



ACT Heritage Council

HERITAGE ADVICE

Environmental Significance Opinion

ACTPLA Reference: ESO202500029
Heritage Reference: Kingston – S49
Contact Officer: MSS
Received by Council: 6 June 2025
Due date: 21 July 2025

TO: Territory Planning Authority
Environment, Planning and Sustainable Development Directorate
EPDImpact@act.gov.au

Block:	Section:	Division / District:	Heritage Place:
15 and 12	49	Kingston	Kingston Powerhouse Historic Precinct and Former Transport Depot

Status of Place: Registered Heritage Place
Description of Works: Kingston Arts Precinct – Subdivision and Enabling Works
Report Details: “*Kingston Arts Precinct Subdivision Design ACT Heritage Council ESO Submission*” (PLA, May 2025)
Council Advice provided by: Director (Approvals and Advice)

Pursuant to Section 140 of the *Planning Act 2023*, the ACT Heritage Council advises that:

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

Background:

On 6 June 2025, the Territory Planning Authority referred an application for an Environmental Significance Opinion (ESO202500029) to the ACT Heritage Council (the Council) for a decision.

ESO202500029 is related to the Kingston Arts Precinct development, specifically subdivision, block amendments, new planning controls and initial enabling works. Specifically, it is understood to include the following:

- The subdivision of Block 15 into four distinct land parcels, each with a specific purpose, being: a Territory-owned arts precinct; a mixed-use residential land parcel; multilevel car park block; and a substation block;
- Amendments to the boundary of Block 12;
- Establishing planning controls for the site, including three key linkages to support pedestrian access and strengthen connectivity within the site; and
- Early enabling works, including earthworks, utility and services removal, verge works, as well as grading to have the estate ready for future stages of development.

The application area includes a registered heritage place, the Kingston Powerhouse Historic Precinct ('Powerhouse Precinct'), and part of another registered heritage place, the Former Transport Depot ('the Depot').

The Powerhouse Precinct and the Depot are subject to *Heritage Act 2004* requirements, including heritage guidelines declared under Part 5 of the *Heritage Act 2004*. Additionally, the Council has approved Conservation Management Plans (CMPs) for both heritage places, that contain conservation policies to guide the appropriate management of each place.

To inform this decision, the application has been reviewed against all relevant *Heritage Act 2004* requirements, including heritage guidelines declared for the Precinct, approved CMPs, Council policy and Council records; as discussed in Attachment A.

Decision and Conditions:

Following review, and as a Council delegate, I advise that the proposed works outlined in ESO202500029 are unlikely to have a significant adverse environmental impact on the Powerhouse Precinct and the Depot subject to the following conditions:

1. Embankment

- a. Removal of services must avoid disturbance to the embankment as far as practicable. Where disturbance occurs, the area of disturbance must be reinstated to its prior form after the service has been removed.
- b. Excluding the identified cut and fill section, works within the embankment must be limited to removal of grass and loose gravel only.

2. Archaeological Management

- a. An Archaeological Management Plan (AMP) must be prepared and submitted with the subdivision development application (SDA) for Council endorsement. This must include the following:
 - i. An appropriate UDP which is specific to the Powerhouse Precinct, the Depot and surrounding area; and which describes and includes example images of possible unexpected finds, including Aboriginal places and objects;
 - ii. Maps of areas of higher archaeological sensitivity, including the location of the first chimney stack and former railway lines;
 - iii. For areas of higher archaeological sensitivity, identification of appropriate control and reporting measures for works; and

3. Tree Management

- a. All tree protection measures set out in the Tree Management Plan must be adhered to in relation to heritage trees.

Note:

While the current referral does not seek entity advice on the future redevelopment of the Kingston Arts Precinct, the referral includes plans that illustrate the redevelopment concept, including the siting and massing of infill development and a new addition to the Powerhouse building.

The Powerhouse Precinct is a significant heritage place in the ACT, and the Council broadly supports the design intent to conserve and celebrate its heritage values as part of the Arts Precinct redevelopment. However, detailed information on redevelopment outcomes is not available at this stage, and further information will need to be submitted to the Council to inform future heritage advice on the broader project. The Council will also provide separate advice to the proponent on heritage conservation requirements for the Powerhouse Precinct and the Depot that should inform detailed design.

Additionally, this ESO202500029 advice is limited to the consideration of significant and adverse impacts. Other relevant conditions or requirements will be required as part of future planning referrals.

Further detailed assessment and Council advice specific to the two archaeological reports, the RFAR and Addendum, will be provided separately.

Any aspects of the design that may diminish the heritage significance of the Powerhouse Precinct or the Depot will also require prior Council approval of Statement of Heritage Effect (SHE) application/s under Section 61H of the *Heritage Act 2004*, in addition to the development approval process. While not included in the current ESO application, early works will enable development outcomes that will require SHE approval, including the road crossing the railway embankment, and any change to the heritage replanting outcome of the former windbreak. Further Council advice on those aspects of the design will be provided in response to future planning and heritage applications.

A handwritten signature in black ink, appearing to read 'Meaghan Russell'.

Meaghan Russell
Director (Approvals and Advice) (as delegate for),
ACT Heritage Council

21 July 2025

ESO Application:

As noted above, ESO202500029 relates to the subdivision, block amendments, new planning controls and initial enabling works for the Kingston Arts Precinct development.

Excluding early enabling works, future development outcomes for the project do not form part of the application and would be subject to future planning and heritage processes.

The referral includes the following key documentation:

- The “*Kingston Arts Precinct Subdivision Design ACT Heritage Council ESO Submission Heritage Statement*” (‘the Heritage Statement’) prepared by Phillip Leeson Architects (16 May 2025). This document is the primary heritage report for ESO202500029 and includes an assessment of heritage impacts resulting from the proposal.
- The “*Test Excavation Results and Further Analysis - Kingston Arts Precinct, Kingston*” prepared by Navin Officer Heritage Consultants (NOHC) (May 2025) (the ‘RFAR’). This document describes the outcomes of recent archaeological testing within and adjacent to the Powerhouse Precinct.
- The “*Kingston Arts Precinct Addendum Report*” (May 2025) prepared by NOHC (‘the Addendum Report’). This document describes the outcomes of further desktop assessment of an area of archaeological potential adjacent to the Depot.
- The “*Tree Management Plan, 11 Wentworth Avenue Kingston*” (19 May 2025) prepared by Canopy Tree Experts (‘the Tree Management Plan’).
- Plans prepared by NH Architecture which document the proposed works. The application notes that these drawings are a draft version of those that will be submitted with the Subdivision Design development application (SDA), with aspects of the design to be refined prior to the SDA submission.

Assessment:

Features of heritage significance of the Powerhouse Precinct include:

- Power House building, including external and some internal fabric;
- Fitters’ Workshop (Bulk Supply Store);
- Original alignment of the railway and existing railway track and embankment;
- Landscape elements, identified as Monterey pine (*Pinus radiata*), and White brittle gum (*Eucalyptus mannifera*) plantings;
- Base of the second chimney stack;
- Fabric and operation of the siren and whistle; and
- 1948 Switch Room.

Features of heritage significance of the Depot include:

- Fully welded rigid steel portal frames
- The presence of former Transport Depot buildings with open spaces defined by the portal frames; and
- The orientation of the building in relation to the former railway siding and Wentworth Avenue.

A review of the application identifies that the original alignment of the railway and existing railway track and embankment of the Powerhouse Precinct is likely to be affected by the application.; and landscape elements. The assessment of each is set out below.

Railway alignment, track and embankment

- Heritage guidelines for the Powerhouse Precinct require the alignment of the railway and its embankment to “*be retained as linear open space and appropriately expressed in future landscaping treatment*” (Specific Requirement iii)b), and that the “*immediate spaces surrounding the Power House, Fitters’ Workshop and railway alignment that demonstrate the industrial servicing and operation of these buildings shall be retained and appropriately landscaped*” (Specific Requirement iii)c).
- CMP policies also require the conservation of the railway alignment and embankment as linear open space, but also allow for the “*form of embankment to be modified as long as the change in level between the railway line and the land to the north-east shall be retained*” (Policy 7.2).
- Review of the application in this context identifies the following:
 - The Cut and Fill Plan (CC-0-101-001-02) includes an approximate 1.2m cut to the of the embankment in its western section, for approximately 25m in length. As such, these works will affect a significant feature of the Powerhouse Precinct. However, these impacts are not assessed to be significant adverse heritage impacts as the Guidelines and CMP policy do allow for a degree of alteration as long as the alignment is maintained as linear open space and expressed in future landscaping treatment, which is the design intention for the remaining embankment (about 145m in length). It is noted that this cut appears to facilitate development of a future proposed road, which is not subject to this ESO application. Advice is provided above to identify that approval of a Statement of Heritage Effect would be required for these future works.
 - The Erosion and Sediment Control Concept Plan indicates that there would be earthworks to about 60% of the former railway corridor. The Heritage Statement clarifies that these works are limited to “*where earthworks are indicated on this plan ... it is understood that the works would consist of removal of grass and loose gravel, with excavation limited to that needed for new finishes*”. Further the Erosion and Sediment Control Concept Plan (CC-0-110-005-02) provided with the ESO application has removed earthworks from this area and has clarified that a nearby stockpile will not be located on the embankment. These works are considered unlikely to have a significant adverse heritage impact.
 - Various plans (e.g. CC-0-113-005-02) show the removal of existing services through the embankment. The removal of existing services is considered unlikely to have a significant and adverse impact subject to conditions.
- In addition, any existing tracks within the historic alignment are a significant feature of the Powerhouse Precinct. The Guidelines require “*An indicative portion of the existing railway track should be retained, conserved and interpreted in situ*” and CMP Policy 7.2 requires that “*if existing railway tracks remain beneath the fill and are in reasonable condition, an indicative portion should be retained, conserved and interpreted in situ.*”
- While not an identified significant feature of the Depot, it is noted that a former railway line existed east of the Depot and continued into the Powerhouse Precinct. The Addendum Report identifies that these tracks that may have run along the east boundary of the Depot, although it is unlikely that they remain in situ or extant, noting high levels of historic ground disturbance.
- Review of the application in this context identifies the following:
 - The location of any remaining railway track in the embankment is unknown. The Heritage Statement states that in 2006 NOHC prepared an archival recording of three sections of the original set of railway lines closest to the north-east side of the Powerhouse which were exposed by excavation works at that time. The

uncovered sections of railway lines were subsequently removed and were assessed as being in poor condition. NOHC considered at the time of archival recording that there were likely to be further remains of at least three sets of railway lines immediately to the north-east of the Powerhouse and the Fitters' Workshop.

- Subsequent archaeological investigations in 2025 in February 2025 further to the north-west found no tracks associated with the railway siding. This suggests that there is unlikely to be any tracks buried in the north-west part of the Powerhouse Precinct.
- The Sewer Master Plan (CC-0-113-004-02) and Water Master Plan (CC-0-113-005-02) show that new water and sewer lines would be installed within the former railway corridor in the location of the two railway lines to the north-east. The Heritage Statement identifies that alternatives to this arrangement are currently being investigated to determine if they are practicable. Conditions are identified to ensure that should these works proceed, that they would not have a significant adverse impact.
- The proposed works would not impact any currently known locations of railway track within the Powerhouse Precinct, and a condition is imposed to ensure appropriate archaeological controls for potential tracks will be adhered to during works.

Landscape elements

- Heritage guidelines for the Powerhouse Precinct require that the identified heritage Monterey pine and White brittle gum trees “*are to be conserved and when appropriate, replaced with the same species of tree. All are to be maintained*” (Specific Requirement iii)a)).
- CMP Policy 7.1 also requires conservation and replacement of these heritage trees, and as Monterey pines are now a declared pest species, allows their replacement with suitable alternatives (Canary Island Pines or Torrey Pines). Additionally, this policy allows for minor alterations to the pine windbreak planting pattern where it does not alter the historic form and character of the windbreak.
- Several heritage trees have been previously removed from the site, in accordance with an Statement of Heritage Effect approved by the Council on 21 December 2022. A total of 13 trees were approved for removal as either they were dead or in poor health and posed a risk to public safety. Conditions of approval included replacement planting, with species, location and pot sizes of replacement trees requiring Council endorsement. Replacement planting has yet to occur.
- Review of the application in this context identifies the following:
 - The Heritage Statement states that all remaining significant trees would be retained as part of the proposed subdivision and enabling works.
 - Works are proposed in the tree protection zone of some of the remaining significant trees. The Tree Management Plan outlines the encroachments and includes measures that are to be implemented to protect the trees.
 - Reinstatement of removed and dead heritage trees does not form part of the current application but would be included in a future Development Application.
- Assessment of the application identifies that the proposed works will not have a significant adverse impact on the registered landscape values of the Powerhouse Precinct, subject to the condition identified in this advice.