

# Planning and Development (Conditional Environmental Significance Opinion – Block 1172, District of Tuggeranong – Wanniasa Zone Substation to Woden and Greenway) Notice 2023

Notifiable instrument NI2023–465

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 (Conditional Environmental Significance Opinion – Block 1172, District of Tuggeranong – Wanniasa Zone Substation to Woden and Greenway) Notice 2023*.

## 2 Commencement

This instrument commences on the day after its notification day.

## 3 Conditional environmental significance opinion

- (1) On 13 July 2023, the ACT Heritage Council, pursuant to section 138AB (4) (b) of the *Planning and Development Act 2007*, gave the Applicant a conditional environmental significance opinion in relation to construction, on Block 1172 of Tuggeranong District, of an underground electricity 11kV feeder cable between the Wanniasa Zone Substation and the Woden and Tuggeranong Bus Depots for the installation of electric bus charger infrastructure.

- (2) In this section:

***conditional environmental significance opinion*** means the opinion in the schedule.

*Note* Under the Act, s 138AD (6), the conditional environmental significance opinion and this notice expire 18 months after the day the notice is notified.

Craig Weller  
Delegate of the planning and land authority  
1 August 2023



## ACT Heritage Council

# HERITAGE ADVICE

## *Environmental Significance Opinion*

ACTPLA Reference: ESO202300022  
Heritage Reference: Tuggeranong-B1168  
and 1172  
Contact Officer: DB  
Received by Council: 14 June 2023  
Due date: 26 July 2023

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

Block:	Section:	Division / District:	Heritage Place:
1172	-	Tuggeranong	CLB3FR

Status of Place: Registered Aboriginal place  
Description of Works: Installation of high voltage 11kV underground cables  
Report Details: “Evoenergy Farrer Cable Letter to ACT Heritage” (Past Traces June 2023)  
Council Advice provided by: A/g Director Approvals and Advice

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Pursuant to Section 138AB of the *Planning and Development Act 2007* and Section 60 of the *Heritage Act 2004*, the ACT Heritage Council advises that:

The proposal is **unlikely to have a significant adverse environmental impact, subject to conditions** described below.

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### Background:

On 14 June 2023, the ACT planning and land authority referred an application for an Environmental Significance Opinion (ESO) to the ACT Heritage Council (the Council) for entity advice (ESO202300022).

ESO202300022 relates to the Woden and Greenway Electric Bus Depots 11kV Underground Transmission Projects; in particular new high voltage (HV) 11kV underground cables and conduits to be installed from:

- The Wanniasa Zone Substation to Woden Bus Depot. Cables will be installed in new underground conduits from the Wanniasa Zone Substation, near the intersection of Athllon Drive and Sulwood Drive to Block 9 Section 54 Phillip (Woden Bus Depot), via Athllon Dive; and
- The Wanniasa Zone Substation to Tuggeranong Bus Depot. Cables will be installed in new underground conduits from the Wanniasa Zone Substation, near the intersection of Athllon Drive and Sulwood Drive, to Block 6 Section 11 Greenway, via Sulwood Drive and Erindale Drive (Tuggeranong Bus Depot).

A Council delegate issued advice directly to Evoenergy on 28 April 2023 advising that no registered heritage places or objects occur within the proposed project alignment area for the Wanniasa Zone Substation to Woden Bus Depot section of the project, and that works were unlikely to have detrimental heritage impacts, subject to the adherence of an appropriate Unanticipated Discovery Protocol.

In relation to the section of the project from the Wanniasa Zone Substation to Tuggeranong Bus Depot, the Council delegate advised that the proposed alignment was in proximity to registered Aboriginal place 'CLB3FR', a small surface artefact scatter. The Council advised that assessment including an inspection by a qualified archaeologist and the Representative Aboriginal Organisations (RAOs) was required to determine if works would cause damage to CLB3FR and identify if any other Aboriginal places or objects were present.

The Council was separately provided with a letter Cultural Heritage Assessment on 22 June 2023 from Past Traces (May 2023), which was prepared in consultation with RAOs and which presented the following outcomes:

- After a careful search of the CLB3FR site by the archaeologist and present RAOs, no artefacts were relocated; likely due to the area's constant use and the time passed since its last relocation;
- Following onsite discussions, it was decided that avoidance of heritage site CLB3FR would be possible by altering the cable alignment. This new alignment ensures that all underground infrastructure (including cables, conduits, joint and haulage pits) are at least 50m from CLB3FR; and
- The proposal should be able to proceed with no further archaeological investigations. No areas of potential archaeological deposits or heritage sites are located within proximity to the areas of impact and the potential for Aboriginal heritage objects within the impact area are assessed as low due to the high level of previous works and development along the proposed cable alignments.

As the ESO application and associated referred documents predates the heritage assessment, these documents do not show the proposed modified footprint to avoid CLB3FR.

**Advice:**

Following review, and as a Council delegate, I advise that the amended proposal as described in the 22 June 2023 submission to the Council is unlikely to have a significant adverse impact to registered heritage places, subject to the below conditions:

1. The modified project footprint which avoids CLB3FR must be adopted; and
2. An Unanticipated Discovery Protocol is to be implemented during the proposed works. In the event that suspected Aboriginal places or objects are encountered during works: works at that location are to cease (in accordance with Section 75 of the *Heritage Act 2004*); and the Council is to be notified within five working days (in accordance with Section 51 of the *Heritage Act 2004*); and management is to be undertaken in accordance with further Council advice.



Meaghan Russell  
**A/g Director (Approvals and Advice) (as delegate for),  
ACT Heritage Council**

13 July 2023