

Heritage (Decision about Provisional Registration of The Oaks, Oaks Estate) Notice 2014

Notifiable Instrument NI2014–461

made under the

Heritage Act 2004, s34 Notice of decision about provisional registration

1 Name of instrument

This instrument is the *Heritage (Decision about Provisional Registration of The Oaks, Oaks Estate) Notice 2014*.

2 Registration details of the place

On 18 September 2014 the ACT Heritage Council decided to provisionally register The Oaks, Oaks Estate to the ACT Heritage Register. Registration details of the place are at [Attachment A](#): Provisional Register entry for The Oaks, Oaks Estate.

3 Reason for decision

The ACT Heritage Council decided that The Oaks, Oaks Estate meets one or more of the heritage significance criteria at s 10 of the *Heritage Act 2004*. The provisional register entry is at [Attachment A](#).

4 Date of provisional registration

18 September 2014

5 Indication of Council's intention

The Council intends to decide whether to register the place under Division 6.2 within 5 months of provisional registration.

6 Public consultation period

The Council invites public comment by Wednesday 22 October 2014 on the provisional registration of The Oaks, Oaks Estate to:

The Secretary
ACT Heritage Council
GPO Box 158
CANBERRA ACT 2601

Anna Gurnhill
A/g Secretary (as delegate for)
ACT Heritage Council
18 September 2014



**AUSTRALIAN CAPITAL TERRITORY
HERITAGE REGISTER
(Provisional Registration)**

For the purposes of s. 33 of the *Heritage Act 2004*, a provisional entry to the heritage register has been prepared by the ACT Heritage Council for the following place:

The Oaks

Blocks 16, 19 and 22, Oaks Estate

DATE OF PROVISIONAL REGISTRATION

18 September 2014 Notifiable Instrument: 2014–461

PERIOD OF EFFECT OF PROVISIONAL REGISTRATION

Start Date 18 September 2014 End Date 18 February 2015

Extended Period (if applicable) Start Date _____ End Date _____

Copies of the Register Entry are available for inspection at ACT Heritage. For further information please contact:

The Secretary
ACT Heritage Council
GPO Box 158, Canberra, ACT 2601
Telephone: 13 22 81

IDENTIFICATION OF THE PLACE

The Oaks, 3 Hill Street. Blocks 16, 19 and 22 Section 2, Oaks Estate.

This statement refers to the Heritage Significance of the place as required in s12(d) of the *Heritage Act 2004*.

STATEMENT OF HERITAGE SIGNIFICANCE

The Oaks dates from c.1837 and is significant for a range of reasons related to its form, construction, intactness and many historical associations.

It is important as a relatively large and high quality homestead constructed as part of Robert Campbell's Duntroon Estate for members of the Campbell family. In particular, it remains in much the same form as when it was first constructed over 170 years ago. However, while constructed for this purpose, it was not actually used by the Campbell family. It is a notable and rare building from the early colonial period. *[Criteria (f) and (g)]*

The Oaks has a strong association with the development of the region during its early colonial occupation, with the expansion of Robert Campbell's Duntroon Estate, and the development of Queanbeyan and the local community. The Oaks started as an expansion of the Duntroon Estate to house relatives of Robert Campbell although it was not ultimately used for this purpose. Duntroon was one of the earliest and most important pastoral estates in the region. The Oaks became the region's first licensed inn, the Elmsall Inn, and combined with the conjoined store and the resident local Presbyterian Church Warden, was a hub of social activity. The adjoining fields were used as the region's de-facto burial ground. From 1848 The Oaks became the region's first hospital as Dr William Foxton Hayley took up residence, and it was a place that saw the births, deaths and medical care of many of the pioneers of the region. *[Criteria (c) and (h)]*

The Oaks operated as a hospital from the early 1840s until 1861 when the Queanbeyan Hospital was opened, after which it was still used by members of the medical profession well into the 1880s. The Oaks is important as evidence of the provision of home-based medical services provided by individual doctors, in the era prior to institutional services in the region. *[Criteria (c) and (g)]*

The Oaks also played a key role in the 1880s development of the railway link from Goulburn to Queanbeyan when the Queanbeyan railway station was built in one of its adjoining fields and the house once more became an inn. *[Criterion (h)]*

The influence of The Oaks on the area is most prominent in the subdivision of its immediate property in 1888 into Oaks Estate with the expectation that it would be the site for business opportunities offered by the new railway. At this time The Oaks retained and still does retain the largest non-commercial block in what is now the suburb of Oaks Estate. *[Criterion (h)]*

FEATURES INTRINSIC TO THE HERITAGE SIGNIFICANCE OF THE PLACE

The attributes listed below are assessed as features intrinsic to the heritage significance of the place and warrant conservation:

- The original stone cottage known as The Oaks, including:
 - the Old Colonial Georgian style architecture and layout of the house;
 - the roughly-worked, roughly-coursed local stone walls;
 - the local brick voussoir forming the arched lintels above the windows and doors;
 - the second floor dormer windows; and
 - the corrugated iron roof with earlier wooden shingles beneath.
- The setting of the house on the original 1888 subdivided block, including:
 - the carriage shed with sections of original adzed timbers;

- o the sand stock brick kitchen with shingle roof covered by corrugated iron;
- o the small paddocks to the north and south of the house providing links to the rural past use of the place; and
- o the informal gardens surrounding the house, demarcating Block 16 Section2, consisting of mature ornamental trees and a hawthorn (*Crataegus monogyna*) box hedge along the southern boundary of Block 16.

CONSERVATION OBJECTIVE

The guiding conservation objective is that The Oaks, Oaks Estate, shall be conserved and appropriately managed in a manner respecting its heritage significance and the features intrinsic to that heritage significance.

The ACT Heritage Council may adopt heritage guidelines applicable to the place under s25 of the *Heritage Act 2004*.

For further information on guidelines applicable to the place, or for advice on proposed works or development, please contact ACT Heritage on 13 22 81.

REASON FOR PROVISIONAL REGISTRATION

The Oaks, Oaks Estate, has been assessed against the heritage significance criteria and been found to have heritage significance when assessed against four criteria [(c), (f), (g), and (h)] under the *Heritage Act 2004*.

ASSESSMENT AGAINST THE HERITAGE SIGNIFICANCE CRITERIA

Pursuant to s.10 of the *Heritage Act 2004*, a place or object has heritage significance if it satisfies one or more of the following criteria. Significance has been determined by research as accessed in the references below. Future research may alter the findings of this assessment.

(a) it demonstrates a high degree of technical or creative achievement (or both), by showing qualities of innovation, discovery, invention or an exceptionally fine level of application of existing techniques or approaches;

The Oaks does not meet this criterion.

The Oaks is a large stone cottage made by skilled stonemasons using roughly-worked roughly-coursed local stone in an Old Colonial Georgian style. It features a rectangular form with symmetrical wings on either side of a colonnaded verandah. The roofing material was originally wood shingles that was later built over by corrugated iron and dormer windows. It has a six-panelled front door with sidelights. It is a traditional structure using traditional construction techniques. Although it is a particularly fine example of an early colonial stone cottage displaying stone mason's work, it does not demonstrate a high degree of technical or creative achievement by showing qualities of innovation, discovery, invention or an exceptionally fine level of application of existing techniques or approaches.

(b) it exhibits outstanding design or aesthetic qualities valued by the community or a cultural group;

The Oaks does not meet this criterion.

The Oaks is a fine example of an Old Colonial Georgian style stone cottage; the gentleness of scale and formal arrangement of simple rectangular and symmetrical forms has a classical appeal, while the rough stonework and informal semi-rural setting adds a rustic charm. The place has been appreciated by many visitors during open days, but public access is usually limited as it is a private residence.

Whilst The Oaks is a style of building that is often appreciated, there is no evidence at this time to demonstrate that its appeal is of an outstanding extent that is valued by the broad ACT community or a cultural group.

(c) it is important as evidence of a distinctive way of life, taste, tradition, religion, land use, custom, process, design or function that is no longer practised, is in danger of being lost or is of exceptional interest;

The Oaks meets this criterion.

The Oaks was originally constructed c.1837 to house family of one of the region's most successful and influential pastoralists, Robert Campbell, and as such was built to a much higher standard than many other places of that era. It demonstrates a standard of living that was only available to a small number of people at the time and includes a remnant of the larger pastoral holding with the surrounding paddocks in Blocks 19 and 22. The stonemasonry using local stone is a tradition that is in danger of being lost as modern materials, or better quality material from farther afield that can be transported more easily with modern equipment, are favoured and traditional building methods and practitioners are becoming less common. Additionally the design is of exceptional interest as most of the region's early colonial architecture is more modest (e.g. Crinigan's Hut Ruins or many of the huts in Namadgi), and/or has expanded over time (e.g. Duntroon, Woden Homestead, Blundell's Cottage, Mugga Mugga), whereas The Oaks is unusual in that it has remained relatively unchanged and retains a high degree of intactness.

(d) it is highly valued by the community or a cultural group for reasons of strong or special religious, spiritual, cultural, educational or social associations;

The Oaks does not meet this criterion.

The Oaks is not easily accessible by the general public as it is a private residence and tours or open days are a rare occurrence and there is no evidence that there are values held by a cultural group or the broader ACT community.

(e) it is significant to the ACT because of its importance as part of local Aboriginal tradition

This criterion does not apply to The Oaks.

(f) it is a rare or unique example of its kind, or is rare or unique in its comparative intactness

The Oaks meets this criterion.

There are few remaining buildings from the early colonial settlement of the region and The Oaks is an extremely rare example of a building that was a high quality construction of substantial size and has retained a high degree of intactness.

Many of the early colonial homesteads in the area, such as Duntroon and Lanyon, started as modest structures that expanded into large sprawling complexes as needs and means arose, while those that were less successful were abandoned and fell into disrepair. The Oaks avoided this situation as it was built by Robert Campbell in a time when he was already successful and established in the area; it was a substantial structure from the start. When Campbell's intended occupants failed to arrive

the place was leased out to William Hunt and Joseph Kaye who used the large building as an inn, to which it was well suited due to its size. The only extensions to the house in more than 170 years has been the addition of a chimney on the south end of the western wall that was demolished in the 1970s and the bricks used to build a small laundry lean-to on the north end of the western wall.

(g) it is a notable example of a kind of place or object and demonstrates the main characteristics of that kind

The Oaks meets this criterion.

The Oaks is a substantial colonial era stone cottage that is particularly notable for its initial large design and high degree of intactness. Whilst there are other large colonial era stone cottages in the ACT, such as Duntroon or Lanyon, The Oaks has managed to retain a high degree of intactness most likely as a result of being built as a large pastoralists cottage, but immediately being leased out instead. This meant that instead of following the usual path of growth and expansion that the other large pastoralist cottages went through as the owners became more affluent and the families expanded, needing more room, The Oaks was leased by, and then later owned by, businesses or families who were able to maintain the place, but did not have the resources to, or did not need to, expand the building as time went on. The building remains in much the same state as when it was first constructed over 170 years ago.

(h) it has strong or special associations with a person, group, event, development or cultural phase in local or national history

The Oaks meets this criterion.

The Oaks has a strong association with the development of the region during its early colonial occupation with the expansion of Robert Campbell's Duntroon Estate and the development of Queanbeyan and the local community.

The Oaks started as an expansion of the Duntroon Estate to house relatives of Robert Campbell and was built to a high standard. When the family failed to arrive the place was leased out and became the region's first licensed inn and, combined with the conjoined store and the resident local Presbyterian Church Warden, was a hub of social activity. The Church Warden being one of the owners and the easy to dig alluvial soils is likely why the adjoining fields were used as the region's de-facto burial ground. From 1848 The Oaks became the region's first hospital as Dr William Foxton Hayley took up residence and was a place that saw the births, deaths and healing of many of the pioneers of the region.

The influence of The Oaks on the area is most prominent in the naming of the suburb, Oaks Estate, which was designed around the historic residence in 1888 when it retained, and still does retain, the largest non-commercial block in the suburb.

(i) it is significant for understanding the evolution of natural landscapes, including significant geological features, landforms, biota or natural processes

This criterion does not apply to The Oaks.

(j) it has provided, or is likely to provide, information that will contribute significantly to a wider understanding of the natural or cultural history of the ACT because of its use or potential use as a research site or object, teaching site or object, type locality or benchmark site

The Oaks does not meet this criterion.

Whilst The Oaks has served several purposes that are of academic interest and dates back to the early colonial era of the region, it has yet to be demonstrated that it actually contains the physical remains that would allow the place to be used as a research or teaching site. If this evidence is shown to exist then it is highly likely that it would contribute significantly to a wider understanding of the cultural history of the ACT. While there is the potential for the place to contain significant information it has not been demonstrated and therefore is unable to meet the threshold for this criterion.

(k) for a place—it exhibits unusual richness, diversity or significant transitions of flora, fauna or natural landscapes and their elements

This criterion does not apply to The Oaks.

(l) for a place—it is a significant ecological community, habitat or locality for any of the following:

- (i) the life cycle of native species;**
- (ii) rare, threatened or uncommon species;**
- (iii) species at the limits of their natural range;**
- (iv) distinct occurrences of species.**

This criterion does not apply to The Oaks.

SUMMARY OF THE PLACE

HISTORY AND PHYSICAL DESCRIPTION

HISTORY

Oaks Estate has been a focus of activity for Aboriginal people well before Europeans arrived. The earliest known date for Aboriginal people in the region comes from Birrigai Rock Shelter which contains evidence from over twenty thousand years ago. The area is known to be part of an Aboriginal pathway leading towards the mountains where past peoples would gather seasonally to feast on Bogong moths. During this period groups from the coast, the lower Lachlan and Murrumbidgee Rivers and all neighbouring regions in between would gather in the alpine regions south and southwest of the ACT to feast on the plentiful supply of Bogong moths as they aestivate over summer (Flood, 1996.; Gale 1991.; Kabaila, 2005). The most well known of these pathways follows the Molonglo River which had a major camping ground and meeting place at its junction with the Queanbeyan River – an area that includes Oaks Estate. European accounts (Local Intelligence in *The Queanbeyan Age* 5 April 1862 p.2) show that the area at the junction of the rivers was still being used as a pathway and camping ground in 1862 when several tribes from Braidwood, Yass and Bland Plains gathered there for a corroboree.

The first Europeans in the area were the early explorers who relied on their Aboriginal guides' prior knowledge of the area. Charles Throsby and his team are credited with the first European discovery of the region around 1820 with further excursions by his team and others extending his recording of the area over the next few years. Following Throsby's instructions, James Vaughan (a constable) and Charles Throsby Smith (Charles Throsby's nephew) followed the Molonglo River to the junction with the Queanbeyan River, the future site of Oaks Estate. Their reports of fertile plains and well supplied rivers soon attracted settlers to the area. (Watson, 1927; and Australian Bureau of Statistics, 1931)

The first European settlers in the region were the employees of John Joshua Moore, who set up a large stock grazing station in what is now the suburb of Acton. Soon to follow and acquire most of the land that now comprises the ACT were Robert Campbell, James Ainslie (Campbell's overseer), George Thomas Palmer, John Macpherson, Thomas Walker and Terence Aubrey Murray. These landholdings were primarily used for grazing of stock by overseers. Apart from Macpherson, it was not until the mid- to late-1830s that many of the landowners actually lived on their holdings and began to form a community.

The earliest settlement in the immediate area of Oaks Estate was by Timothy Beard who had squatted in the area in the early 1820s. Beard was a pardoned convict, and former Innkeeper from Campbelltown, NSW. His station huts were located between the Queanbeyan-Cooma Railway line and the Molonglo River, a little over 2kms down stream from the Molonglo/Queanbeyan River confluence where Oaks Estate would later be sited. He called his station 'Queenbeeann' and by 1829 was joined by 'Jerrabomberra' to the south and by Robert Campbell on the Molonglo River at Pialligo to the north, later called 'Duntroon'.

In 1826, James Ainslie arrived in Limestone Plains after learning of it from an Aboriginal woman. Ainslie drove sheep from Bathurst to the plains for Robert Campbell Senior, the son of a town clerk of Greenock, Scotland. Campbell established the estate of Duntroon which consisted of approximately 17,000 acres, extending from Molonglo to the Hume Valley. Campbell was a respected merchant, pastoralist and philanthropist and settled in Australia in 1800, and quickly became involved in public administrative as he possessed 'intimate knowledge of the colonial economy' (Steven 1966). During the course of his life, he held such distinguish appointments, including magistrate and naval officer and also was a member of the NSW Legislative Council from 1825 until 1843 (Steven 1966). His main residence was Duntroon House, today part of the Royal Military College. The Campbell family named their home after Duntrune castle, the ancestral home of Campbell clan located in Argyll, Western Scotland (Gillespie 1991).

In 1837 Robert Campbell was granted an extra 1,040 acres of land south of the Molonglo River adjacent to his Duntroon holdings, including the area that is today the suburb of Oaks Estate. He had a large stone cottage, today The Oaks, built that was similar in style to the original part of Duntroon House. It was intended to house relatives

who were expected to emigrate to Australia, however, this did not occur and subsequently he leased the house and property to William Hunt and Joseph Kaye. Hunt and Kaye obtained an inn license in 1838 and the house became known as the Elmsall Inn until 1841 when they moved the inn to the newly declared town of Queanbeyan. The Elmsall was the first licensed inn for the region, also served as the local store and the grounds to the east of the building were used as an unofficial cemetery for many years. (Williams, 1997)

The inn is an important institution in the history and development of Australia. Freeland (1977) notes that few early settlements in Australia had churches, but there was always an inn. Kirkby et al (2010) posit that the Australian inn is an important part of the European colonisation of Australia. It was a part of the transport and communication network of early Australia and the movement of goods and people relied on them. Inns located in small towns or along coach routes were often the only business in an area and would serve as a brief respite from travels, a place to get supplies and quite often would subsume many official roles such as post office, general store or bank (Baglin and Austin, 1989). The local inn was generally the centre of the community. They were more than just a convenient place to collect the mail and have a drink; they were a place to discuss local news, organise business and socialise – it was a place to build communities. The innkeeper was generally the most sedentary of the local residents, as well as being the most centrally located, so they were often the best choice for official positions such as postmaster, constable or pound-keeper (notices often appear in papers that stray animals may be collected at so-and-so inn for a fee). The central social role of the inn is reflected in Hunt being the Prebesterian Church Warden and fields being used as the unofficial burial ground for the area.

From the 1820s through to 1840s, the licensing laws went through a series of changes requiring premises to include accommodation and provisions for horses and carriages, changed opening hours, separated the selling of other goods, dictated the types of signage to include the licensee's name and include lighting during the night, and separating the tap room that led to the adoption of the counter bar (Freeland, 1977; and Kirkby, et al, 2010). This can be seen at The Oaks with the separate carriage yards and noted historically with the bark hut store that Hunt and Kaye had set up.

The unofficial cemetery continued to be used up until 1846 when the official Queanbeyan Riverside Cemetery was declared, although there was one last burial there in 1863 of an unknown Indian juggler. There is not much information available concerning the burial ground, but it is likely that it was associated with William Hunt acting as a Church Warden volunteering the easy to dig fluvial soils of the nearby paddock. There were 44 known burials at Oaks Estate that have been deduced by Barry Stephenson using newspaper notices and Queanbeyan Council minutes (Claoue-Long, 2006). In 1991 the burial ground was rediscovered during excavation for a storm water drain and the remains of at least seven bodies were recovered and subsequently reburied in the Gungahlin Cemetery. There have also been several independent, but as yet unsubstantiated, reports of a separate section of burials, "...in the bottom corner of the paddock on the river fronting of *The Oaks* building...near where the windmill was and...had a fence around them." (Williams, 1997) There was also a report in the *Queanbeyan Age* (5 March 1862, p.2) of the burial of an Aboriginal man "...on the bank of the Queanbeyan River, opposite the Oaks..." following a corroboree that had occurred there; however this man was disinterred by the authorities for an autopsy and no details were given on what happened to the body after this. The area was a well known camping ground for various Aboriginal tribes moving through the area, using the Molonglo River as a pathway, and it is possible that earlier burials may have occurred as well.

The Oaks and an area of 100 acres, slightly larger than the current area of Oaks Estate, was transferred to Charles Campbell in 1840 and was later leased to Dr William Foxton Hayley. Dr Hayley was the region's first doctor and was well known throughout the area. The large house of The Oaks became the default hospital (the first official hospital opened in Queanbeyan in 1861) and was the recorded location for several births and deaths. Dr Hayley lived at The Oaks until 1868 after which it became the residence for a series of medical professionals into the 1880s, including Doctors Prowd Lambert, Newton, Johnson and McQueen. (Williams, 1997)

In 1877 Charles Campbell sold The Oaks and the 100 acres of land to John Bull. In 1880, Bull sold The Oaks and 12 acres of land to George Tomsitt, this also included the wool washing and fellmongery business that is today the Hazelbrook property as well as a right of passage between the two locations. The rest of the 100 acres was sold to

William Price in 1885 who then brought the land under the *Real Property Act 1862* (which would facilitate the later sub-division by making it easier, quicker and cheaper to break up and sell the land). (Williams, 1997)

It was in 1887 that the railway reached Queanbeyan with the station being situated south of The Oaks within the 100 acres that Campbell sold to Bull seven years earlier. The Oaks was run as an inn again by Matthew McCalister from 1886 to 1887 to try and take advantage of the new nearby station. It was at the start of October 1887 that Tomsitt tried to take advantage of the business opportunity presented by the new railway by expanding the wool washing and fellmongery business that he acquired from Bull. The Queanbeyan Wool-Scouring, Meat-Freezing & Tannery Company was formed (with the provisional directors of Tomsitt and Price along with A. M. Dulhunty, George Harcourt, H. J. Dixie, Daniel Leahy, and Charles Ross) with a prospectus looking for £16,000 to expand upon the existing business, including connecting it to the railway via a siding and buying around 800 acres of surrounding land. However, the business venture was unsuccessful. (Williams, 1997)

It seems that the business partners were keen to take advantage of the business opportunities presented by the rail station being located within land that they held on the outskirts of Queanbeyan, speculating on the growth of the town towards what could become a new business hub. In December 1887, a new business venture was entered into between Tomsitt, Bull and Price to sub-divide the area and sell by auction, creating Oaks Estate. The auction was run by Dulhunty & Co and failed to sell all of the available blocks. The first sales of land in Oaks Estate were low with most of the bidding focusing on the lots around the railway station (which remained in NSW after the creation of the ACT). The lacklustre bidding of lots north of the railway meant that several people were able to secure several blocks as large parcels of land and several blocks did not sell at all. Another round of auctions at no reserve was held at the start of 1892 to sell the remainder of the blocks in order to wind up the partnership after the death of Tomsitt. The advertising for the auctions emphasize the proximity of the railway station and the business opportunities that it presented, noting that it was, "...most valuable for business and private building purposes ever afforded to the Queanbeyan public.". It also speculated on the expansion of Queanbeyan towards the station and Oaks Estate, saying that of the blocks, "...the position and symmetry of design which harmonised with the surrounding Crown and other subdivisions are such as to ensure an enormous and rapid increase in their value, as the town must eventually grow in the direction of the station." There was still ~40 acres of unsold blocks which remained the property of Price until 1900 when they transferred to the Bull family. Many of the blocks were sold over the years, culminating when Clara Annie and Florence Louisa Bull sold the bulk of the remaining blocks, some 11 acres, to George Dovers in 1926.

The Oaks was leased to various people up until 1892 when Tomsitt was killed. It was from this time that George and Jane Lesmond took up residence in the property and officially became the owners in 1895 through the executors of Tomsitt's estate. The Lesmonds renamed The Oaks to "Willow Bank". (Williams, 1997)

In 1905 the Lesmonds sold the property to Emma Matilda Knox who renamed it "Bannockburn". She died in 1919 and bequeathed the property to her daughter Jean Violet Knox. Jean Violet Knox petitioned the government to acquire the property so that the ownership of the property could be settled due to the uncertainty of a freehold property now being a part of the Federal Capital. (Williams, 1997)

The lead up to the formation of the National Capital is a long and complex storey, but the border came into effect in 1911. At first it was proposed to include all of Queanbeyan and Captains Flat, but was changed to follow the railway as a border between the capital and NSW. This administrative border figuratively separated Oaks Estate from Queanbeyan, which geographically were only separated by a rail track and a few metres. The building program of the capital attracted many workers to the region, with most of them living in workers camps while others moved into established areas nearby, such as Queanbeyan and Oaks Estate. One further act of the establishment of the capital that was to have a profound effect on Oaks Estate was the *Seat of Government (Administration) Act 1910* which, as well as establishing a legal framework among other things, stated that no land could be held by freehold as well as freezing the price of land for government procurement. The Commonwealth did not think that it was feasible to acquire all the land at once and would only do so as the land was required. This made things difficult for people who owned freehold land in Oaks Estate because few people were willing to

Table 1 Important dates and events in the formation and development of The Oaks and Oaks Estate

1837	Robert Campbell was granted an extra 1,040 acres of land south of the Molonglo River
1838	The building that was to become The Oaks built and eventually leased William Hunt and Joseph Kaye who established it as the first inn for the region - The Elmshall
1840	The Oaks and an area of ~100 acres transferred to Charles Campbell, roughly establishing what would become the border of the Oaks Estate subdivision
1848-	The Oaks leased to Dr William Foxton Hayley
1858	Queens Bridge opens and makes transport to and from Queanbeyan easier
1863	Last burial at The Oaks
1877	Charles Campbell sold The Oaks and the 100 acres of land to John Bull
1880	Bull sold The Oaks and 12 acres of land to George Tomsitt, this also included the wool washing and fellmongery business
1885	The rest of the 100 acres was sold to William Price in 1885 who then brought the land under the <i>Real Property Act 1862</i>
1887	The Queanbeyan Wool-Scouring, Meat-Freezing & Tannery Company formed
1887	Railway reaches Queanbeyan with the station located in Oaks Estate
1887	Oaks Estate sub-divided
1911	April – <i>Seat of Government (Administration) Act 1910</i> takes effect putting freehold title in doubt
1974	All remaining freehold land in Oaks Estate acquired by the Commonwealth

buy land without knowing if it would be acquired or not. This state of affairs existed until 1974 when all the remaining freehold properties in Oaks Estate were acquired by the Commonwealth.

Jean Violet Knox was not successful in her request for the government to acquire The Oaks, but she did end up selling to Dr John Edwin Eddison in 1921. Dr Eddison acquired the property for Marion Louisa Osbaldeston Eddison, wife of Walter Herbert Eddison, who changed the name from Bannockburn back to The Oaks. The Eddisons lived at The Oaks until 1928 when they moved to their Soldier Settlement Lease of Yamba, but continued to own it until 1952. Up until this time they ran it as a boarding house and flats during which time it was the home for various families and for 12 months in 1942/43 the house and grounds were occupied by the 11th Garrison Battalion. (Williams, 1997)

The Eddisons agreed to sell the Oaks to Dr Lewis Windermere Nott in 1951, but his death meant that the sale was not finalised until 1952 by his widow, Doris Nott. Only two months later Doris sold the property to Professor John Conrad Jaeger and Martha Jaeger. The Jaegers undertook major restorations on the house and surrounding grounds. The Jaegers had a keen interest in heritage items and had a large collection of historic machinery on the property as well as the region's last set of working Clydesdale horses and equipment. (Williams, 1997)

The Oaks was bought in 1973 by Keith and Furze Hewitt. The property, along with all the remaining freehold properties in Oaks Estate, was resumed by the Commonwealth in 1974, at which point the Hewitts decided to lease the property back. The Hewitts, like the Jaegers, were passionate about the historic property and set about restoring it to as close to its original condition as they could. (Williams, 1997)

DESCRIPTION

Block 15 and 16 cover ~4.4 acres (4.9 acres including B22) The Oaks is a Old Colonial Georgian style building constructed from roughly-shaped regional stone laid in rough courses on top of similarly constructed stone footings. The rough shaping and coursing are descriptive terms and it is mostly due to the nature of the locally acquired stone; the stonemasonry is actually of a high quality. The stone is mostly exposed, but appears to have been limewashed originally and broadly pointed with the pointing scored to indicate the courses. The pointing has occurred at least twice and there was an additional cement render applied to the northern facade in the early 20th century, which was removed by the early 1950s. The building has a rectangular form and is balanced and symmetrical. The front/northern facade has a large verandah with slender posts which is flanked by gable-ended wings that can be accessed directly off the verandah or internally. The verandah has a non-original cement floor that is cracking and subsiding in places. The facade that faces the verandah is rendered and painted white. All of the original windows on the northern facade have been replaced, probably in the early to mid 20th Century. The east facade windows are original as well as the two windows on the east side of the south facade. The south and north entrances are six-panelled solid wood doors with sidelights. There are two dormer windows to the attic on the north side of the roof and three on the south side. The roofing material is corrugated iron, overlying older wood shingles.

The detached kitchen has a stone walls on the west, similar in design to the main house, and brick walls on the north, east and south with doors on the north and east. The floor is paved in brick and the roof is covered by corrugated iron overlying older wooden shingles.

The wood slab carriage shed is located to the west and south of the house and is made from adzed timbers with several newer sawn timber slabs used as maintenance required replacement of materials. The shed has four openings facing the east with the northern half of the facade replaced by newer materials with doors. The roof is corrugated iron. There is a building shown on the same location in the 1915 survey map, although it appears to be of a slightly different form, indicating that it either post-dates this, or was extended afterwards; the materials suggest that it was extended and as such the original section may date from when the place was being used as an inn, either in the 1840s or 1880s. The other sheds and stables are a mixture of styles and materials, but mostly sawn timbers and corrugated iron. They appear to post-date the 1915 survey map.

The house is situated upon a small hill, with the house sitting just above the 100 year flood levels. The informal gardens surrounding the house are demarcated by box hawthorn and other shrub and hedge tree plantings. The gardens consist of large lawn areas with informal planting of specimen and fruit trees, with a mixture of mature and relatively new plants. There are small paddocks to the south and north adjoining the gardens. The paddocks are fenced, marking the 1888 sub-division, but are also lined with trees that mark out the paddocks, including several mature Osage orange trees at the northern end of the east fence, near the river, which likely date from the 19th Century.

Physical condition and integrity

ACT Heritage conducted a site visit with the owner on 6 August, 2014. An external visual examination of the place showed it to be in good condition commensurate with age.

The northeast corner of the building has some cracking in the walls which is likely due to exposure to the morning sun and expansion and contraction forces that arise from this. Also evident was some cracking in the later addition concrete surface of the northern verandah. Despite the cracking, the place is in a stable condition.

The external lime wash has mostly come away from the stone faces, but remains intact as pointing. There are several instances where other material, such as concrete, has been used as a patching material.

A brick chimney had been added to the southern end of the western facade wall, but was demolished in the mid-1970s and the resulting hole patched. The bricks were then used to construct a small laundry room externally to the northern part of the western facade wall, abutting the small section of garden wall.

The external kitchen building is in a fair, but deteriorating condition. Several of the bricks are deteriorating, mostly due to movement, and there are some gaps in the structure through which the elements and animals may enter. The southern end of the roof has been repaired, but most of it still has evidence of the earlier wood shingle roof. There is a large crack in the brickwork of the chimney.

The carriage shed is of an unknown age, but features several adze-shaped logs as a part of the structure and slab walls. It is likely that the carriage sheds are from the 19th century, possibly dating from the 1840s or 1880s when the place was used as an inn, but have been subject to continual maintenance and replacement of materials.

The other sheds are of a later date and are constructed using sawn timber. It is likely that they date before the 1950s when the Jaegers bought the property and used the sheds to store the collection of carriages as they are clearly not designed to house the carriages fully. Also, there is one shed that is known to have been built by the Jaegers to house a steam traction engine which is clearly a more modern addition.

The landscaping and gardens appear to be in good condition, although the deciduous plants were bare due to the timing of the visit. The box hawthorn hedge to the south of the house is in good condition and has been kept under control, although it is currently considered to be a weed species.

SITE PLAN



Figure 1 The Oaks Provisional registration boundary

IMAGES

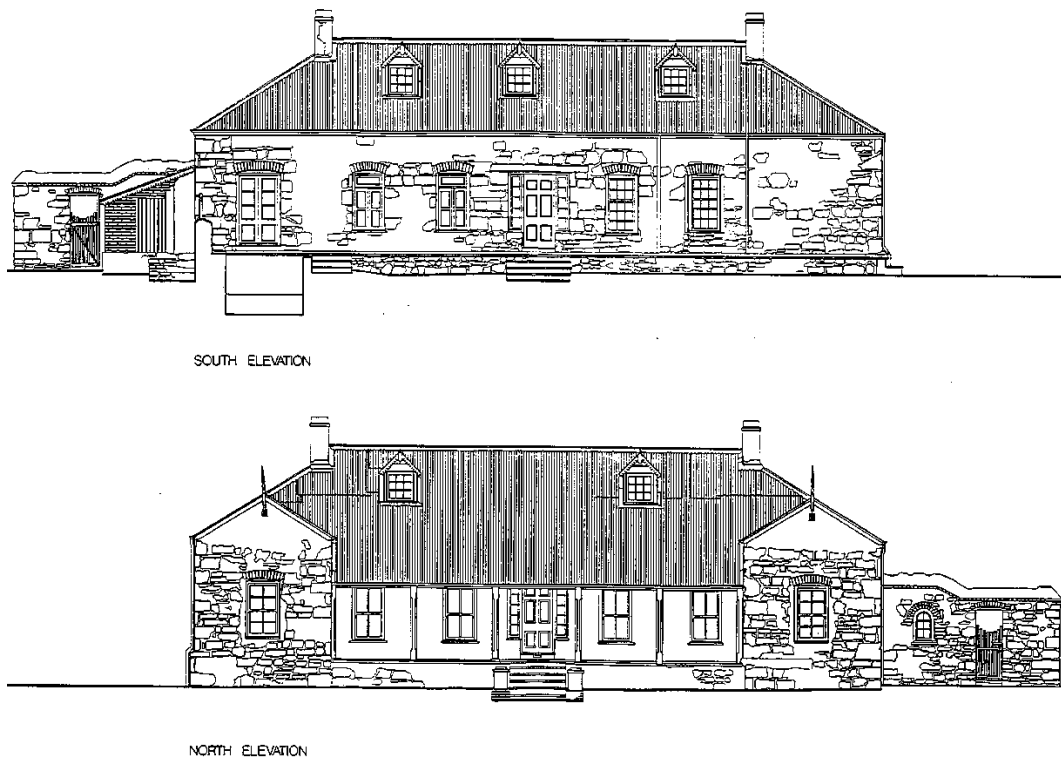


Figure 2 The Oaks elevations Marion Mahony Griffin Measured Drawing Competition (Christopher O'Rourke 1984)

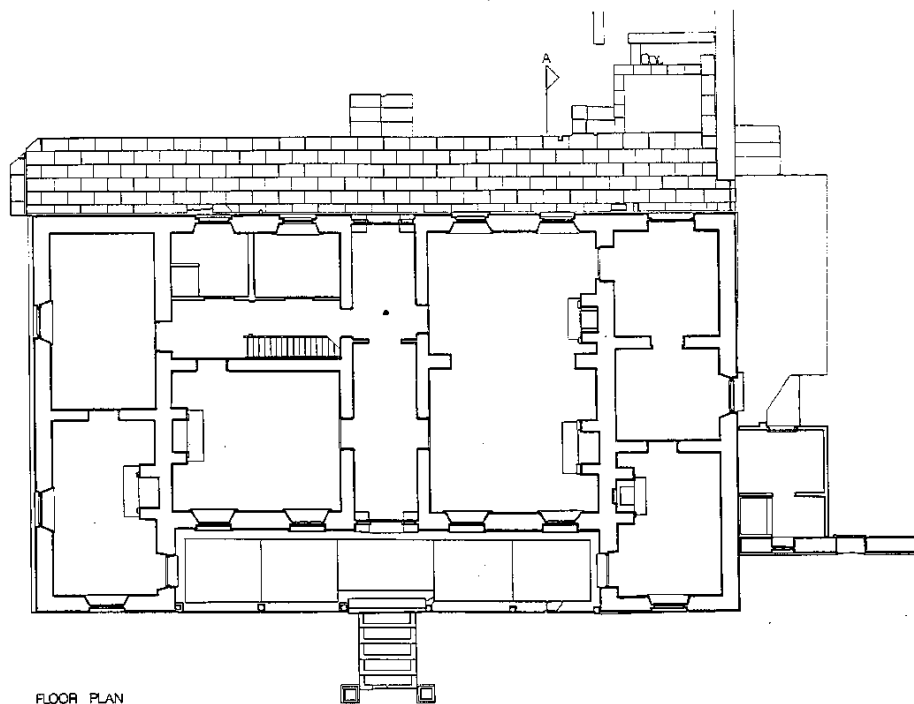


Figure 3 The Oaks floor plan Marion Mahony Griffin Measured Drawing Competition (Christopher O'Rourke 1984)



Figure 4 The Oaks north facade (ACT Heritage, 2014)



Figure 7 The Oaks west facade (ACT Heritage, 2014)



Figure 5 The Oaks south facade (ACT Heritage, 2014)



Figure 8 The Oaks external kitchen east facade



Figure 6 The Oaks east facade (ACT Heritage, 2014)



Figure 9 The Oaks informal garden (ACT Heritage, 2014)

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