

# Planning and Development (Environmental Significance Opinion – Block 1 Section 96, Block 4 Section 98 O’Connor and Fairfax Street Road Reserve – Civic to Bruce Transmission Line Maintenance) Notice 2015 (No 2)

Notifiable Instrument NI2015–532

Made under the

Planning and Development Act 2007 s 138AD (Requirements in relation to environmental significance opinions)

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## 1 Name of instrument

This instrument is the *Planning and Development (Environmental Significance Opinion – Block 1 Section 96, Block 4 Section 98 O’Connor and Fairfax Street Road Reserve – Civic to Bruce Transmission Line Maintenance) Notice 2015 (No 2)*.

## 2 Commencement

This instrument commences on the day after notification.

## 3 Environmental Significance Opinion

The ACT Heritage Council has prepared an Environmental Significance Opinion (ESO) under section 138AB of the *Planning and Development Act 2007* (the Act), relating to item 6 of Part 4.3 of Schedule 4 of the Act.

The text of the ESO is in the schedule.

*Note 1:* A copy of the ESO may be obtained from the Environment and Planning Directorate website:

[http://www.planning.act.gov.au/topics/design\\_build/da\\_assessment/environmental\\_assessment/environmental\\_significance\\_opinions](http://www.planning.act.gov.au/topics/design_build/da_assessment/environmental_assessment/environmental_significance_opinions)

*Note 2:* Under section 138AD(6) of the Act, the ESO and the notice including the text of the ESO expire 18 months after the day the notice is notified.

Dorte Ekelund  
Chief Planning Executive  
11 September 2015



## ACT Heritage Council

# HERITAGE ADVICE

### Under Part 10 of the *Heritage Act 2004*

ACTPLA Reference: 201500100  
Heritage Reference: Advice-O'Connor-General  
Contact Officer: Meaghan Russell  
Received by Council: 25 June & 12 August 2015

**TO:** ACT planning and land authority  
Environment and Planning Directorate  
[EPDCustomerServices@act.gov.au](mailto:EPDCustomerServices@act.gov.au)

Block:	Section:	Division / District:	Heritage Places:
1	96	O'Connor	ORF3; ORE1; ORE2; ORE3
4	98		

Status of Place: Registered Heritage Place: ORF3  
Recorded Aboriginal Heritage Places: ORE1; ORE2; ORE3

Description of Works: Maintenance of Transmission Lines, Civic to Bruce

Council Advice provided by: A/g Secretary

Pursuant to s.148 (1) of the *Planning and Development Act 2007* and s.60 of the *Heritage Act 2004*, the ACT Heritage Council advises that:

- There are no perceived heritage issues with the proposed development, which is considered **not likely to have a significant adverse impact** on the heritage values of the place; on the basis of the following advice and conditions.

### Background:

On 25 June 2015, the ACT Heritage Council (the Council) received an application for an Environmental Significance Opinion (ESO) for proposed maintenance works within a transmission line, between the Civic and Bruce substations. The ESO application was supported by the '*Statement of Heritage Effects. Civic to Bruce Substation Electricity Transmission Line Maintenance Works*', prepared by Biosis (1 June 2015) in consultation with Representative Aboriginal Organisations (RAOs).

Following review of the application and Statement of Heritage Effects (SHE), the Council issued advice on 21 July 2015 requesting further information to support the application, specifically:

- Aboriginal heritage site ORF3 is located within the transmission easement and is listed on the ACT Heritage Register. The SHE should be revised to include an assessment of the likely impact of the proposed activity on ORF3, and to identify any management actions needed in response to the proposed activity;
- The SHE should include a detailed description of the ORF3 site location at the time of archaeological survey on 26 May 2015, to document its condition and update the 2003 site recording; and
- The Project SHE should be amended to include all verbal or written RAO input on heritage values of place and their appropriate management. The SHE should also

include additional information on RAO consultation undertaken, such as the initial stage of project notification and the draft report review period.

The Council requested that this information be provided within 30 working days, in accordance with s.138AB of the *Planning and Development Act 2007*, in the form of a revised SHE report.

In advice issued on 21 July 2015, the Council also provided advice on SHE findings and recommendations, including: the need to describe visibility conditions at the time of archaeological survey; the need for consistency of heritage site names in text and mapping; the need to include an assessment of likely impact to heritage sites resulting from the proposed activity; should heritage impacts be identified, the need to set out whether reasonably practicable alternatives are available; and the need to revise the 'Unanticipated Discovery Plans' to include greater RAO participation.

On 12 August 2015, the Council received the revised SHE report (dated 9 August 2015) for Council review.

#### **Advice and conditions:**

From review of information provided, the Council advises that the proposed activity is not likely to have a significant adverse impact on the heritage values of the place.

This advice is based on the findings and recommendations presented in the '*Statement of Heritage Effects. Civic to Bruce Substation Electricity Transmission Line Maintenance Works*' (Biosis, 9 August 2015); which states that all known heritage places in the transmission easement – ORE1, ORE2, ORE3 and ORF3 – will not be detrimentally effected by works.

No further heritage assessment or management actions are required prior to the commencement of works, with the exception that the works are subject to the following conditions attached to this ESO:

- Should temporary fencing of heritage places be needed, fence locations should be identified and confirmed by an archaeologist and RAO representatives. The Council should also be notified that this has been undertaken, in writing, at the time of fence installation; and
- Should any additional heritage places or objects be encountered during works, the 'Unanticipated Discovery Plans' described in the revised SHE (Biosis, 9 August 2015) should be implemented.



Fiona Moore  
**A/g Secretary (as delegate for),  
ACT Heritage Council**

27 August 2015