

Australian Capital Territory

Heritage (Decision about Provisional Registration of Unity Cunningham's House and Garden, Paddys River) Notice 2015

Notifiable Instrument NI2015–158

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 Unity Cunningham's House and Garden, Paddys River) Notice 2015*.

2 Commencement

This instrument commences on the day after notification.

3 Notice of Decision

Pursuant to Section 32 of the *Heritage Act 2004* the ACT Heritage Council has decided not to provisionally register Unity Cunningham's House and Garden, Paddys River to the ACT Heritage Register.

Jennifer O'Connell
Secretary (as delegate for)
ACT Heritage Council
9 April 2015



ACT Heritage Council

STATEMENT OF REASONS

DECISION NOT TO PROVISIONALLY REGISTER

Unity Cunningham's House and Garden

(Part Block 359 Paddys River)

IN THE ACT HERITAGE REGISTER

In accordance with Section 32 of the *Heritage Act 2004*, the ACT Heritage Council has decided not to provisionally register Unity Cunningham's House and Garden, Paddys River. This Statement of Reasons provides an assessment of Unity Cunningham's House and Garden, Paddys River and finds that the place does not meet any of the criteria under s.10 of the *Heritage Act 2004*.

Background

The site was acquired by Unity Cunningham in 1929, and it appears construction of the house and garden occurred immediately after Unity's purchase. The buildings were in a partial state of survival until at least 1981 when an archaeological survey by Barz and Winston-Gregson revealed some remaining evidence of occupation.

The ACT Heritage Council received a nomination for the site to the Interim Places Heritage Register under the *Land (Planning and Environment) Act 1991* in 2002, from HLA Envirosciences Pty Limited.

In 2001, the Canberra Archaeological Society and HLA Envirosciences undertook an archaeological investigation of the remains of Unity Cunningham's House and Garden site under an ACT Heritage Grant. The survey uncovered minimal evidence from the era of Cunningham's occupation, with low potential for additional subsurface archaeological material to be present, and archival research revealed little information on her life.

Some building remains were present at the site in February 2015, including three rectangular concrete/granite slabs, two piles of rock and granite, and timber beams and brick fragments. A levelled area to the north east of the concrete and granite slabs indicated the location of the tennis court. In addition, some rows of terraced garden were visible. However, if there had been any formality to the original garden, it was no longer evidenced.

Assessment

The Council's assessment against the criteria specified in s.10 of the *Heritage Act 2004* is as follows.

In assessing the nomination for Unity Cunningham's House and Garden, Paddys River the Council considered:

- the original nomination and documentary evidence supplied by the nominator;
- information provided by a site inspection on 5 February 2015 by ACT Heritage; and
- the report by ACT Heritage titled, *Background Information Unity Cunningham's House and Garden*, April 2015, containing photographs and information on history, description, condition and integrity.

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. Future research may alter the findings of this assessment.

(a) importance to the course or pattern of the ACT's cultural or natural history;

Unity Cunningham's House and Garden, Paddys River does not meet this criterion.

While it may be argued that the place has some association with a type of land use important to the history of the ACT, this association is no longer evident in the physical fabric of the place, and is not reflected in documentary resources or oral history. For example, the place fell within a Soldier Settlement Lease held by J.E Cregan. Soldier Settlement Leases, established in the ACT under the WWI FCT Soldier Settlement Scheme (1920-1927) represent an important type of land use in the ACT's history. However, Unity Cunningham's House and Garden retains no distinctive built or cultural landscape elements characteristic of the soldier settlement period.

While remnant stone terraces and exotic trees and shrubs suggest ornamental gardens, there is insufficient remaining physical fabric or documentary information indicating how else the land was utilised after it was purchased by Unity Cunningham. Therefore, for the era of Unity Cunningham's tenure, there is an unclear association between her house and garden and a phase, period, process, function, land use, or way of life important in the ACT's history.

(b) has uncommon, rare or endangered aspects of the ACT's cultural or natural history;

Unity Cunningham's House and Garden, Paddys River does not meet this criterion.

The story of Unity Cunningham's House and Garden suggests uncommon aspects of the ACT's cultural history, in that it represents rural land owned by a female in the early twentieth century. The closest similarity is Booroomba Station, which was under the management of Elizabeth McKeahnie in the late nineteenth century. However, as there is no physical fabric remaining at Unity Cunningham's House and Garden that associates it with the theme of female land custodianship and management in the ACT, it cannot be considered uncommon, rare, or endangered.

(c) potential to yield information that will contribute to an understanding of the ACT's cultural or natural history;

Unity Cunningham's House and Garden, Paddys River does not meet this criterion.

There is no evidence before the Council to suggest that Unity Cunningham's House and Garden has potential to yield information that will contribute to an understanding of the ACT's cultural history. Between 1981, the date of Barz and Winston-Gregson's survey, and 2015 the visible fabric at the site has degraded substantially, or been removed. Further, an archaeological investigation by the Canberra Archaeological Society and HLA Envirosiences (2001) concluded that the potential for remaining subsurface heritage fabric at the site is low.

(d) importance in demonstrating the principal characteristics of a class of cultural or natural places or objects;

Unity Cunningham's House and Garden, Paddys River does not meet this criterion.

Similar to Booroomba Station, Unity Cunningham's House and Garden was rural land overseen by a female. However Booroomba is a clear example of a nineteenth century rural pastoral property, whereas, at best, Unity Cunningham's House and Garden could be considered an example of a private residence in a rural area, not readily identified as a class of place important in the ACT's cultural history.

Field investigations of the site revealed no evidence for raising or managing livestock or crops. There are no pens for sheep, cattle, or pigs, and no evidence for construction of a shearing or dairy shed. While some remnant exotic trees at the site are fruiting species, there is no indication these were

ever configured into an orchard. In addition, there are no visible ploughlands, and no substantial rural outbuildings have been noted.

(e) importance in exhibiting particular aesthetic characteristics valued by the ACT community or a cultural group in the ACT;

Unity Cunningham's House and Garden, Paddys River does not meet this criterion.

There are no particular aesthetic characteristics easily identifiable in the physical fabric remaining at Unity Cunningham's House and Garden, through degradation of its physical fabric, it has lost a significant portion of its visual appeal. Further, there is no evidence that the community or a cultural group in the ACT values any extant aesthetic qualities of the place.

(f) importance in demonstrating a high degree of creative or technical achievement for a particular period;

Unity Cunningham's House and Garden, Paddys River does not meet this criterion.

With most physical fabric at Unity Cunningham's House and Garden degraded, there is insufficient visible physical evidence to demonstrate creative or technical achievement for the period in which it was established. Archaeological investigations yielded no evidence for walls, roofing, fenestration, and almost no complete bricks on site. While the garden may once have been visually pleasing, there is no indication in the remaining footprint that it represented a technical or creative achievement beyond the ordinary during the era of Unity Cunningham's occupation.

(g) has a strong or special association with the ACT community, or a cultural group in the ACT for social, cultural or spiritual reasons;

Unity Cunningham's House and Garden, Paddys River does not meet this criterion.

There is no evidence before the Council suggesting any association between Unity Cunningham's House and Garden and the ACT Community or a cultural group in the ACT.

(h) has a special association with the life or work of a person, or people, important to the history of the ACT.

Unity Cunningham's House and Garden, Paddys River does not meet this criterion.

Unity Cunningham was the daughter of James (Jimmy) and Mary Cunningham, of the prominent pastoralist family of Lanyon and Tuggeranong; Unity Cunningham's House and Garden was the last portion of the estate to lie in Cunningham family hands. The Cunningham family made a significant contribution to the ACT's history, but the family's association with the place is not evident in its physical fabric. The particulars of Unity's life are interesting, however there is no evidence suggesting she made a significant contribution to the history of the ACT as an individual. Although Unity herself was connected with Sir Robert Garran, Unity Cunningham's House and Garden site has no direct association with Sir Robert Garran himself.

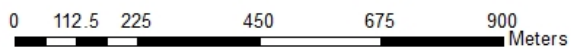
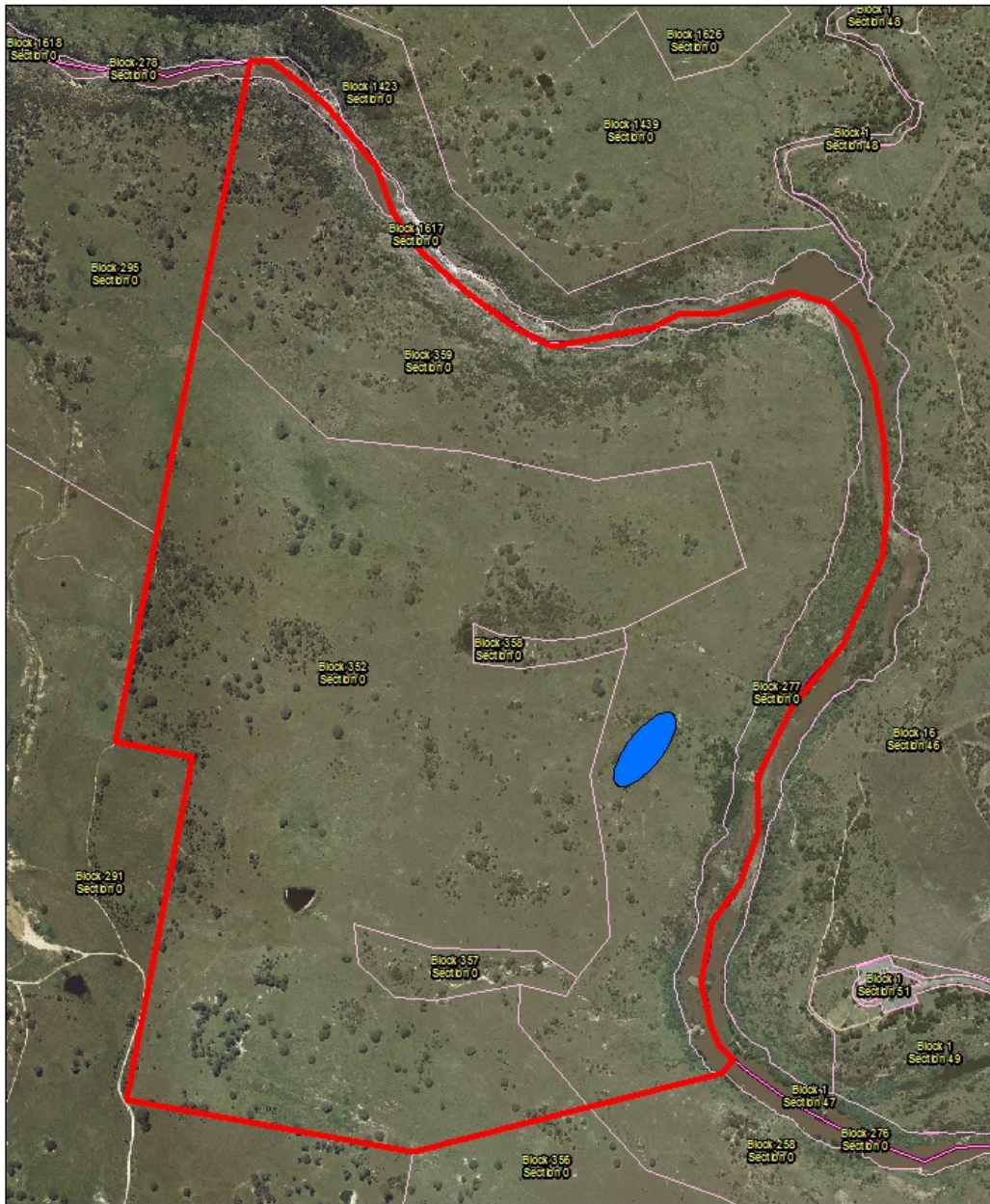
Conclusion

While Unity Cunningham's House and Garden is an example of a soldier settlement lease and an early twentieth century rural holding owned and managed by a female in the ACT, it does not demonstrate the necessary evidence required to meet high thresholds for inclusion on the ACT Heritage Register. The ruined state of the buildings and garden significantly diminishes its ability to represent uncommon, rare, or endangered aspects of the ACT's cultural history, and to demonstrate its importance to the course or pattern of the ACT's history. Its degraded fabric obscures significant aesthetic characteristics that may have once existed, in addition to any indication of technical achievement demonstrated during Unity Cunningham's occupation. It has low potential to add to existing historical and archaeological knowledge of the area, and is not easily recognisable as a class of cultural place. While the Cunninghams were an important family to the history of the ACT, their association with Unity Cunningham's House and Garden is not represented in the physical fabric of the place.

The ACT Heritage Council finds that the place does not meet any of the criteria of the *Heritage Act 2004*, however this does not mean that the place has no heritage values at all. This assessment has evaluated evidence for European occupation, however several Aboriginal places and objects have been recorded within the nominated boundary, which may meet the heritage significance criteria to a high degree, depending on the outcomes of future research.

This Statement of Reasons provides an assessment of Unity Cunningham's House and Garden and finds that Unity Cunningham's House and Garden does not meet any of the criteria specified in s.10 of the *Heritage Act 2004*.

SITE PLAN



Nominated Boundary (Retired Block 13 Paddys River)



-  House and Garden Features
-  Nominated Boundary

Image 1 Unity Cunningham's House and Garden, Nominated Boundary