

Planning and Development (Environmental Significance Opinion – Block 1 Section 1 and Block 2 Section 110 Bruce – Calvary Private Hospital Development) Notice 2015 (No 1)

Notifiable Instrument NI2015–209

Made under the

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

1 Name of instrument

This instrument is the *Planning and Development (Environmental Significance Opinion – Block 1 Section 1 and Block 2 Section 110 Bruce – Calvary Private Hospital Development) Notice 2015 (No 1)*.

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

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
14 May 2015



ACT Heritage Council

HERITAGE ADVICE
Under Part 10 of the *Heritage Act 2004*

ACTPLA Reference: 201500103
Heritage Reference: Advice-Bruce-1/1
Contact Officer: Meaghan Russell
Received by Council: 1 & 6 May 2015
Due date: 12 June 2015

TO: ACT planning and land authority
Environment and Planning Directorate
EPDCustomerServices@act.gov.au

Block:	Section:	Division / District:	Registered Aboriginal Heritage Places:
1	1	Bruce	CDIF1; BRIF1
2	110		

Status of Place: Registered Heritage Places: CDIF1 and BRIF1
Description of Works: Calvary Private Hospital Development
Council Advice provided by: Secretary / Unit Manager

Pursuant to s.138AB 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 1 May 2015, the ACT Heritage Council (the Council) received an application for an Environmental Significance Opinion (ESO) for proposed works at the Calvary Hospital; consisting of a new private hospital building (within Block 1, Section 1, Bruce), and an associated 60 metre asset protection zone (within Block 2, Section 110, Bruce).

The ESO application is supported by the '*Calvary Hospital, Bruce, ACT. Heritage Assessment*', prepared by Umwelt (April 2015) in consultation with Representative Aboriginal Organisations (RAOs); and additional information received on 6 May 2015. The key findings and recommendations of this assessment and additional information include:

- The proposed works area contains no registered heritage places or objects, and registered heritage sites in the local area (CDIF1 and BRIF1) will not be directly or indirectly impacted as a result of the project;
- No unrecorded heritage places or objects were identified during the March 2015 site inspection; however, three trees of cultural interest were identified by a representative of the Buru Ngunawal Aboriginal Corporation. Two of these trees are located beyond the planned works area and will not be impacted. The remaining tree – identified as 'Tree #3' by Umwelt (2015) – is located on the boundary of the asset protection zone, and Buru Ngunawal Aboriginal Corporation has recommended that it not be impacted. Umwelt (2015) recommend that, should works be planned at this location, an arborist undertake further assessment of the tree;

- During the March 2015 site inspection, RAOs in attendance recommended trees be removed by cutting to minimise ground disturbance; and the Buru Ngunawal Aboriginal Corporation recommended monitoring of areas where ground disturbance would occur; and
- Should any unrecorded heritage places or objects be encountered during planned works, the Project's 'Unanticipated Discovery Plans' (described in Appendix 2) should be implemented.

Advice and conditions:

From review of information provided, the Council advises that significant adverse impacts on heritage values are unlikely to result from the proposed Calvary Private Hospital development. 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 an activity be proposed that would disturb or damage 'Tree 3':
 - Further heritage assessment of the tree is required to be submitted to, and the outcomes of the assessment endorsed by, the ACT Heritage Council prior to the commencement of works;
 - This heritage assessment must consist of an assessment of likely scar age and causation by an arborist, and include further consultation with the Buru Ngunawal Aboriginal Corporation to resolve the cultural or natural status of the tree; and
 - If required by the ACT Heritage Council on review of the heritage assessment, a Section 76 exception under the *Heritage Act 2004* must also be sought and provided prior to the commencement of works.



Anna Gurnhill
Team Leader (Policy and Community Engagement) (as delegate for),
ACT Heritage Council

7 May 2015