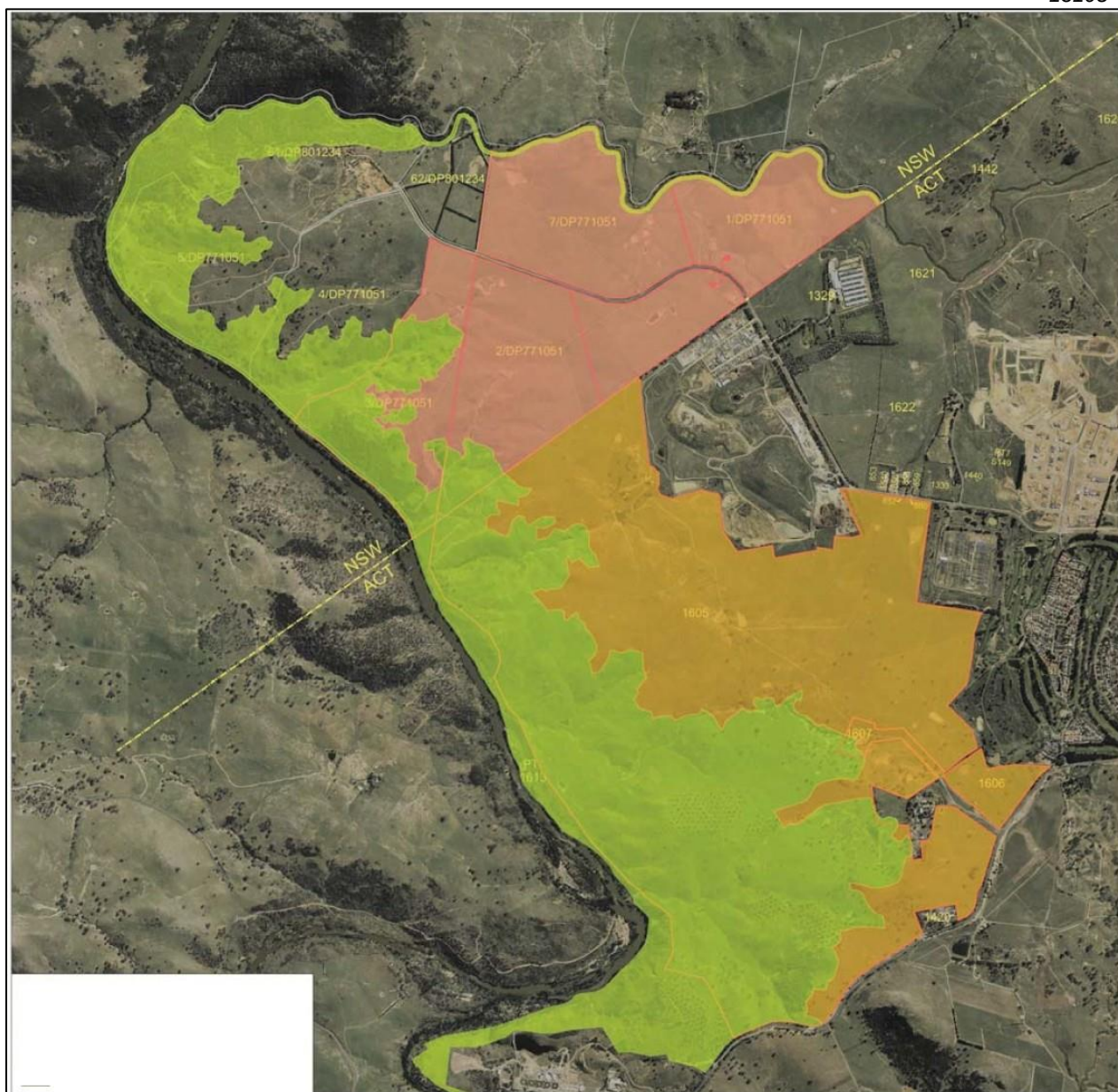
1.5 Acknowledgement

We appreciated the assistance of David Maxwell of Riverview Group who arranged or assisted access to the site and the individual owners/tenants of land who permitted site access.

1.6 Limitations

The report is restricted to European Cultural aspects. Indigenous Heritage is being assessed by Lyn O'Brien from Biosis and natural heritage values by David Shorthouse and Kevin Mills.

It is worth noting that as a result of natural values a redefined river corridor has been established and this is included as Figure 4.



- PROPOSED URBAN AREA
- RIVERVIEW NSW LAND
- PROPOSED RIVER CORRIDOR

Figure 4: Site Plan showing Proposed River Corridor

Source: The Riverview Group Knight Frank, J107868.02
Cadstral Mapping Metadata Rev C (26 September 2013)

2.0 HISTORICAL BACKGROUND

2.1 European Exploration and Settlement

In the early years of the 1820s European explorers reached what is now the Australian Capital Territory. Dr Charles Throsby, a former Naval Surgeon turned landholder and explorer, his nephew Charles Throsby Smith, guided by his convict overseer, Joseph Wilde, and James Vaughn reached the Molonglo River and the wide valley it flowed through. They were on their way to find the Murrumbidgee River. After several setbacks, Throsby reached the River in 1821. Throsby and his party were the first Europeans to see the Murrumbidgee River.

Following his explorations Throsby wrote of the country he had crossed:

...perfectly sound, well watered, with extensive meadows of rich land on either side of the rivers; contains very fine limestone, in quantities perfectly inexhaustible, slate sand-stone and granite fit for building, with sufficient timber for every useful purpose; and, from the appearance of the country, an unbounded extent to the westwards¹

Certainly overstating the natural resources available, Throsby's description of the land he saw had an element of accuracy ('extensive meadows') and when it was published in the *Australian Magazine* in 1821 it triggered much interest among the Sydney entrepreneurs. More tantalizing news of favourable lands and profits to be made came soon after.

Following the Throsby expedition, Captain Mark Currie, accompanied by the reliable Joseph Wilde and Brigade Major Ovens, reached the Molonglo River and turned south, reaching the Murrumbidgee in 1823. Alan Cunningham and his party were the next to pass through the area in April 1824. Cunningham's objective was to make a detailed botanical inspection of the lands already seen by Throsby and Currie. He followed the Molonglo and Murrumbidgee Rivers, covering some of the ground which Currie had crossed the previous year².

Throsby, Currie and Cunningham reported back to the Colonial Government on the open and well-watered lands they crossed; suitable, they claimed, for sheep and cattle grazing. At that time there were great opportunities for those with an entrepreneurial flair and the financial backing to achieve their aims to invest in tracts of land recently found on the western slopes of the Great Dividing Range. A rush to claim these lands began. European settlement began on the flood plains and slopes above the Molonglo River in what is today the central area of Canberra, and spread quickly south towards Tuggeranong and north to the lands bordering Ginninderra Creek and the Murrumbidgee River.

2.2 Early Settlement

Robert Campbell, a prominent person in the commercial sphere of Sydney, was well connected to the high social circles of the early colony through his family background and his wife Sophia, who was the sister of John Palmer the Commissary-General and First Fleet arrival on the Governor Philip's Ship *HMS Sirius*. Campbell had received a land grant from the Governor of NSW to compensate for the loss of one of his ships and in 1825 he had established a property at Pialligo on the Molonglo River with James Ainslie as manager. The property was later named 'Duntroon', after the Campbell family properties in Scotland. Robert Campbell most likely informed Palmer of the opportunities available for grazing interests in the newly explored area of the colony. John Palmer and his son, George Thomas Palmer, lost little time in establishing land – John in the area of Jerrabomberra adjoining Campbell's holdings and George Thomas further north in rolling plains bordering Ginninderra Creek know to the indigenous people *Ginninginninderry* in 1826³.

These frontier properties were well beyond formal control of the colonial administration and formal possession of lands often lagged behind actual possession. George Thomas Palmer, although grazing the lands since 1826, did not submit a request for permission to purchase the land from the colony until 18 May 1829.

¹ Throsby in *Australian Magazine* June 1821

² Havard 1956

³ Gillespie 1991, p6.

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I beg to request that you will be pleased to submit to His Excellency Governor Darling, my desire to obtain his permission (when the boundary may be extended) for the occupation of an extent of land (not within the line of its present demarcation) about seven miles distant to the northward of the property of Mr Campbell senior, in the vicinity of Limestone Plains, as it is my intention if allowed, to purchase to the full extent of the regulation which I understand to be nine thousand six hundred acres[3885 ha]⁴

Palmer then submitted a formal application for land on 14 December:

With reference to that part of the Land Regulations (bearing dates the 1st August, 1831) headed "Leases", I beg to state that I am desirous of renting fifteen sections of land situated at Ginninderra [sic] in the neighbourhood of that quarter of the country commonly called the Limestone Plains and forming part of the quantity which I formerly made application to rent with a view to purchase⁵.

The tyranny of distance affected the colonial administration in far off Sydney and a muddling bureaucracy initially allocated the desired lands to Mr John Cartwright. An annoyed Palmer then pointed out that he had occupied the lands for several years, had erected several expensive buildings and installed an overseer. The confusion was quickly cleared up in Palmer's favour by the Colonial Secretary and the lands he requested were formally granted in 1831 five years after he had first taken up the land.

It would appear that none of Palmer's local lands were surveyed before occupation, although Assistant Surveyor Robert Dixon and his party had been in the district in 1829. Palmer's holdings were eventually surveyed in 1832, by Robert Hoddle and in 1836 by James Larmer.

Palmer's holdings in the Ginninderra district included:

- Portions 4, 8, 9, 10 & 94 – Parish of Weetangera – 4,321 acres (1749 ha)
- Portions 4 & 34 – Parish of Wallaroo – 2,205 acres (892 ha)
- Portions 20 [Palmerville], 21, 22, & 23 – Parish of Canberra – 2,640 acres (1068)⁶.

Further land grants were to be given in the larger area of Ginninderra but many were to absentee owners who speculated but never settled the area [p. 9]. One such 'speculator' was John Langdon who obtained a grant of 1, 280 acres (518 ha), never lived on it, and disposed of it to George Palmer in 1834 in exchange for 445 ewes [p.9]. By this time Palmer was in formal possession of at least 4,227 ha of land and utilising further land areas primarily for grazing in the Ginninderra Creek area.

Another more well-known speculator was Captain Charles Sturt who acquired property ('Belconnen') with frontage on the Murrumbidgee as a reward for his explorations along the Murray and Murrumbidgee Rivers. But, he sold it to Fredrick Campbell within one year. Fredrick Campbell also purchased 640 (259 ha) acres of land on Ginninderra Creek from George Popham in 1836 steadily increasing his land holdings in the area. By the late 1830s the Campbell estate north of the Molonglo River and in the vicinity of Ginninderra Creek totalled almost 6,900 hectares By this time Palmer was in formal possession of at least 4,227 ha of land and utilising further land areas primarily for grazing.

Yet another absentee owner was Alick Osborne, a Royal Navy Surgeon, who obtained 987 acres (399 ha) on Ginninderra Creek at its junction with the Murrumbidgee. He sold the land for £1,200 to Thomas Southwell, who named the property 'Parkwood' and immediately took up residence on it and stayed!

The pattern of absentee land owners selling their land grants to the larger land holders continued. One exception, however, was Henry Hall who received a grant of 3,742 acres (1514 ha) in the parish of Wallaroo and established his homestead there in 1833. His property, Charnwood was surveyed in April 1836.

⁴ Ibid p.6

⁵ Ibid p.7

⁶ Land Titles Office, NSW, Plans M6.743, M44.743, M48.743, M50.743, M98.743, M100.743; Gillespie 1991 p.8.

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Following a census taken in 1841 the only habitations in the Ginninderra district appear to have been those Palmer (Palmerville), Hall (Charnwood), Glenwood, and Campbell (Belconnen). An example of the population in the area at this time can be derived from two properties:

Population in the Ginninderra district from 1841 census⁷:

Property	Population
Palmerville	47 males, 21 females (total 68) 15 were convicts 6 were ticket-of-leave employees
Charnwood	24 males, 8 females (total 32) 11 were convicts (10 male, 1 female) 3 were ticket-of-leave employees

But by the end of the 1850s the majority of the land north and south of Ginninderra Creek either side of the present ACT-NSW border was held by a handful of wealthy owners including Campbell, Palmer, Southwell and Hall, most of whom held lands elsewhere (refer Figure 5).

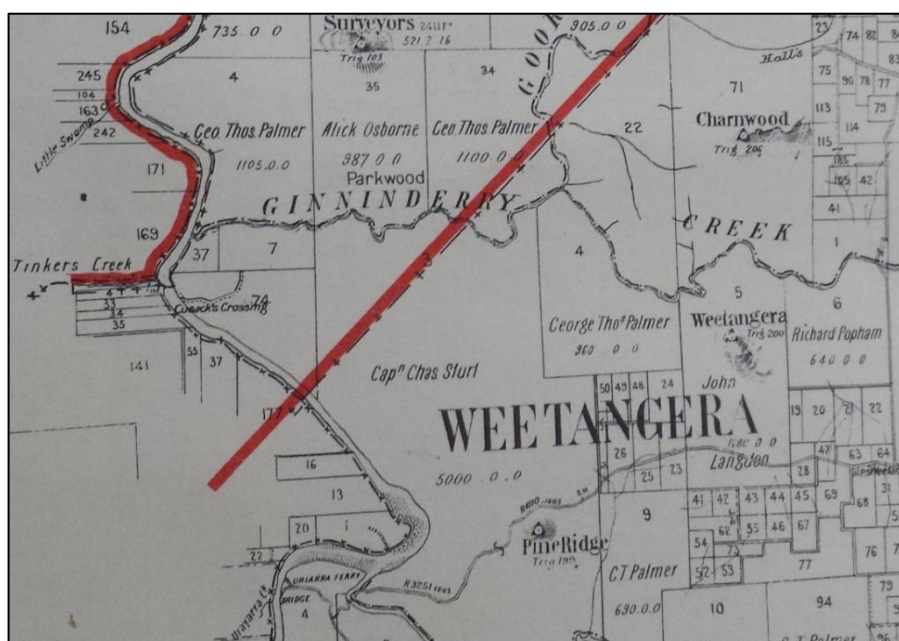


Figure 5: c1910 Map

This map re-published as c1910 Map shows lands held by George Palmer (on both sides of the border), Alick Osborne (Block 36, Parkwood) and land attributed to Captain Charles Sturt. By the time this map was re drawn with the ACT/NSW border Sturt had sold his land to Fredrick Campbell, and Osborne had sold his to Thomas Southwell.

Source:

2.3 The Charles Sturt period

Following his explorations along the Darling and Murray Rivers systems (1828-1830) and government postings, Charles Sturt returned to England in poor health. While undergoing treatment he published an account of his journeys, and after many petitions to the New South Wales Government for recompense, he was promised a grant of 5,000 acres (2,024 ha). The promised grant came with a condition that he gave up his military commission and renounced all other rights arising from his military service. Sturt's

⁷ Gillespie 1991 p.12

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decision to resign from the military was no doubt based on his continuing ill health, poor eyesight and strained financial situation⁸.

Sturt and his wife returned to New South Wales in 1835. On 17 April 1835 Sturt wrote to his brother William: *You are aware that the Government gave me a 5,000 acre grant of land, but I have not as yet made my selection, being puzzled as to the locality.*

Just a few days later it would appear that Sturt had made up his mind on where to select his land. On 21 April he wrote again:

I am on the eve of making a journey to select my acres. The country to the south is described by several people as most beautiful. As soon as I get my land I shall stock it with 1,000 sheep and 150 to 200 head of fine cattle. As a beginning, that, I think, will do very well; and a trip once or twice a year to see my establishment will be a pleasure to me⁹.

On 5 June an order was issued by the Governor for the promised grant of land. Just after their arrival back in the Colony the Sturts purchased an additional 1,950 acres (789 ha) near Mittagong where they settled. Sturt may have made a journey to the area of Ginninderra to select his granted land.

Sturt's wife, Charlotte, wrote in her biography:

Sturt delayed for some time to select his land, and the Survey Office in Sydney warned him they would cancel his grant if he did not exercise it within a given time. This notice found him lying ill at Yarralumla, so on hearsay and in haste, he chose his grant at Ginningdera [sic] near Queanbeyan, a block surrounded on three sides by the water of the Murrumbidgee, the Queanbeyan [actually the Molonglo] and the Ginningdera. The land, however, is not good, and has suffered heavily from floods¹⁰).

Writing many years later, Charlotte Sturt may have exaggerated the flooding of the land. While the Murrumbidgee and Molonglo Rivers and Ginninderra Creek would have regularly flooded, much of the land Sturt selected was and is today above the floodplains of these waterways.

Whether he did actually inspect the area, or relied on the recommendations of contacts in the district, the land he selected for his grant was a good choice. The 5,000 acres was a gently sloping area of land with sheltering ridges. The selection fronted on to the permanent water sources of the Murrumbidgee River, and was bounded in the north by Ginninderra Creek and in the south by the Molonglo River. Small drainage creeks and springs added to the water availability of the land (Figure 6).

The selection was surveyed by Robert Hoddle, the Deputy Surveyor General for the Colony, on 25 November, 1835 and gazetted on 8 February, 1836. Sturt was asked by the Colonial Secretary to name his grant for the title deed:

In reply to your communication requesting to be informed by what name I would wish the 5000 acre grant confirmed on me by the Government to be designated that the same may be entered in the Title Deed which His Excellency the Governor had directed to be prepared. I have to express my wish that it may be called "Grange"¹¹.

With the name of the property duly recorded the land was finally granted to Sturt on 3 February 1837.

Judging by the letter he had written to his brother on 17 April, Sturt most likely had no intention of actually building and living on the Ginninderra land grant. By 1836 he and his wife had purchased and settled on a property between Bowral and Mittagong. Sturt was to hold title of the 'Grange' for just a year. On 26 February 1838, he sold the whole 5,000 acres to Charles Campbell. There is no record of Sturt returning to the Ginninderra region and he saw out his last years in Australia in Adelaide; living in a modest house he named 'Grange' before returning to England in 1853.

⁸ Cumpston 1951; Beale 1979

⁹ Cumpston 1951

¹⁰ Cited in Cumpston 1951

¹¹ Archives Office NSW Microfilm No. 1185 cited in Gillespie 1992.

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However, the figure of Charles Sturt has been prominent in Australia's history, particularly for his explorations in the Murrumbidgee and Murray River Corridors and into the desert centre of the continent. His name has been given to a suburb in Adelaide, a University in New South Wales, and several municipal streets and roads, including the major highway linking South Australia, Victoria and the Hume Highway in New South Wales. Sturt's association, however fleeting it was, with the land along the Murrumbidgee was locally and officially recognised into the early nineteenth century with 'Sturt's Grant' being marked on the 1915 Feature Map produced by the Federal Capital Territory. Today, the Sturt association is still recognised by the naming of Sturt Island in the Murrumbidgee Corridor

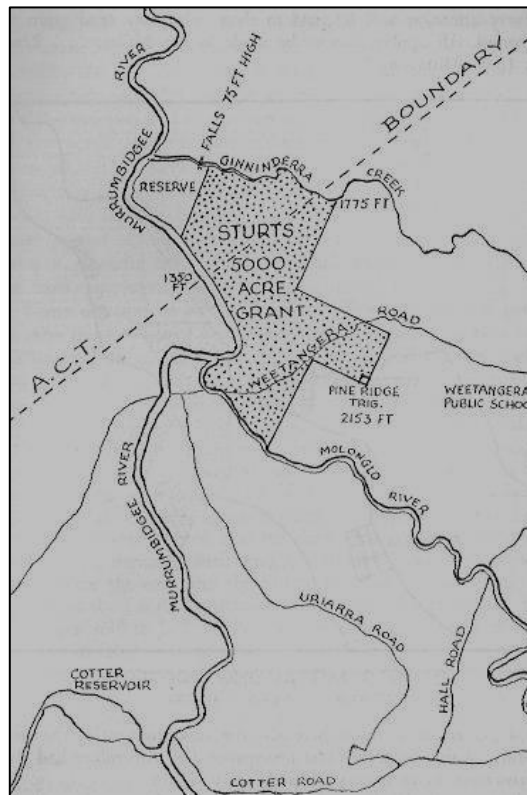


Figure 6: The location of Sturt's 5,000 acre land grant, later named 'Belconnen' located between the Murrumbidgee River in the south and Ginninderra Creek to the north.

The ACT-NSW border cut through the original grant leaving the northern section under NSW legislation and retained in private ownership, and the southern section under Commonwealth legislation to be compulsorily resumed¹². The NSW land is depicted as a reserve area in the north from Ginninderra Falls and the northern section of Sturt's grant (later purchased by Fredrick Campbell).

Source: Cumpston, 1957.

¹² Cumpston 1951

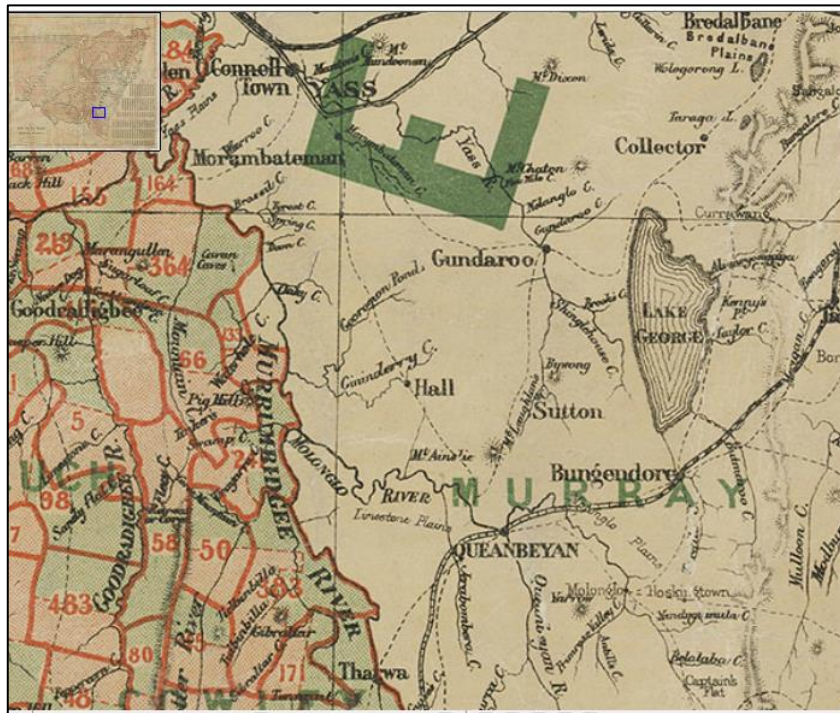


Figure 7: The 1886 Index map of New South Wales shows the pastoral holdings following the 1884 Crown lands Act prepared by the Surveyor General's Office. The site, south of Ginninderra Creek and the surrounding land east of the Murrumbidgee, is not yet subdivided.

Source:

2.4 The Southwell Period

In 1829 Alick Osborne applied for land along the Ginninderra area and was eventually given 987 acres (400 ha) bordering Ginninderra Creek near the confluence with the Murrumbidgee River. Osborne was a surgeon in the Royal Navy and, like many in the military serving in the New South Wales colony, saw good opportunities to speculate in the lands becoming available in the table lands west of the Great Divide. Osborne most likely used his purchase primarily for grazing but never established himself in the area. He was to sell the land within ten years to the Southwell family and in so starting a long-term association with the land.



Figure 8: Thomas and Mary (Croxton nee Roffe) Southwell

Source: Gillespie 1988a. P. 8

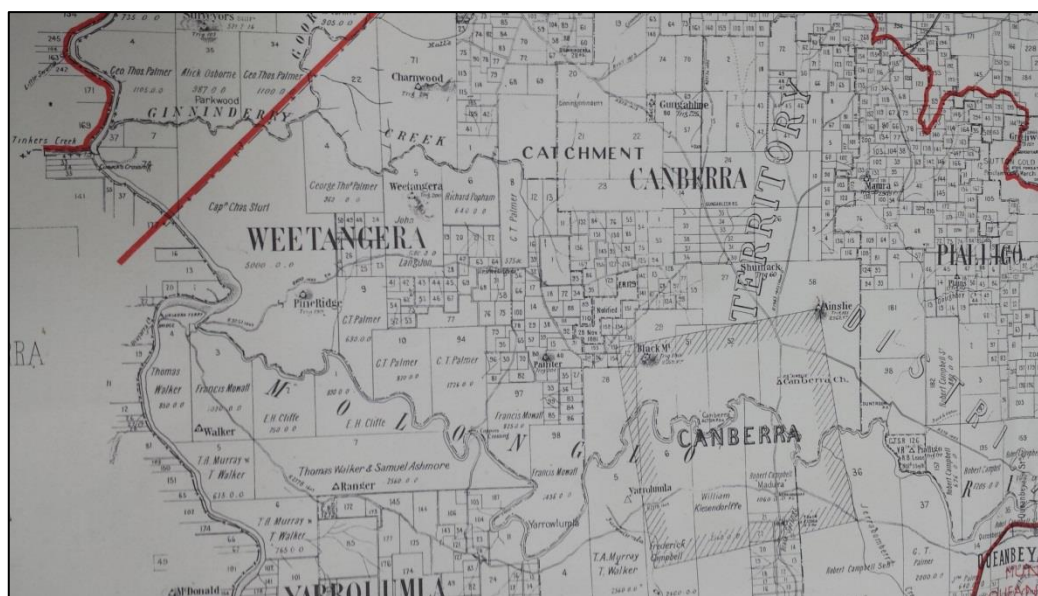


Figure 9: This map, republished c. 1910 after the Federal Capital Territory border survey, shows the rural holdings of the Weetangera and Canberra regions. The study area region in the Weetangera Shire between the Murrumbidgee River and Ginninderra Creek has been surveyed into large open grazing lots compared to other smaller lots to the south. (The map is based on an earlier parish survey as the neighbouring lot labelled under the ownership the ownership of Capt. Charles Sturt was sold to Campbell in February 1838).

Source:

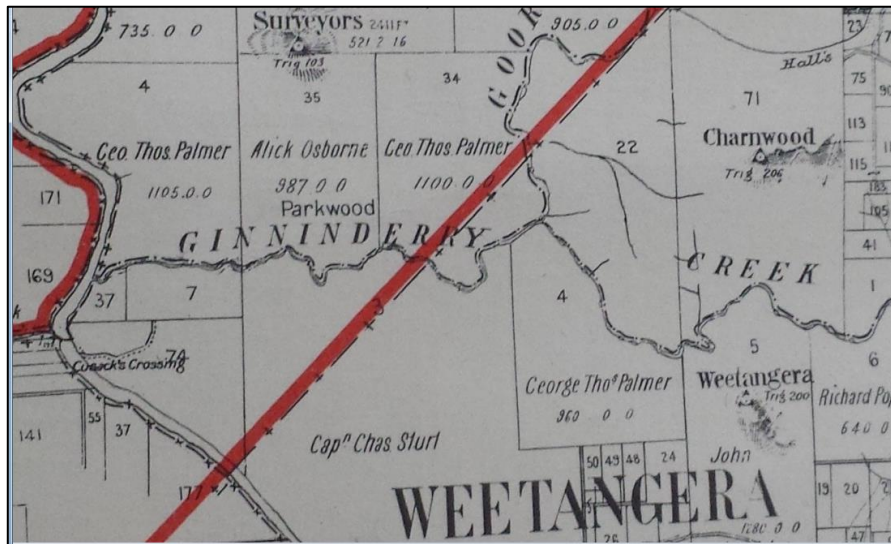


Figure 9: An expanded section of the same map shows the study area (south of Ginninderra Creek) as part of the 987 acres granted to Alick Osborne and part of George Thomas Palmer's 1105 ha grant.

Source:



Figure 10: 1904 Parish of Weetangera map showing Charles Sturt's 1838 land grant (noted as Capt. Charles Sturt 5000 ac.). The western grant boundary (shown between blue arrows and west of the ACT border) remains as a fenced alignment within the present study area.

Source:

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Thomas and Eliza Southwell, with two children, arrived in Sydney from England in November 1838. Thomas soon found employment in Sydney and worked for more than a year saving sufficient funds and means to enable the family to venture out in the countryside of the colony where they could eventually purchase land. Two years later, 1840, the Southwells were in the Ginninderra district. Their place of residence was at Palmerville, the settlement established by George Thomas Palmer on Ginninderra Creek. By 1843 the family, now growing, were living in the area in a temporary residence just north of the Ginninderra Falls. The small residence was a simple dwelling with walls and roof of stringy bark, and an earthen floor. Thomas Southwell established himself as a teamster and provided carrying services for the landholders in the district¹³.

On 28 August, 1854, Thomas Southwell, purchased Alick Osborne's 987 acre property on Ginninderra Creek for the sum of £1500, a large sum of money in that time. He named the property 'Parkwood' after the wood where he had resided in England. On the north side of Ginninderra Creek he soon built a slab and bark house for his family along with a barn, established an orchard and planted weeping willows on either side of the Creek. There appears to have been no building infrastructure built on the southern side of Ginninderra Creek but in 1863 Southwell began to construct a more substantial brick residence north of the Creek for his growing family¹⁴.

Thomas and his family cultivated wheat, oats, rye, corn, potatoes and other vegetable and fruit crops on their property together with hops and tobacco¹⁵. Samuel Southwell, Thomas and Eliza's son, recounted the farming experience in the 1840-60s.

My early knowledge of things generally in this district are that times were very bad for people on the land and for all people who were trying to lead an honest life.

The only method to break up the land for farming pursuits was by single furrow plough and bullocks. Reaping with sickle and thrashing by flail. Waiting for suitable wind to clean the grain. With a very good market running wheat worth from 1/6 to 2/1 [shillings/pence] per bushel [,] hay worth very little and very little grown. Potatoes and corn were grown but no market at all for such products. Good fat cattle now worth up to £20 – per head were then only worth about £2 – horses very scarce and draughts were out of the question.

Nearly every squatter carried on boiling down works, to use up the surplus fat stock because there was no market for the stock. Very few had any sheep here in those days. Wages were very low £20 per annum was then a fair wage. Young men received about 5/- weekly as farm labourer. I saw a new bullock dray sold in the market for the sum of £10 – worth from £40 to £60 now.

*Later in years after the diggings broke out in Bendigo – Ballarat and other places all was changed in the matter of produce and wages. Wheat went up to 16/- per bushel and many carriers were employed to convey wheat to the Sydney market and elsewhere which appears to have been the turning of the tide with men on the land. Since then to now the times have been somewhat better or worse. Just as the circumstances and seasons have occurred and occasioned.*¹⁶

In 1882 the larger landholders in the Ginninderra region, Edward Crace and Fredrick Campbell, embarked on a large-scale fencing programme of their properties. Prior to this time properties were largely unfenced and often the exact boundaries were uncertain. This situation necessitated the employment of shepherds to control the sheep flocks during the day and yarding them at night to reduce the risk of them straying or falling prey to wild dogs and dingoes. Fencing large areas solved this problem to a large extent and was seen as financially expedient.

But fencing caused other problems. The smaller selectors had often the need to use the established tracks across the properties of Crace and Campbell to get to their own holdings. This was made even more a necessity because the holdings in the Ginninderra area were bordering or spanning rivers such as

¹³ Gillespie 1988b

¹⁴ Gillespie 1988 p. 13.

¹⁵ *Ibid*

¹⁶ Samuel Southwell, 1920, cited in Winch 1982 P.23.

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the Murrumbidgee and Molonglo or smaller but often impassable water ways such as Ginninderra Creek, particularly in the lower gorge reaches. The programme of fencing by Crace and Campbell cut off these access routes along the tracks and caused bitter disputes which led in many cases to legal disputes over rights of access. Two of the Southwell family, Joshua and his cousin John Southwell appeared in court cases brought about by Crace. Joshua was fined for damaging a fence and gate belonging to Crace and John appeared in court charged by Crace with illegal trespass. He had previously been in court on a similar incident involving right of access and trespass¹⁷. While these cases seem trivial they were very costly to defend by the smaller land owners and in the case of Joshua Southwell and several others led to financial ruin and insolvency¹⁸.

The Southwells were a religious family. Thomas became well known for his evangelistic activities in the district. A strong supporter of the Wesleyan faith Thomas became known as the 'father of Methodism' throughout the wider region. Soon after his arrival in Ginninderra he commenced holding bible readings and prayers in his home twice daily. Neighbours gathered to hear his sermons, and by 1848 regular services were being held at Thomas and Eliza's home. In 1880 the Southwells commenced construction of the stone 'Parkwood Church' still standing on the northern bank of Ginninderra Creek.

The land holding by the Southwells in the area is shown in Figure 11.

Eliza Southwell died in 1852 at the birth of her ninth child, Jabez, and is buried together with Jabez in St John's Churchyard, Reid (Anglican), it being the only consecrated ground at the time. Thomas remarried to Mary Croxton (nee Rolfe), a widow with two children, and commenced a second family of another nine children¹⁹.

Thomas Southwell together with three brothers and a nephew who emigrated from England have established one of the largest family dynasties in Australia who can trace their origins back to the early pioneering days in rural southeast Australia. Reunions of the family originating from Thomas Southwell still gather and celebrate their ancestor's arrival in the Ginninderra region of the ACT²⁰.

Thomas Southwell died in 1881. Following his death, Parkwood was subdivided between his four eldest sons in acknowledgement of their part in establishing Parkwood. However, the youngest son, Mark, bought his brothers out and he remained there until 1905 when a severe bushfire burnt out most of the property. Parkwood was then sold to Edwin Davis and for five years (1905-1910) out of family hands until James Kilby (a descendant) purchased it. As James' brothers, Clyde, Bruce and Cleon progressively moved back to Parkwood, the property was run by Kilby Bros. Cleon retired and left his share of the property to his brother Robert.²¹

The property remained with the family until 1969 when Robert Southwell, son of Cleon, sold all but 40 acres (16 ha) to Matthew Abell & Co, Hardwicke Stud. Since 1984 the property has been in the ownership of E Notaris of Canberra²².

[PD to comment on recent ownership of NSW land and current ownership by
Corkhills (Riverview Group)]

¹⁷ Coulthard-Clark 1990, p. 27

¹⁸ Gillespie 1988b

¹⁹ Australian Heritage Database, www.environment.gov.au

²⁰ The Southwell Family Society <http://southwellfamilyociety.org/>, Accessed 23-11-13

²¹ Gillespie 1998b

²² Australian Heritage Database *op cit*

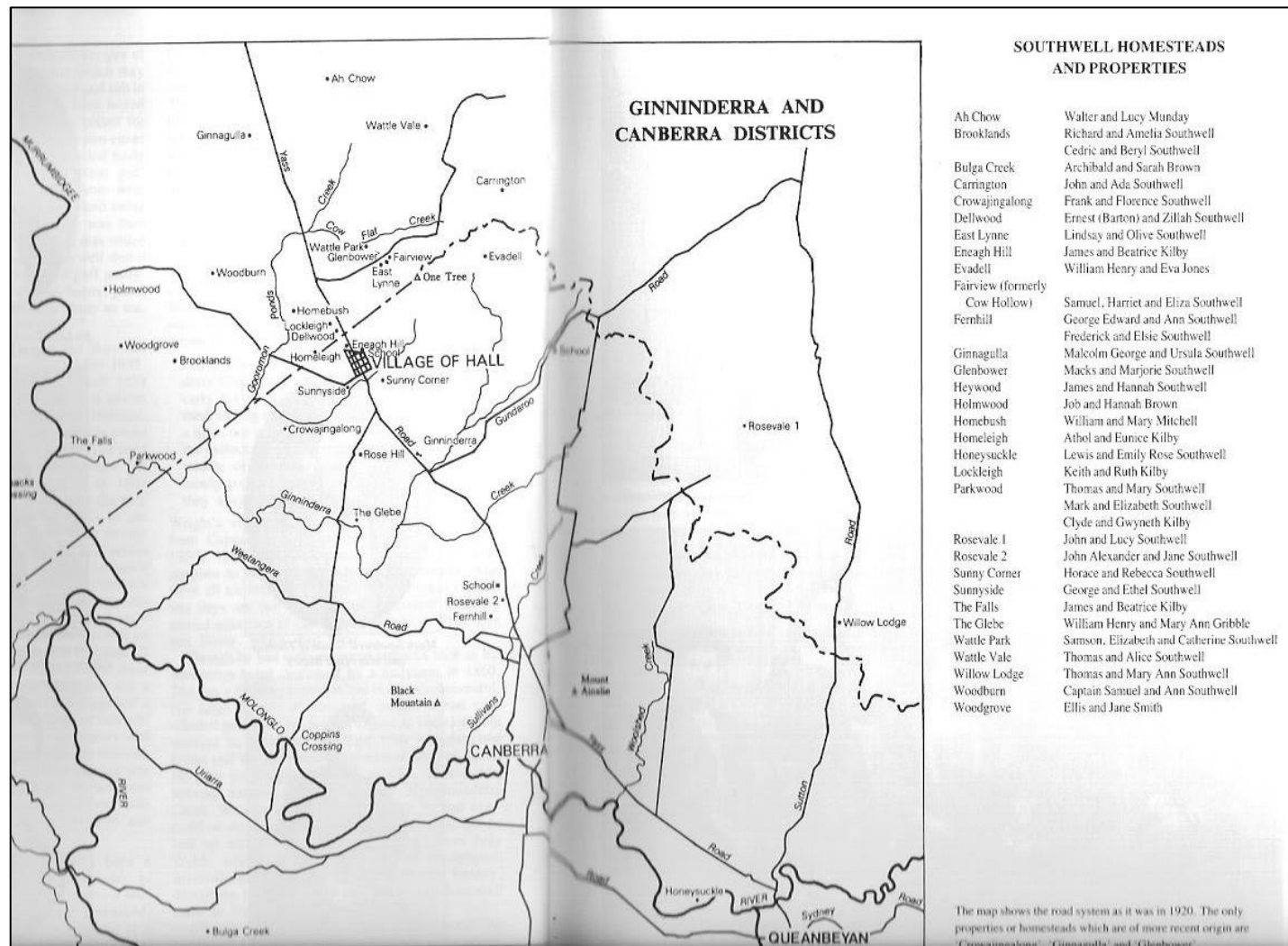


Figure 11: Area of Southwell family and relatives holdings and properties in the ACT and NSW (Gillespie 1988b)

3.0 PHYSICAL EVIDENCE

3.1 Setting/Landscape

This study area encompasses a largely open, undulating and predominantly grassy landscape that is bounded by the ACT-NSW border to the east, Ginninderra Creek to the north and the Murrumbidgee River to the southwest. The western boundary initially follows the eastern-most pine shelterbelt at 'Ginninderry' fronting Ginninderra Creek then turns along the Parkwood Road before following a meandering line to the southwest down to the Murrumbidgee River.

Numerous dams are dotted throughout the site with a principal, more westerly, creek draining in a southwesterly direction to the Murrumbidgee River. Another, smaller, creek just to the west of the border also drains to the river. Parkwood Road divides the site into generally gentler, flatter country to the north and a much more incised, rolling landscape – particularly at the main creek - to the south. Views from the land south of Parkwood Road lead to the Murrumbidgee River valley and across over undulating country culminating in the rugged forested ranges of the Brindabella system along the horizon.

Remnant woodland within the study area, of the Blakely's Red Gum (*Eucalyptus blakelyi*) – Yellow Box (*E. melliodora*) alliance, persists mainly around the principal creek valley and on the precipitous river-facing slopes further south. Exotic vegetation is prominently represented by the lines of relatively young Monterey Pine (*Pinus radiata*) adjoining the study area to the northwest and sporadic willows along Ginninderra Creek.

There are no farmhouse groups within the study area though there are several important early homesteads in the vicinity. Foremost of these, and prominent from Parkwood Road after crossing the border, is the *Parkwood* complex of structures with its compact associated exotic vegetation (refer Figure 12 and Figure 13) and the closely associated *Kilby Park* (refer Figure 14) both to the north just across Ginninderra Creek. A chain of cleared hills picturesquely forms a backdrop to views of *Parkwood* and *Kilby Park*. To the east within the ACT, and hardly visible from the study area, is the *Belconnen Farm* group.

The West Belconnen Resource Management Centre (WBRMC) dominates views along part of the border with the ACT while there otherwise appear to be no obvious divisions between land on either side of the border or other NSW lands further west with the landscape generally forming one continuum.

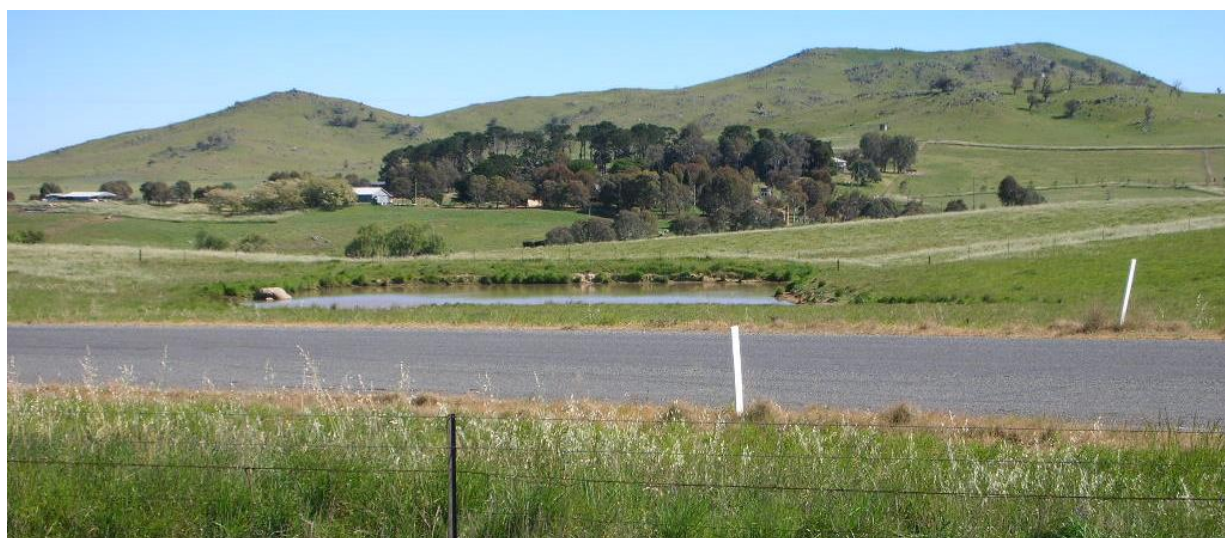


Figure 12: The Parkwood homestead group with its characteristic exotic vegetation and backdrop of cleared hills viewed from just past the NSW side of the ACT border. Parkwood Road is in the foreground.

Source: Geoffrey Britton, 2013



Figure 13: Panoramic view of the northern part of the study area with its flatter, gentler topography looking towards the *Parkwood* homestead group (left) and nearby *Kilby Park* (right). Ginninderra Creek (with characteristic willows) is in the middleground extending from the left-side edge across to the right then returning past *Kilby Park* to its right before crossing the ACT border. All of this landscape forms part of the traditional setting for these two homestead groups.

Source: Geoffrey Britton, 2013



Figure 14: Detail view of *Kilby Park* with Ginninderra Creek in the foreground and middleground at right.

Source: Geoffrey Britton, 2013

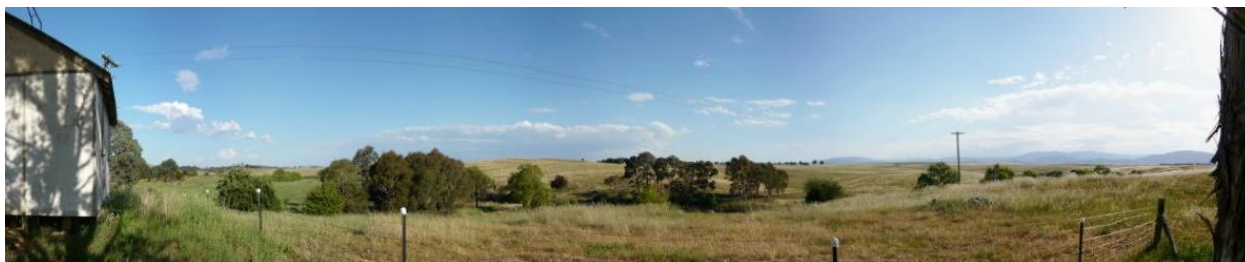


Figure 15: Panorama looking south from Parkwood across Ginninderra Creek and the grassed ridge of the northern part of the study area with typical views of the enclosing western mountain ranges beyond.

3.2 Evolution of the Cultural Landscape

Enduring intrinsic attributes of the landscape that would have been present at the time of the first European incursions into the northern 'Limestone Plains' in the 19th century include the eroded and weathered landforms, the dendritic drainage patterns, rocky gorges, sporadic persistent woodland trees with a riparian vegetation community closer to the main drainage corridors and, in a broader context, extensive views connecting the site with the distant mountain ranges beyond.

Where creeks and their tributaries have incised through the undulating landscape they have exposed rocky terrain of mainly volcanic origin. This is especially noticeable as the creeks approach the Murrumbidgee River. The broader Belconnen-Ginninderra area is also known to be of considerable geological and geomorphological interest.²³

Land included within the study area adjoins that within the ACT that has been described as a Tableland Dry Tussock Grassland with Tableland Riparian Woodland along the Murrumbidgee River (and into the larger tributary creeks such as Spring Creek) and patchy areas of Tableland Grassy Woodland with Blakely's Red Gum and Yellow Box) and Tableland Woodland with Black Cypress Pine (*Callitris endlicheri*).²⁴

The northern two thirds of the study area fall within an area that was once part of Charles Sturt's 1837 land grant. The western boundary of this grant is actually still delineated within the present landscape and is interpreted by way of a fence alignment extending from Ginninderra Creek to the lower part of the ACT border as it approaches Spring Creek (within the ACT). The northern-most part of this alignment is further reinforced visually by one of the pine shelterbelts at 'Ginninderry'. The grant boundary line soon became the western boundary line of Charles Campbell from 1838 and it was likely during the Campbell period (1838-1912) that it was initially fenced. (As late as 1904, the map for the Parish of Weetangera still noted the Charles Sturt grant area under his name.) The pine windbreaks forming the northwest boundary of the study area were planted from the 1980s and all of the larger dams were also constructed after this time.

Aerial photography from 1985 shows Parkwood Road with a different alignment to that which presently remains. The current road alignment has smoothed out into broad engineered curves the earlier more abrupt alignment of tight curves and short sections of straight road. The meandering access road to *Parkwood* and *Kilby Park* from off the realigned Parkwood Road appears to be much older.

²³ Geological Society of Australia, *A Geological Guide to the Canberra Region and Namadgi National Park*, GSA Canberra Division, 2008; Geosciences Australia, Geology & Geophysics, Geological maps 1:100,000 series, Canberra Sheet 1992 and Brindabella Sheet 1979; Department of Urban Services, *Murrumbidgee River Corridor Management Plan*, Conservation Series No. 12, Australian Capital Territory Government, 1998, p. 74

²⁴ Environment and Recreation, Territory and Municipal Services, *ACT Aquatic Species and riparian Zone Conservation Strategy*, Action Plan No. 29, TAMS, Canberra, 2007, p. 29



Figure 16: Aerial Photograph, 1985

Source: NLA Belconnen CAC/C 2777 Run 2 Frame 035, 1985

3.3 Structures

There are a few structures in the NSW land site as outlined below. Their location is shown in Figure 17.

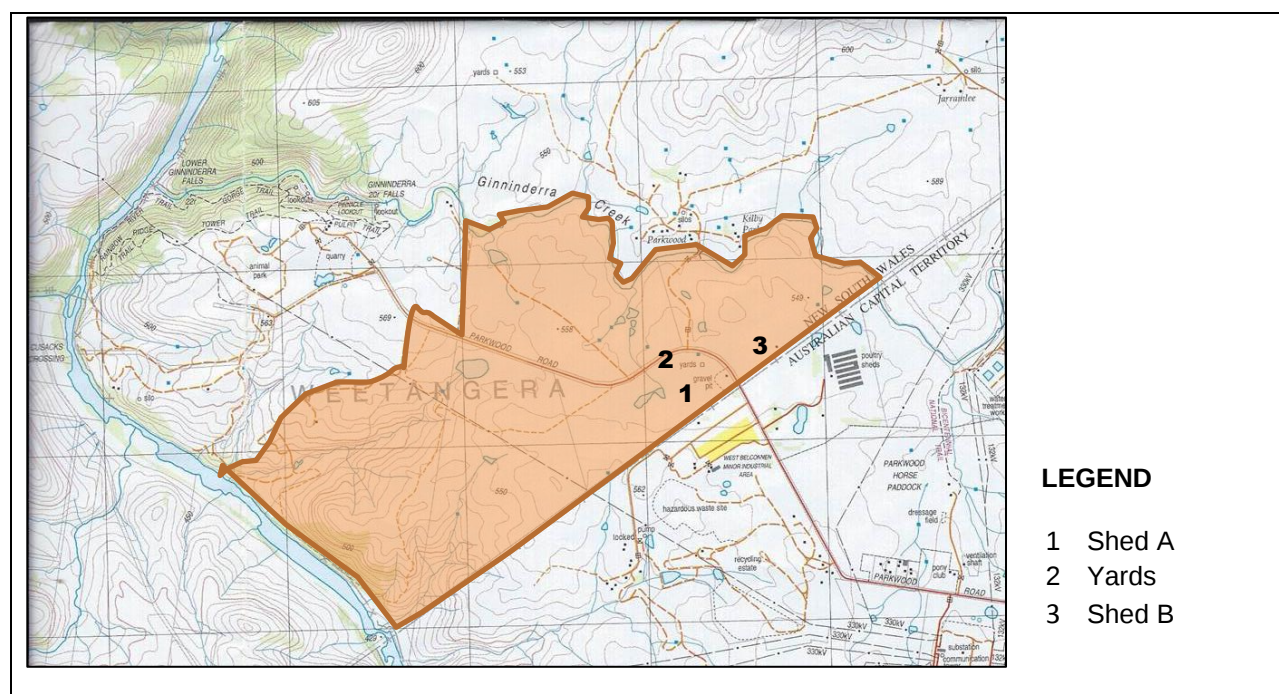


Figure 17

Source:

- 3.3.1 Shed A** Timber framed corrugated galvanized metal clad building in two sections and a small adjacent shed.



3.3.2 Yards Post and rail timber yards and race.



3.3.3 Shed B Colourbond farm shed with gable roof and large tank. Site is fenced.





4.0 ASSESSMENT

4.1 Criteria

To establish the significance of West Belconnen it is necessary to analyse the information from the preceding sections. The analysis is against the criteria for the NSW Heritage Register²⁵ as the place is located in NSW.

The criteria that are currently applicable for the NSW Heritage Register are those specified in Part 3A of the NSW Heritage Act (as amended in 1998): The State Heritage Register is established for listing of items of environmental heritage²⁶ which are of state heritage significance²⁷.

To be assessed for listing on the State Heritage Register an item will, in the opinion of the Heritage Council of NSW, meet one or more of the following criteria²⁸:

- a) an item is important in the course, or pattern, of NSW's cultural or natural history;
- b) an item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history;
- c) an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW;
- d) an item has strong or special association with a particular community or cultural group in NSW for social, cultural or spiritual reasons;
- e) an item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history;
- f) an item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history;
- g) an item is important in demonstrating the principal characteristics of a class of NSW's
 - cultural or natural places; or
 - cultural or natural environments.

An item is not to be excluded from the Register on the ground that items with similar characteristics have already been listed on the Register.

4.2 Assessment

4.2.1 Historical Value

Within the NSW lands comprising lots 1, 2, 3 and 7 there remains evidence of the earliest permanent phase of development from Charles Sturt's 1837 land grant and Charles Campbell's Belconnen estate (1838-1912). This is principally manifest by way of the extant fence line between Ginninderra Creek and the ACT border that marked the western boundary of the grant and the estate. (Note that Figure 6 is not correct and the detail is in Figure 10).

The study area also holds value as retaining part of the earlier entry road to Parkwood and Kilby Park as well as the track to Cusack's Crossing. The northern section of the study area forms an integral part of the traditional visual setting of the early farms of Parkwood and Kilby Park.

4.2.2 Aesthetic Value

Considerable aesthetic value is attached to the NSW lands comprising lots 1, 2, 3 and 7 where the site adjoins the Murrumbidgee River valley and Ginninderra Creek and also in those more rugged

²⁵ <http://www.heritage.nsw.gov.au/docs/criteria.pdf>

²⁶ **environmental heritage** means those places, buildings, works, relics, moveable objects, and precincts, of state or local heritage significance (Section 4, *Heritage Act, 1977*).

²⁷ **state heritage significance**, in relation to a place, building, work, relic, moveable object or precinct, means significance to the State in relation to the historical, scientific cultural, social, archaeological, architectural, natural or aesthetic value of the item (Section 4A(1), *Heritage Act, 1977*).

²⁸ Guidelines for the application of these criteria may be published by the NSW Heritage Office

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parts of the principal creek line. The site also retains impressive views to the distant high mountain ranges such that these should be regarded as a part of the site's scenic landscape setting.

4.2.3 Social value

The master planning of the area has involved considerable consultation from a very wide range of stakeholders. This has revealed that the edges of the study area adjoining the Murrumbidgee River corridor hold considerable value for a broad community of interest. Some of this community interest in the site has been expressed through the media²⁹ and in proposals for a Murrumbidgee-Ginninderra National Park concept that would adjoin and continue the Woodstock Nature Reserve across the ACT border³⁰.

4.2.4 Scientific Value

Archaeological research potential is covered by others.

Indigenous flora and fauna research potential covered by others.

Parts of the study site would hold ecological value as a part of the Murrumbidgee River corridor system where there would also be educational value for geology and geomorphology.

4.2.5 Overview

The natural values associated with the Murrumbidgee have been assessed by others and a river corridor defined to protect these values (refer Figure 4).

Our assessment of the remaining part of NSW land heritage values is:

Site Component	Grade of Significance
• 1837 Sturt grant boundary/Campbell estate western boundary line (interpreted by the existing fence line)	High
• Traditional setting/curtilage for Parkwood & Kilby Park	High
• Traditional views to distant ranges	High
• Traditional views to Murrumbidgee River valley	High
• Indigenous woodland & riparian vegetation within river corridor	High
• Early access toward Cusack's Crossing	Moderate
• Earlier (unsealed) access to Parkwood & Kilby Park	Moderate
• Willows within Ginninderra Creek	Moderate
• Associational values with Southwell and Kilby families	Moderate
• Indigenous woodland & riparian vegetation outside river corridor	Low
• Monterey Pines adjoining site to the northwest	Low
• Buildings and Structures	Low
• Views into West Belconnen Resource Management Centre site	Intrusive
• Environmental weeds throughout	Intrusive

²⁹ <http://www.smh.com.au/travel/blogs/yowie-man/ginninderra-falls-for-all-of-us-20120711-21veg.html>

³⁰ Ginninderra Falls Association, Murrumbidgee-Ginninderra Gorges National Park: A proposal, no date, pdf downloaded from www.parliament.act.gov.au/.../04_Ginninderra_Falls_Association.pdf

4.3 Conclusion

There is no part of the NSW land outside the proposed river corridor that meets the threshold of satisfying any of the criteria for listing on the NSW Heritage Register or the Heritage Schedule to the Yass Valley LEP 2013.

However there are elements of the NSW land that should be retained, interpreted and integrated into any future development of the area. These include:

- The western boundary of Sturt/Campbell land.
- The alignment of the original access road to Parkwood/Kilby Park.
- Some tree planting along Ginninderra Creek to protect views from Parkwood/Kilby Park
- Retention of vistas/views to distant ranges and the Murrumbidgee River valley.
- The ACT border alignment.

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Attachment 1 Brief

REQUEST FOR FEE SUBMISSION

For

EUROPEAN HERITAGE SERVICES

For

BLOCKS 1605, 1606, 1607 & 1420

Part BLOCK 1613

DIVISION OF BELCONNEN ACT

ACT PARKWOOD

**BLOCKS 853, 856, 857, 558, 859, 860, 1329,
1333, 1440, 1621, 1622 & Part BLOCK 7 Sec 149**

NSW LAND

LOTS 1, 2, 3 & 7

**DP771051, Parish of WEETANGERA,
SHIRE OF YASS VALLEY, NSW**

NSW NEIGHBOURS LOTS

LOTS 4, 5, 61, & 62

Date of Issue: JULY 2013

Prepared by

Riverview Group
P.O. Box 3908
Manuka ACT. 2603

REQUEST FOR FEE SUBMISSION

1.0 BACKGROUND

The ACT site includes all of Blocks 1605 and 1606 Belconnen District. It is bounded:

- On the east by Stockdill Drive and the Belconnen Magpies Golf Course (a portion of which was recently rezoned for residential development)
- On the south by the Murrumbidgee River
- On the west by the ACT border
- On the north by the Canberra substation, Parkwood road and the Belconnen landfill site.

ACT Blocks Lots 1605 and 1606 are currently held by Corkhill entities as a rural lease the area of this land is 670ha. The Corkhill Group through entity Reid & Stevens P/L also owns 330ha of land in NSW Blocks Lots 1, 2, 3 & 7 which is adjacent to the rural lease land. This land, together with an area of neighbouring NSW land lots 4, 61 & 62 which is approximately 270ha is bounded by the Murrumbidgee River and Ginninderra Creek; it is a “peninsula” that is only accessible from the ACT.

Immediately to the north of the site, across Parkwood Road, is an area of territory land which is largely unleased and undeveloped but which has possible urban potential and has been identified as such in the ACT Planning Strategy. This land is bounded by Parkwood Road, West Macgregor, Ginninderra creek and the Parkwood Egg farm.

On the 15 May 2013 Corkhill, Reid & Stevens and ACT Government signed a Heads of Agreement which requires the following:-

- a) The parties have agreed to develop land in accordance with project objectives to ACT.
- b) Reid & Stevens can develop NSW land into residential, commercial lots at a prescribed time.
- c) Riverview Group part of the Corkhill Group act as Development/ Project Managers acting on behalf of the ACT Government through their agency Land Development Agency to develop ACT land for residential uses for Blocks 1605 & 1606.

Riverview Group has commenced the rezoning process and the attached request for fee submission is the first stage.

2.0 PROJECT OBJECTIVES

The fee submission shall be aware of the project objectives which are attached in annexure A.

3.0 THE SERVICES

The Consultant must provide the Services described in Schedule B attached scope of works.

4.0 PERFORMANCE OF THE SERVICES

4.1 Professional Services

The Consultant must perform the Services with the degree of professional skill, care and diligence expected of a consultant experienced in providing the same or similar services. The Consultant acknowledges that Riverview Group is reliance upon the Consultant's representation that it has the skill, experience and ability to provide the Services.

4.2 Nominated Personnel

The Consultant must provide details in fee submission of the relevant personnel proposed to perform the Services. This includes and not limited to Curriculum Vitae but maybe also references.

5.0 RIVERVIEW GROUP ROLE

Riverview Group is the appointed Development/ Project managers for the project and all instructions will be via Riverview Group only.

The Principal shall be the Land Development Agency for ACT land and Reid & Stevens for NSW Land. The Principal in both cases will be responsible for the payment of all consultants' invoices.

6.0 SCOPE OF RESPONSIBILITY

The Consultant indemnifies Riverview Group, LDA & Reid & Stevens against all claims, liability or loss in respect of personal injury (including death) to any person or damage to any property (other than the Project) arising out of or in connection with the Services, to the extent that the same is due to the negligence or default of the Consultant or its employees, agents or contractors.

The Consultant will be liable for the care of all drawings, specifications and other documents prepared by the Consultant or entrusted to it by Riverview Group or LDA until they are returned by the Consultant to Riverview Group.

7.0 VALUE FOR MONEY

The consultant in the fee submission must provide statement where there company fee submission provides LDA with value for money for the services. Refer to Schedule E item 7.

8.0 INSURANCES

8.1 Public Liability

The Consultant must effect and maintain public liability insurance with a limit of indemnity of not less than the amount stated in Schedule C to this Agreement.

8.2 Employees and Agents

The Consultant must effect and maintain insurance against any liability which may arise at common law or by virtue of any relevant workers or accident compensation legislation, in respect of any person employed by the Consultant in connection with the Services.

8.3 Professional Indemnity

The Consultant must effect and maintain professional indemnity insurance with a limit of indemnity of not less than the amount stated in Schedule C to this Agreement in respect of legal liability arising from a breach of professional duty or negligence whether that duty is owed in contract or otherwise by reason of any act error or omission by the Consultant or its employees, agents or contractors.

9.0 WORK HEALTH AND SAFETY ACT 2011 (WHS)

The Consultant fee submission must provide and allow for all the requirements of the WH&S ACT 2011.

10.0 ACT & NSW Statutory Requirement

The Consultant fee submission must allow for relevant statutory requirement by the Federal, ACT & NSW governments.

11.0 ACT PROCUREMENT Act 2001

The requirements of the ACT Procurement Act are included in fee submissions.

12.0 ACT BUILDING AND CONSTRUCTION INDUSTRY (SECURITY OF PAYMENTS) ACT. 2009

The requirements of the ACT Building and Construction Payments (Security of Payments) Act are included in fee submissions.

13.0 QUALITY

The Consultant must prepare and implement to the satisfaction of Riverview Group a quality assurance system for the Services and include in the fee submission.

14.0 CONFIDENTIALLY AGREEMENT

The Consultant must be prepared to sign a confidentially agreement attached to Annexure D if fee submission successful.

15.0 CONFLICT OF INTEREST

The Consultant must declare in fee submission any matter connected with the performance of the Services, which could give rise to an actual or potential conflict of interest.

16.0 FEES AND PAYMENT

16.1 The fee submission for the Services is to be lump sum with any assumptions, clarifications or exclusions to be clearly defined.

16.2 The fee submission for services shall include all disbursements.

16.3 Provide with fee submission any hourly rates that maybe applicable for change of scope works.

16.4 Fee submission shall be fixed for a period of 120 days.

16.5 At monthly intervals the Consultant may submit a tax invoice for the Fees due and the GST thereon for Services provided accompanied by information sufficient to allow Riverview Group to verify each invoice to its satisfaction. The tax invoice must contain be addressed as follows:

1) ACT LAND
Land Development Agency
c/- Riverview Group
P.O. BOX 463
WAHROONGA NSW 2076

2) ACT PARKWOOD LAND
Land Development Agency
c/- Riverview Group
P.O. BOX 463
WAHROONGA NSW 2076

3) NSW LAND
Reid & Stevens Pty Ltd
c/- Riverview Group
P.O. BOX 463
WAHROONGA NSW 2076

SCHEDULE A

Find attached Project objective for West Belconnen ACT - Corkhill

The Belconnen Project Sustainability Vision

"Creating a sustainable community of international significance in the Nation's capital."

The Riverview Group, working with the ACT and NSW Governments, will develop the site at Belconnen to achieve a vision of inspiring sustainable living, development practice and awareness. Achieving a high quality of life for the people living at Belconnen is at the heart of our project planning and design.

We will create a community that exemplifies World's Best Practice in its design, construction and long-term liveability. As a model of sustainable community living it will be a place and community that can be showcased throughout Australia and internationally.



Project objectives:

To achieve our Vision we will challenge conventional industry thinking. We will employ practices, processes and systems that embody innovation and design excellence.

This project has been conceived and will be delivered on a fully integrated and audited triple bottom line basis.

Our project will:

- » Be sustainable over time, socially, economically and ecologically (with a low and reducing ecological footprint)
- » Respond to the local and global environment
- » Provide for future beneficial change to occur in design, infrastructure and regulatory mechanisms
- » Be cost effective, replicable and measurable
- » Act as a new model that others can follow.

Guiding Principles for Sustainable Results

The principles below will direct decision-making by all project management, sub-consultants and referral agencies in the delivery and development of the Belconnen site. They reflect national priorities and Federal, State and Territory Government policies on housing affordability, climate change and environmental protection.

PARTNERING PRINCIPLES

- Ptnr 1. Partnering is essential to this project and the scale and timeframe will allow for positive partnerships to grow and thrive
- Ptnr 2. Partnering with public agencies is a cornerstone of our approach
- Ptnr 3. Engaging the community in design and governance is fundamental to the delivery of the project.
- Ptnr 4. Designing the project for community ownership and ultimate community control
- Ptnr 5. Supporting community housing through public and private partnering arrangements
- Ptnr 6. Collaborating with research and educational institutions to drive innovation.

EVALUATION PRINCIPLES

- Eva 1. Identifying and delivering realistic and costed initiatives
- Eva 2. Providing independent peer review of project proposals and project outcomes
- Eva 3. Using recognised international and national benchmarks for sustainability performance to publicly report and raise awareness of project outcomes
- Eva 4. Empowering resident and community monitoring and management of sustainability performance
- Eva 5. Encouraging a culture of continuous improvement.

ECOLOGICAL PRINCIPLES

- Eco 1. Acknowledging the intrinsic value of all species and the special role and regional significance of the Murrumbidgee river corridor and Gininnderra Creek
- Eco 2. Respecting and supporting the ecosystem functions of air, soil and water, recognising the importance of living and non-living environmental resources
- Eco 3. Reducing greenhouse gas emissions through innovative products and place design, material selection and service provision
- Eco 4. Recognising our natural ecological limits and minimising our resource, water and energy consumption
- Eco 5. Using existing local infrastructure to deliver efficient renewable services and reusable resources
- Eco 6. Enhancing local opportunities for food production and production of materials
- Eco 7. Fostering a deep sense of respect for and connection to the land, flora and fauna.

SOCIAL AND CULTURAL PRINCIPLES

- Soc 1. Respecting and honouring Aboriginal and non-Aboriginal cultural, historical and spiritual values, including integrating with the existing rich, social fabric of Belconnen
- Soc 2. Designing for social equity, affordability, diversity and interdependence, honouring differences and catering for the needs of individuals through all stages of life
- Soc 3. Maximising health, safety and comfort of the built environment to provide enduring quality of life
- Soc 4. Instilling awareness and supporting education of sustainability values, technology and lifestyles
- Soc 5. Using creative and robust design solutions to create a continuing sense of place and beauty that inspires, affirms and ennobles
- Soc 6. Designing neighbourhoods that support and encourage community interactions through imaginative, functional and enjoyable public spaces

ECONOMIC PRINCIPLES

- Econ 1. Delivering a financial return to the ACT Government recognising their sovereign interest in the land
- Econ 2. Recognising the opportunities provided by the project's scale and low capital base to achieve high-level sustainability outcomes while delivering profitability to joint venture partners
- Econ 3. Building on existing local infrastructure
- Econ 4. Ensuring long-term economic viability through design excellence and community building
- Econ 5. Minimising obsolescence through design of enduring component life cycle, allowing for disassembly and change
- Econ 6. Integrating with the Belconnen commercial, retail and employment networks
- Econ 7. Growing a formal and informal green economy that fosters local jobs and builds regional learning around green innovation and technology

SCHEDULE B

GENERAL SCOPE

The scope of the Project is as attached Riverview Group Pty Ltd Scope of Works.

West Belconnen Project*“Creating a Sustainable Community of International Significance in the Nation’s Capital”***Research and report on European heritage****Consultancy Scope of Works**

Consultancy name:

European Heritage

Timeframe:

August – October 2013

Task study area:

See attached plan

Parcel	State	Approx. Area
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ACT Land

Block 1605	ACT	665.8 ha
Block 1606	ACT	12.5 ha.
Block 1607	ACT	8.1 ha
Block 1420	ACT	2.7 ha
Pt block 1613	ACT	26.8 ha

NSW Land

Lot 1	NSW	91.8 ha
Lot 2	NSW	80 ha
Lot 3	NSW	80 ha
Lot 7	NSW	80 ha

ACT Parkwood Land

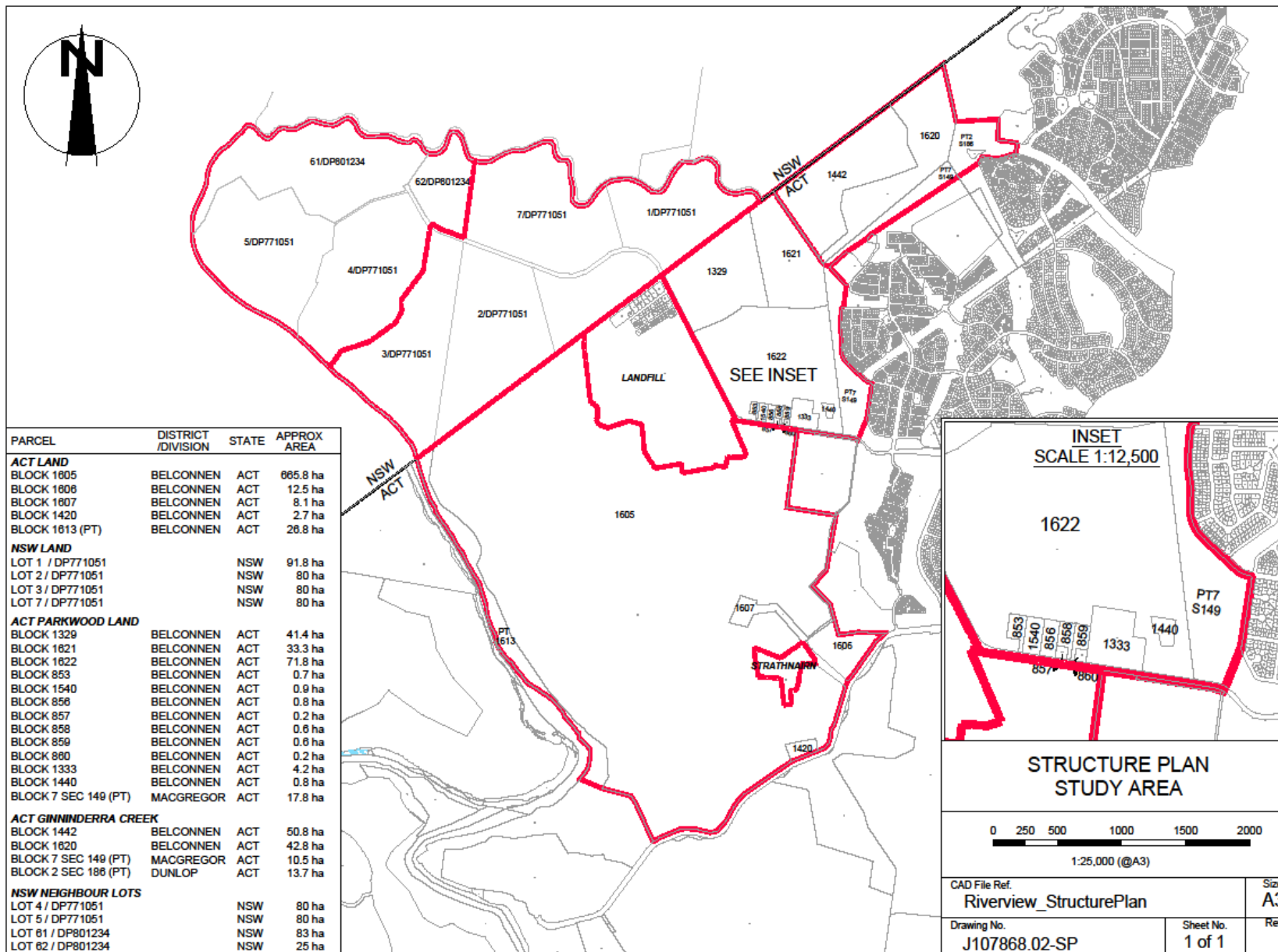
Block 1329	ACT	41.4 ha
Block 1621	ACT	33.3 ha
Block 1622	ACT	71.8 ha
Block 853	ACT	0.7 ha
Block 1540	ACT	0.9 ha
Block 856	ACT	0.8 ha
Block 857	ACT	0.2 ha
Block 858	ACT	0.6 ha
Block 859	ACT	0.6 ha
Block 860	ACT	0.2 ha
Block 1333	ACT	4.2 ha
Block 1440	ACT	0.8 ha
Pt Block 7 Sec 149 Macgregor		20 ha

ACT Ginninderra Creek

Block 1442	ACT	50.8 ha
Block 1620	ACT	42.8 ha
Pt. Bl. 7 Sec 149 Macgregor		10.5 ha
Pt. Bl. 2 Sec 186 Dunlop		13.7

	NSW Neighbour lots <table><tr><td>Lot 4</td><td>NSW</td><td>80 ha</td></tr><tr><td>Lot 5</td><td>NSW</td><td>80 ha</td></tr><tr><td>Lot 61</td><td>NSW</td><td>83 ha</td></tr><tr><td>Lot 62</td><td>NSW</td><td>25 ha</td></tr></table> ACT Rural Block Belconnen 1332 (Strathnairn) excluded.	Lot 4	NSW	80 ha	Lot 5	NSW	80 ha	Lot 61	NSW	83 ha	Lot 62	NSW	25 ha
Lot 4	NSW	80 ha											
Lot 5	NSW	80 ha											
Lot 61	NSW	83 ha											
Lot 62	NSW	25 ha											
Background:	The proposal is for the development of the land for residential and related purposes. Of the total area approximately 50% of the ACT land and a lesser proportion of the NSW land is expected to be zoned for river corridor or conservation purposes. The balance of the land is anticipated to yield approximately 4,500 dwellings in the ACT and 3,500+ in NSW. Development is intended to commence at Stockdill Drive (the eastern boundary of the site), and initially extend westward in stages to the ACT/NSW border. Assuming a sales rate of approximately 400 dwellings per year the project will extend over a period of approximately eleven years following commencement of sales. A commencement date for the development of the NSW land is not yet determined. Detailed resolution of the site design, numbers and sizes of blocks, provisions for schools, other community facilities, open space and the like will be subject to the outcomes of a structure planning process and subsequent detailed design for each stage. The first step will be the preparation of a structure plan; this will be a substantial document including plans and supporting technical reports that will provide the basis for proposals for rezoning the land under the Territory and National Capital plans. For the ACT land it will be necessary to achieve rezoning under the Territory Plan and the National Capital Plan, which in turn will require certain environmental approvals to be in place, and development approval for a first stage subdivision. The NSW land will also require rezoning under the Yass valley Shire planning Scheme.												
Task description:	To undertake necessary research and investigations and prepare a report on the European heritage of the study area, incorporating the works completed to date as set out in the background documents listed below. Report to identify any features that are of heritage interest and provide an assessment of appropriate options for the future management of such features in the context of urban development. Report to provide a commentary on the European heritage of the study area that may inform future social and cultural planning for the proposed new community. Report to provide sufficient information to substantiate proposals to rezone the land for urban development including the identification of												

	any requirements for heritage management or protection that should be incorporated into rezoning proposals. Design process - Design process to include design workshop/s with the consultant team that will be facilitated by the consultation consultant. Allow three days. Consultation - Design process to include public consultation, allow 3 days for participation in public consultation, to be facilitated by consultation consultant . Liaison may be required with agencies as follows (allow 2 X meetings with each): - NSW state heritage agencies - ACT heritage unit
Background information	NSW AREA NEAR WEST BELCONNEN Advice on Heritage Matters Eric Martin and Associates 17 February 2011 BELCONNEN WEST BLOCKS 1605 & 1606 Advice on Heritage Matters Eric Martin and Associates 28 February 2011 BELCONNEN FARM CONSERVATION & MANAGEMENT PLAN Eric Martin and Associates To be finalised shortly
Task Components	Due to differing ownership arrangements this task is to be completed and invoiced in parts; fee submissions should be divided similarly as follows: - ACT land - NSW land - NSW Neighbours lots - ACT Parkwood & Ginninderra Creek land



SCHEDULE C

MISCELLANEOUS ITEMS

1. Date of commencement of Services:

July 2013.....
(Clause 1.2)

Date by which Services must be completed:

.....As per contractors program for Defect Liability Period sign off and final account
(Clause 1.2)

Services to be carried out in accordance with programme titled:

As required
(Clause 12)

2. **Public liability** insurance with

.....

- Limit of cover (if nothing stated - \$20,000,000):

.....

- Policy number: Expiry Date:.....

3. **Professional indemnity** insurance with

.....

- Limit of cover (if nothing stated - \$10,000,000):

.....

- Policy number..... Expiry Date:.....

- The insurance to be maintained under clause 5.3 must provide that there is at least one automatic reinstatement per annum of the limit of liability.

4. Product Liability insurance with

.....

- Limit of cover (if nothing stated - \$20,000,000):

.....

- Policy number..... Expiry Date:.....

- The insurance to be maintained under clause 5.3 must provide that there is at least one automatic reinstatement per annum of the limit of liability

5. Workers Compensation insurance with

.....

- Policy number..... Expiry Date:.....

- The insurance to be maintained under clause 5.3 must provide that there is at least one automatic reinstatement per annum of the limit of liability

SCHEDULE D

CONFIDENTIALLY AGREEMENT

DEED OF CONFIDENTIALITY

THIS DEED is made on 2013

BY:

of

(Confidant)

IN FAVOUR OF:

LAND DEVELOPMENT AGENCY ABN 20 419 925 579 of TransACT House, 470 Northbourne Avenue, Dickson ACT 2602 (**LDA**)

BACKGROUND

- A. Information to be provided by the LDA or to be made available to the Confidant will include confidential or personal information belonging to, or in the possession of, the LDA.
- B. The LDA and the Confidant agree that it is necessary to take all reasonable steps (including the execution of this Deed) to ensure that the LDA's confidential information is kept confidential.

IT IS AGREED AS FOLLOWS:

1. Interpretation

- 1.1 The following definitions apply in this Deed unless the context otherwise requires.

“confidential information” means the kind of information that:

- (1) is or relates to documents, submissions, consultations, policies, strategies, practices and procedures of the LDA which are by their nature confidential;
- (2) is notified (whether in writing or not) by the LDA to the Confidant as confidential;
- (3) the Confidant knows or ought to know is confidential; or
- (4) is personal information,

but does not include information which:

- (5) is or becomes public knowledge other than by breach of this Deed;
- (6) has been independently developed or acquired by the Confidant; or
- (7) has been notified in writing by the LDA to the Confidant as being not confidential.

“**Territory**” means:

- (1) when used in a geographical sense, the Australian Capital Territory; and
- (2) when used in any other sense, the body politic established under the *Australian Capital Territory (Self-Government) Act 1988* (Cth).

1.2 In this Deed, unless the context otherwise requires:

- (1) words in the singular number include the plural and vice versa; and references to legislation or to provisions in legislation include references to amendments or re-enactments of them and to all regulations and instruments issued under the legislation;
- (2) clause headings are for convenient reference only and have no effect on the interpretation of the provisions to which they refer; and
- (3) a reference to a “person” includes a body corporate.

2. Non-disclosure of confidential information

- 2.1 The Confidant must not, at any time during or after the provision of the Services, without the prior written consent of the LDA, nor at any time after the expiration of this Deed, disclose the confidential information to any person nor remove the confidential information from the possession or premises of the LDA.
- 2.2 The LDA may grant or withhold its consent for purposes of clause 3.1 in its absolute and unfettered discretion. If the LDA grants its consent, it may impose conditions on that consent and the Confidant must comply with those conditions.
- 2.3 The Confidant will maintain strict confidentiality regarding the confidential information.
- 2.4 The obligations of the Confidant under this Deed will not be taken to have been breached where the confidential information is legally required to be disclosed.
- 2.5 The Confidant must immediately deliver to the LDA all documents in his/her control containing the confidential information as soon as they are demanded by the LDA (whether in writing or not).

3. Restrictions on use

The Confidant will use the confidential information only for the purposes of undertaking the Services, and as otherwise directed by the LDA.

4. Indemnity

The Confidant will indemnify and keep indemnified the LDA, its employees and agents in the event of all claims, costs and expenses made against any of them in respect of injury, loss or any damage suffered by any person as a consequence of the Confidant breaching this Deed, except to the extent to which a relevant claim arises out of the act or omission of the LDA.

5. Legal proceedings

The Confidant acknowledges that the LDA may take legal proceedings against the Confidant or third parties if there is any actual, threatened or suspected breach of this Deed, including proceedings for an injunction to restrain such breach.

6. Governing law

This Deed is governed and construed in accordance with the law for the time being in force in the Territory and the parties submit to the non-exclusive jurisdiction of the Courts of the Territory.

SIGNED as a Deed on the date written on page 1.

.....	)	
Print Name in Full	)	Signature of Confidant
	)	
in the presence of:	)	
	)	
	)	
.....	)	
Signature of witness	)	
.....		
Name of witness		

SCHEDULE E

1. FEE SUBMISSION

1.1. Fee Calculation General

The remuneration of the Consultant is the total of the amounts referred to in Clause 1.2 below. All amounts are GST exclusive.

1.2. Fee Breakdown

- ACT LAND :-
- PARKWOOD (LDA) :-
- NSW LAND (REID & STEVENS P/L) :-
- NSW LAND (Neighbours) :-

2. Hourly Rates

The following hourly rates shall be used as a basis for valuation of any additional approved works for which an hourly rate reimbursement basis is agreed to be appropriate. These rates shall remain fixed until Project completion:

Director	-	\$ 0.00
Associate Director	-	\$ 0.00
Senior Architect	-	\$ 0.00
Architect	-	\$ 0.00
Technician	-	\$ 0.00
CAD Operator	-	\$ 0.00
Administration	-	\$ 0.00

Fee inclusive of support staff and costs and expenses

The Consultant's remuneration is inclusive of the cost of all necessary clerical and supportive staff (such as clerks and stenographers) and all statutory and other costs (such as payroll tax, holiday pay, sickness benefits, long service leave, superannuation, and fringe benefits tax). The Consultant shall at its own expense provide all necessary facilities such as office accommodation, telephone, and facsimile services required for the performance of its obligations under this deed.

The Consultant's remuneration includes:-

- 2.1. provision of all copies required for any purpose of any drawing, specification or document; and
- 2.2. all other costs and expenses.

3. Consultants key Personnel

The fee submission shall provide details of all personnel and Curriculum Vitae being used for services.

Role	Name	Details Provided

4. PROGRAM

The fee submission shall provide a preliminary program (GANT CHART) of timing for services and all milestone activities.

5. CONFIDENTIAL AGREEMENT

The fee submission shall include a statement that the consultant is prepared to sign LDA confidentially agreement.

6. ACT, FEDERAL & NSW STATUTORY REQUIREMENTS

The fee submission shall include a statement that the consultant has included compliance to the requirements above.

7. VALUE FOR MONEY

The fee submission shall include a details and statement regarding Value for money for LDA for the services being provided.

i) The Consultant must detail their proposed methodology including:-

- a) Purpose, role and subject matter;
- b) Proposed study strategy, consultation tools and method;
- c) Value added features

ii) Demonstrate record of consultancy experience and competencies to relevant studies:-

- a) Previous work of similar type;
- b) Project resources details;
- c) Reference from three previous clients undertaking similar roles on similar size project.

iii) The Consultant to provide individual consultant skills and experience for similar projects:-

- a) Provide resumes for each consultant team member proposed for scope of works including and not limited to qualifications, skills and experience;
- b) Availability of nominated consultants team members for the scope of works;
- c) Structure proposed by your consultant team for the project;

iv) The Consultant to demonstrate support resources for delivery of the scope of works within the proposed timeframe:-

- a) As per clause 4 Program provide detailed program of tasks;
- b) Provide an indication of the relationship between time, scoped task and team members;
- c) Capacity and resources to respond to critical matters at short notices or adjust delays.

v) The consultant to demonstrate how life cycles costs will be considered in the scope of works

vi) The Consultant to provide details that they understand the obligations of the Project Objectives and provide details how they will manage their scope of works to assess compliance or review of these Project Objectives.

8. FEE SUBMISSION

The fee submission shall submitted by the 26/07/13.

The fee submission can be issued by mail, fax or email to the following:-

Mail :- Riverview Group
P.O. BOX 463
WAHROONGA NSW 2076

Fax :- 02 9487 6172

Email:- steve@abshop.com.au

9. CONTACT POINT

STEPHEN CHARLTON MOBILE: 0412 272 537
PHONE: 02 9487 4293
EMAIL: steve@abshop.com.au