

# FREEDOM OF INFORMATION COVERSHEET

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

FOI reference: 24-007

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Schedule	Published
4. Documents	Published
5. Additional information identified	Published
6. Fees	Not Applicable
7. Processing time (in working days)	38 days
8. Decision made by Ombudsman	Not applicable
9. Additional information identified by Ombudsman	Not applicable
10. Decision made by ACAT	Not applicable

# 11. Additional information identified by ACAT

Not applicable

From:
To: TCCS FreedomOfInformation
Cc:

**Subject:** FOI Request - Substation

Date: Wednesday, 17 January 2024 1:07:12 PM

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**Caution:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe. Learn why this is important

Good evening,

I am seeking access, under the FOI act, to all documents, information, communications, file notes, surveys, measurements, photos, investigations, records, and decisions, in any format:

- 1. between Transport Canberra and City Services and Evoenergy concerning or related to the development of a substation on or in the vicinity of 26 Jacka Crescent, Campbell; and Evoenergy's removal of a previous substation located on or in the vicinity of Savige Street, Campbell
- 2. between the ACT and Evoenergy concerning or related to the development of a substation on or in the vicinity of 26 Jacka Crescent, Campbell; and Evoenergy's removal of a previous substation located on or in the vicinity of Savige Street, Campbell
- 3. Concerning or related to the development of a substation on or in the vicinity of 26 Jacka Crescent, Campbell including, but not limited to, development approval or development application/s for or relating to the development of the substation
- 4. Concerning or related to Evoenergy notifying Transport Canberra and City Services about proposed Upgraded Substation works in Campbell ACT from 2015 onwards
- 5. Concerning or related to Evoenergy notifying Transport Canberra and City Services about proposed Upgraded Substation works to the substation located on or in the vicinity of 26 Jacka Crescent, Campbell ACT from 2015 onwards
- 6. Concerning or related to Evoenergy notifying Transport Canberra and City Services about proposed Upgraded Substation works to the substation located on or in the vicinity of 37 Savige Street, Campbell ACT
- 7. Concerning or related to the removal of a previous substation on or in the vicinity of 37 Savige Street, Campbell;
- 8. Concerning or related to protected trees on or in the vicinity of 37 Savige Street, Campbell

We request that, where relevant information is held by another agency or Minister (including Evoenergy) that this FOI request be forwarded to them for response. For the purposes of the above FOI request, Evoenergy is taken to include ActewAGL, ActewAGL Distribution partnership, Icon, Icon Water, and the ACT Utility Joint Venture.

Regards







## Freedom of Information Request - Reference 24-007

I refer to your application for access to government information held by Transport Canberra and City Services (TCCS) on 17 January 2024. It is my understanding that you are seeking access to the following government information under the *Freedom of Information Act 2016*:

- between Transport Canberra and City Services and Evoenergy concerning or related to the development of a substation on or in the vicinity of 26 Jacka Crescent, Campbell; and Evoenergy's removal of a previous substation located on or in the vicinity of Savige Street, Campbell
- 2. between the ACT and Evoenergy concerning or related to the development of a substation on or in the vicinity of 26 Jacka Crescent, Campbell; and Evoenergy's removal of a previous substation located on or in the vicinity of Savige Street, Campbell
- 3. Concerning or related to the development of a substation on or in the vicinity of 26 Jacka Crescent, Campbell including, but not limited to, development approval or development application/s for or relating to the development of the substation
- 4. Concerning or related to Evoenergy notifying Transport Canberra and City Services about proposed Upgraded Substation works in Campbell ACT from 2015 onwards
- Concerning or related to Evoenergy notifying Transport Canberra and City Services about proposed Upgraded Substation works to the substation located on or in the vicinity of 26 Jacka Crescent, Campbell ACT from 2015 onwards
- Concerning or related to Evoenergy notifying Transport Canberra and City Services about proposed Upgraded Substation works to the substation located on or in the vicinity of 37 Savige Street, Campbell ACT
- 7. Concerning or related to the removal of a previous substation on or in the vicinity of 37 Savige Street, Campbell;
- 8. Concerning or related to protected trees on or in the vicinity of 37 Savige Street, Campbell

#### **Timeframes**

A decision was initially due on your access application by 29 February 2024. In accordance with section 41 of the FOI Act, an extension request was made to you. As no response opposing this request was received within 7 business days, the extension request was taken to be agreed and a decision is due to you by 14 March 2024.

## **Authority**

I am an Information Officer appointed by the Director-General under section 18 of the Act to deal with access applications made under Part 5 of the FOI Act.

#### **Decision on access**

In accordance with the FOI Act, a search of TCCS records has been completed. This search identified records relevant to your application.

In accordance with section 43 of the FOI Act, I have refused to deal with your application where it applies to the following records. I have made this decision as the information is already available to you.

- A signed letter of authorisation. This information has previously released in response to an
  access application responded to by the Environment, Planning and Sustainable Development
  Directorate, reference 23/121726. A copy of the record is published <a href="here">here</a>.
- Four images that have previously been released to you in response to a previous FOI access application, reference 23-078. A copy of these images can be found on pages 8 – 11 of the disclosed documents, accessible here.

A remaining six relevant records have been identified. Upon reviewing the information within the remaining these records, and applying the public interest test under section 17 of the FOI Act, I have decided to provide you with:

- Partial access to four records; and
- Full access to one record.

While thi

information was already available to you, I have chosen to deal with the record as it was attached to another relevant record (record 1). It is my view that including this record provides further transparency and context to the information in record 1.

The relevant records are listed in the schedule at <u>Attachment A</u>, and a copy of the records with deletions applied to the information I have found to be contrary to the public interest is at <u>Attachment B</u>. Further information on reasons for my decision are detailed below in the statement of reasons.

In the processing of your application, TCCS also identified seven images relevant from your previous application, reference 23-078. In accordance with section 36(2) of the FOI Act, I have decided to make an additional decision on access to these records. Upon reviewing the information within these records and applying the public interest test under section 17 of the FOI Act, I have decided to provide you with full access. A copy of the records is enclosed at <u>Attachment C.</u>

## **Statement of Reasons**

In reaching my access decision, I have taken the following into account:

- The FOI Act; and
- The Human Rights Act 2016.

In making my decision on disclosing government information, I must identify all relevant factors in schedule 2 of the FOI Act and determine, on balance, where the public interest lies. I have taken the following sections of schedule 2 into account:

## Factors favouring disclosure in the public interest (Schedule 2, Section 2.1)

- Section 2.1(a)(i) promote open discussion of public affairs and enhance the government's accountability; and
- Section 2.1(a)(viii) reveal the reason for a government decision and any background or contextual information that informed the decision.

## Factors favouring non-disclosure (Schedule 2, Section 2.2)

• Section 2.2(a)(ii) - prejudice the protection of an individual's right to privacy or any other right under the *Human Rights Act 2016*.

In reviewing the relevant records, personal information relating to third parties has been identified. I have considered that this information is not readily available to the public and the disclosure of this information is likely to prejudice the protection of an individual's right to privacy under the *Human Rights Act 2004* and carries significant weight. In this instance, I have found the disclosure of personal information to be, on balance, contrary to the public interest.

I have found that the factors favouring disclosure can be satisfied with the deletion of information which is contrary to the public interest. A copy of the relevant information is enclosed at Attachment B.

## Charges

No fee is applicable to this application, as the total number of pages falls within the fee free threshold.

## Online publishing – disclosure log

Under section 28 of the Act, TCCS maintains an online record of access applications called a disclosure log. Your access application and this notice of decision will be published on the disclosure log within 3-10 business days. Your personal information will be removed from these documents prior to publication.

## **Ombudsman review**

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek an Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in TCCS' disclosure log, or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision, you may write to the Ombudsman at:

The ACT Ombudsman GPO Box 442 CANBERRA ACT 2601

Via email: actfoi@ombudsman.gov.au

### **ACT Civil and Administrative Tribunal (ACAT) review**

Under section 84 of the Act, if a decision is made under section 82 on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision.

Further information may be obtained from ACAT at:

ACT Civil and Administrative Tribunal GPO Box 370

CANBERRA CITY ACT 2601 Telephone: (02) 6207 1740 www.acat.act.gov.au If you have any queries concerning the directorate's processing of your request, or would like further information, please contact the TCCS FOI team on (02) 6207 2987 or email to <a href="mailto:tccs.foi@act.gov.au">tccs.foi@act.gov.au</a>.

Yours sincerely

Lisa Johnson
Information Officer

12 March 2024

# ATTACHMENT A - ACCESS APPLICATION SCHEDULE, FREEDOM OF INFORMATION

## **Reference Number: 24-007**

Please be aware that under the *Freedom of Information Act 2016*, some of the information provided to you will be released to the public through the ACT Government's Open Access Scheme. The Open Access release status column of the table below indicates what documents are intended for release online through open access.

Personal information or business affairs information will not be made available under this policy. If you think the content of your request would contain such information, please inform the contact officer immediately.

Information about what is published on open access is available online at: <a href="https://www.cityservices.act.gov.au/about-us/freedom">https://www.cityservices.act.gov.au/about-us/freedom</a> of information/disclosure-log

## **Factors favouring non-disclosure:**

Schedule 2.2(a)(ii) - prejudice the protection of an individual's right to privacy or any other right under the Human Rights Act 2016.

Reference number	Page number	Description	Date	Status	Reason for non-release or deferral	Open Access release status
1	1 - 6	Record search 23-078	18 July 2023	Partial access	Schedule 2.2(a)(ii)	Decision to be published on the TCCS
2	7 - 10	Search record 23-078 - Attachment	16 June 2023	Full access	Not applicable	Disclosure Log.
3	11 - 14	Email _ LoA Form 4 - Evoenergy Project - Replacement of Padmount Substation in Campbell (1)	4 July 2023	Partial access	Schedule 2.2(a)(ii)	
4	15	Email_LoA Form 4 - Evoenergy Project - Replacement of Padmount Substation in Campbell (2)	17 January 2024	Partial access	Schedule 2.2(a)(ii)	

**Total number of documents: 6** 

From: Schwartzkoff, Brent
To: Sweet, Carma

Cc: Raath, Terrance; Palmer, Renae

Subject: FOI 23-078 | REQUEST FOR DOCUMENT SEARCH | DUE 19 JULY 2023

**Date:** Tuesday, 18 July 2023 11:59:45 AM

Attachments: image001.png image005.png

image006.png image007.png image008.png iMG 9038.JPG IMG 9039.JPG IMG 9040.JPG

Tree Protection Act and works conducted by Evoenergy - Jacka Crescent.msg

#### **OFFICIAL**

Hi Carma,

I'm unsure if you remember, but I briefly mentioned this one to you (26 Jacka Crescent, Campbell).

- EvoEnergy reinstated a Transformer Box on Jacka Crescent. When they did so they moved it down the street slightly. It was located infront of 37 Savige Stret (cnr block – transformer box on Jacka frontage).
   They re-located it down to the front of 26 Jacka Crescent.
- I believe the Ministerial was raised by the resident of the property where the Transformer Box is now located
- When excavation occurred in front of 26 Jacka Crescent an Acacia baileyana located on private property
  was severely damaged by the excavator. A complaint was raised with the Ranger who contacted TPU to
  look into it.
- I had an on-site meeting with the Wattle is not covered by the Tree Protection ACT 2005 as it is listed as a schedule 1 (pest species).
- A discussion was had about groundworks within the TPZ of Regulated Trees. The excavation for concrete footings was on public land but was inside the canopy of a Regulated Tree (Eucalyptus melliodora – located on 37 Savige Street).
- After leaving the site, I spoke with (Evo-Arborist). explained that tree root exploration was undertaken before excavation. When I had a look at the excavation, I was satisfied that no substantial root damage had occurred. In writing, I responded as such to who had asked me to look into this. I believe that Evo moved the box to be further away from the Yellow Box but would need to confirm.
- Evo and are well aware are not happy with the Transformer Box relocation.
- The issue is EvoEnergy's, however I did suggest to that perhaps a mechanism for dealing with groundworks on public but involving Regulated Trees be formed. Utilities ACT overrides TPA but in emergencies only.

I hope this information helps, please feel free to call for further clarification if need be. Oh, and photos and my correspondence with is attached above.

Kind Regards,

Brent Schwartzkoff | Tree Protection Officer | Ph 62059765 | Mobile

Email: brent.schwartzkoff@act.gov.au

Urban Treescapes, City Presentation | Transport Canberra & City Services Directorate | ACT Government Level 4, Dickson Office Building, 480 Northbourne Avenue, Dickson ACT 2602 | GPO Box 158 Canberra 2601 | www.act.gov.au

**From:** Raath, Terrance < Terrance.Raath@act.gov.au >

**Sent:** Tuesday, 18 July 2023 9:58 AM

**To:** Schwartzkoff, Brent < <u>Brent.Schwartzkoff@act.gov.au</u>>

Subject: FW: FOI 23-078 | REQUEST FOR DOCUMENT SEARCH | DUE 19 JULY 2023

## OFFICIAL

Brent

Please send Carma and Renae pics of Jacka Street

Terry

From: Sweet, Carma < <a href="mailto:Carma.Sweet@act.gov.au">Carma.Sweet@act.gov.au</a>>

**Sent:** Tuesday, 18 July 2023 9:43 AM

**To:** TCCS\_CP UTD&DCoord < <a href="mailto:recoord@act.gov.au">recoord@act.gov.au</a>>; Palmer, Renae < <a href="mailto:Renae-Palmer@act.gov.au">Renae <a href="mailto:Renae-Palmer@act.g

Raath, Terrance < Terrance.Raath@act.gov.au >

Subject: FW: FOI 23-078 | REQUEST FOR DOCUMENT SEARCH | DUE 19 JULY 2023

Importance: High

#### **OFFICIAL**

HI Renae and Terry

Could you please check to see if we have a record of any development, upgrade or verge works at 26 Jacka Crescent and 37 Savige Street, Campbell, ACT? A FOI has come in that is due tomorrow so please have a look today if you can. The addresses adjoin each other (please see snip below)

Thank you

Carma

?		
Connected services for tl	he people of Canberra	
From: Moore, Chelsea < Sent: Tuesday, 18 July 20	<u>Chelsea.Moore@act.gov.au</u> > 023 8:05 AM	
<b>To:</b> Sweet, Carma < <u>Carm</u>	na.Sweet@act.gov.au>; Taylor, Lachlan < <u>Lachlan.Taylor@act.gov.au</u> >	
	<u>Diehm@act.gov.au</u> >; Dawes, Rachael < <u>Rachael.Dawes@act.gov.au</u> > 3   REQUEST FOR DOCUMENT SEARCH   DUE 19 JULY 2023	
	OFFICIAL	
	OFFICIAL	

Hi Carma and Lachy,

Please see email chain below relating to an FOI request. Can you run a search on your end to confirm if any

information is held and if so:

Please upload any found documents relating to the request into the folder below by COB 19<sup>th</sup> July 2023.

- Found documents <a href="https://objective.act.gov.au:8443/documents/fA13928305">https://objective.act.gov.au:8443/documents/fA13928305</a>
- On completion of your search, please fill in the record of search form https://objective.act.gov.au:8443/documents/A42729621/details

Thank you,

Chelsea Moore she/her	( <u>more on pronouns here</u> )	
A/g Director   Business S	upport   City Presentation	
Mobile:	Email: <u>Chelsea.Moore@act.gov.au</u>	
Transport Canberra and City S	ervices Directorate   ACT Government	
	ervices Directorate   ACT Government , Dickson ACT 2602   GPO Box 158 Canberra City ACT 2601	
	Dickson ACT 2602   GPO Box 158 Canberra City ACT 2601	
Level 4, 480 Northbourne Ave	Dickson ACT 2602   GPO Box 158 Canberra City ACT 2601	
Level 4, 480 Northbourne Ave	Dickson ACT 2602   GPO Box 158 Canberra City ACT 2601	
Level 4, 480 Northbourne Ave	Dickson ACT 2602   GPO Box 158 Canberra City ACT 2601	

I acknowledge the Ngunnawal people as traditional custodians of the ACT and recognise any other people or families with connection to the lands of the ACT and region. I acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

From: Diehm, Mark < Mark. Diehm@act.gov.au >

Sent: Friday, 14 July 2023 3:01 PM

**To:** Moore, Chelsea < <a href="mailto:Chelsea.Moore@act.gov.au">Chelsea.Moore@act.gov.au</a>>

Cc: Dawes, Rachael < Rachael. Dawes@act.gov.au >; Ning, Samantha < Samantha. Ning@act.gov.au >

Subject: RE: FOI 23-078 | REQUEST FOR DOCUMENT SEARCH | DUE 19 JULY 2023

Hi Chelsea.

A search of the Tree Protection Data base and relevant objective folders have been carried out and the Tree Protection Unit do not hold any relevant records relating to this request.

There is a salesforce entry, case 00179506 relating to new plantings on the verge around 37 Savige street, Campbell in 2022. If you require information relating to this enquiry, I suggest contacting Carma Sweet and/or Jayne Roberts.

I'm unaware if the Operations team have undertaken any maintenance works on the verge at either of these addresses within the past 5 years. Lachlan Taylor may be able to assist if this information is required.

#### Kind regards

Mark Diehm   A/g Assistant Director – Tree Protection   Urban Treescapes
Phone: 62058679   e-mail: mark.diehm@act.gov.au
City Presentation   Transport Canberra and City Services Directorate - TCCS   ACT Government
480 Northbourne Ave   GPO Box 158 Canberra ACT 2601   www.act.gov.au
<u> </u>

From: Moore, Chelsea < <a href="mailto:Chelsea.Moore@act.gov.au">Chelsea.Moore@act.gov.au</a>>

Sent: Friday, 14 July 2023 9:51 AM

To: Dawes, Rachael < Rachael. Dawes@act.gov.au >; Diehm, Mark < Mark. Diehm@act.gov.au >; Ning, Samantha

<<u>Samantha.Ning@act.gov.au</u>>

Subject: FW: FOI 23-078 | REQUEST FOR DOCUMENT SEARCH | DUE 19 JULY 2023

Importance: High

#### **OFFICIAL**

Hi all,

Please see below FOI request for documents from 2018 to present relating to:

The Wattle tree located on 26 Jacka Crescent, Campbell, ACT, including plans, decisions, investigations and work undertaken by the Tree Protection Unit, Transport Canberra and City Services and Evoenergy. This includes anything to do with the Tree Protection Act.

The protected trees located on 37 Savige Street, Campbell, ACT, including plans, decisions, investigations and work undertaken by the Tree Protection Unit, Transport Canberra and City Services and Evoenergy. This includes anything to do with the Tree Protection Act".

Please upload any found documents relating to the request into the folder below by COB 19<sup>th</sup> July 2023.

- Found documents https://objective.act.gov.au:8443/documents/fA13928305
- On completion of your search, please fill in the **record of search form** <a href="https://objective.act.gov.au:8443/documents/A42729621/details">https://objective.act.gov.au:8443/documents/A42729621/details</a>

If Urban Treescapes do not hold any relevant records, please advise as soon as possible.

Please let me know if there is any assistance I can offer.

Thanks,

**Chelsea Moore** *she/her* (more on pronouns here)

A/g Director | Business Support | City Presentation

Mobile: Email: Chelsea.Moore@act.gov.au



Transport Canberra and City Services Directorate | ACT Government

Level 4, 480 Northbourne Ave, Dickson ACT 2602 | GPO Box 158 Canberra City ACT 2601

**Note:** I do not work Friday of the pay week



I acknowledge the Ngunnawal people as traditional custodians of the ACT and recognise any other people or families with connection to the lands of the ACT and region. I acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

**From:** TCCS FreedomOfInformation < TCCS.FOI@act.gov.au>

Sent: Thursday, 13 July 2023 10:16 AM

To: Moore, Chelsea < Chelsea. Moore@act.gov.au >

Subject: FOI 23-078 | REQUEST FOR DOCUMENT SEARCH | DUE 20 JULY 2023

Importance: High

#### OFFICIAL

Dear Chelsea,

TCCS has received an FOI application from who is seeking access to information held by Transport Canberra and City Services (see attached). The type of information sought by the applicant is as follows:

"The Wattle tree located on 26 Jacka Crescent, Campbell, ACT, including plans, decisions, investigations and work undertaken by the Tree Protection Unit, Transport Canberra and City Services and Evoenergy. This includes anything to do with the Tree Protection Act.

The protected trees located on 37 Savige Street, Campbell, ACT, including plans, decisions, investigations and work undertaken by the Tree Protection Unit, Transport Canberra and City Services and Evoenergy. This includes anything to do with the Tree Protection Act".

Can you please,

- Advise us a soon as possible if no relevant records are held by your business area;
- Advise us if another business area within TCCS is likely to hold relevant records;
- If relevant information is held, provide all records by email to tccs.foi@act.gov.au; and
- Complete and return the attached record of search form to tccs.foi@act.gov.au.

To ensure that the application is processed within statutory timeframes, a response to this email is requested by **20 July 2023.** 

Should you have any concerns about the potential disclosure of any information identified as relevant to this request, or if this information relates to a matter of interest to a Minister, you may advise our team in your response or contact me on 62079953.

Thank you for your assistance,

Yours sincerely,

Toma Ahmed | Administrative Service Officer Phone: 620 79953 | Email: <a href="mailto:TCCS.FOI@act.gov.au">TCCS.FOI@act.gov.au</a>

Freedom of Information and Subpoenas | TCCS Legal & Contracts | Transport Canberra and City Services

Directorate | ACT Government

Level 4, 480 Northbourne Avenue, Dickson 2602 |

From: <u>Schwartzkoff, Brent</u>

To: Subject:

Tree Protection Act and works conducted by Evoenergy - Jacka Crescent

**Date:** Friday, 16 June 2023 6:41:00 AM

#### **OFFICIAL**

Good morning

The mechanism in place relating to trees, whether located on leased or un-leased land and Evo Energy projects is to have Evo Energy's consulting arborist manage the project with tree sensitive design and construction techniques. They have a Diploma holding arborist oversee the works to ensure that tree health and tree structural stability are suitably protected throughout the duration of the works. I am satisfied that this was the case in this particular instance. Root mapping was undertaken prior to excavation ensuring that roots, in particular, structural roots remained undamaged in the same manner that would occur if say a building was being constructed in a similar location. Regarding damage to the *Acacia baileyana* (located within your property), the species is Not Covered By Legislation (Schedule 1 – Pest Species) and therefore not covered by the Tree Protection ACT 2005.

Kind Regards,

Brent Schwartzkoff | Tree Protection Officer | Ph 62059765 | Mobile

Email: brent.schwartzkoff@act.gov.au

Urban Treescapes, City Presentation | Transport Canberra & City Services Directorate | ACT Government

Level 4, Dickson Office Building, 480 Northbourne Avenue, Dickson ACT 2602 | GPO Box 158 Canberra 2601 | www.act.gov.au

From:

Sent: Wednesday, 14 June 2023 7:32 PM

To: Schwartzkoff, Brent < Brent.Schwartzkoff@act.gov.au>

Cc:

Subject: Re: Tree Protection Act and works conducted by Evoenergy - Jacka Crescent

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Good evening Brent,

We were wondering if you had an update on our complaint from 29 May 2023, with regards to Evoenergy's breach of Section 14(a)(iii)(A) of the Tree Protection Act 2005?

Further to this complaint, on 09 June 2023, Evoenergy have raised the soil level by more than 10 cm above the natural soil level over an area larger than 4m2 within the tree protection zone of a regulated tree (located on 37 Savige St), in breach of Section 14(a)(iii) (B) of the Tree Protection Act.

We request 1) confirmation from your Directorate that Evoenergy have not complied with the Tree Protection Act, and 2) information on what actions the ACT Government will be taking to further investigate this matter.

We find it particularly concerning that Evoenergy have continued to act without regard to the Tree Protection Act given your previous correspondence with Evoenergy related to this exact same regulated tree.

If you are unable to resolve this complaint, we request that it be escalated.

Regards

On Mon, May 29, 2023 at 7:41 PM < wrote:

Good evening Brent,

Thank you for your response and the information on the Hydrovac root mapping. However, from our observations and pictures of Evoenergy's worksite, they have excavated to a depth much greater than 10 cm over an area larger than  $4m^2$  within the tree protection zone of a regulated tree. Could you please confirm if (1) this was investigated during your visit, (2) Evoenergy have breached the Tree Protection Act 2005 and (3) what actions your directorate will be taking?

If this information was not obtained could you please advise what further steps are available for an independent investigation to determine these circumstances.

# Regards

On Wed, May 24, 2023 at 8:53 PM

------- Forwarded message -----From: Schwartzkoff, Brent < Brent.Schwartzkoff@act.gov.au>
Date: Tue, 23 May 2023, 1:39 pm
Subject: Tree Protection Act and works conducted by Evoenergy - Jacka Crescent To:

OFFICIAL

Good afternoon

Re: 26 Jacka Crescent, Campbell.

The Wattle is Acacia baileyana (Cootamundra Wattle). Acacia baileyana is listed as a schedule one pest species which are not covered by the Tree Protection ACT. The pest species list is a group of species that are deemed problematic due to their tendency to self sow. There is no requirement to remove schedule 1 (pest) species though. I most certainly agree that the (pruning?) undertaken on this wattle was not done to Australian Standard.

I have undertaken checks in relation to excavation on the un-leased land (nature strip) within the Tree Protection Zone of a Regulated Tree located on leased land (private). The Evo Energy arborist (vegetation officer) implemented tree sensitive design techniques in the form of Hydrovac root mapping prior to works. From what I could gather, this is why the power box was relocated from its previous position.

I haven't anything further to add to the case but I hope this information is of some assistance.

Kind Regards,

Brent Schwartzkoff | Tree Protection Officer | Ph 62059765 | Mobile

Email: <a href="mailto:brent.schwartzkoff@act.gov.au">brent.schwartzkoff@act.gov.au</a>

Urban Treescapes, City Presentation | Transport Canberra & City Services Directorate | ACT Government

Level 4, Dickson Office Building, 480 Northbourne Avenue, Dickson ACT 2602 GPO Box 158 Canberra 2601 www.act.gov.au

From:

**Sent:** Tuesday, 23 May 2023 9:28 AM

**To:** Schwartzkoff, Brent < <u>Brent.Schwartzkoff@act.gov.au</u>>

Cc:

Subject: Tree Protection Act and works conducted by Evoenergy - Jacka Crescent

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Good morning Brent

Thank you for coming to 26 Jacka Crescent, Campbell on Thursday 18 May to investigate Evoenergy's damage to the wattle tree located on our property and whether the wattle tree
is a protected tree under the Tree Protection Act.
We are concerned that Evoenergy's works on Jacka Crescent are in breach of the Tree
Protection Act in relation to a protected tree as well as
trees further down Jacka Crescent. We note that any damage to the tree located may have implications given its close proximity to
powerlines. Can you or someone from your office please investigate
this?
Thank you for your assistance.
Kind regards
This email, and any attachments, may be confidential and also privileged. If you are not the intended recipient, please notify the sender and delete all copies of this
transmission along with any attachments immediately. You should not copy or use it
for any purpose, nor disclose its contents to any other person.

From: Rampton, Tim
To: Ludvigson, Paula

Subject: FW: LoA Form 4 - Evoenergy Project - Replacement of Padmount Substation in Campbell

**Date:** Tuesday, 27 February 2024 5:41:44 PM

Attachments: image001.png image002.png

image002.prig image003.prig image004.prig

LetterOfAuthorisation DA Jacka TCCSRoads unsigned.pdf

Importance: High

#### **OFFICIAL**

Hi Paula

For your awareness.

The Development Coordination Branch (DCB) always review these before I sign the Form 4. As far as I'm aware, this was Roads ACT's only involvement in this matter.

Cheers

Tim

## Tim Rampton | Executive Branch Manager

Phone: 6205 3053 | Mobile: | Email: tim.rampton@act.gov.au

**Roads ACT, City Operations** | Transport Canberra and City Services | **ACT Government** 480 Northbourne Avenue, Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601 255 Canberra Avenue, Fyshwick ACT 2609 | PO Box 777 Fyshwick ACT 2609

From: Stravens, Helen < Helen. Stravens@act.gov.au>

**Sent:** Tuesday, July 4, 2023 12:58 PM **To:** Huynh, Jai <Jai.Huynh@act.gov.au>

**Cc:** Rampton, Tim <Tim.Rampton@act.gov.au>; TCCS\_DC DevelopmentCoordination

<TCCS.DCDevelopmentCoordination@act.gov.au>

Subject: FW: LoA Form 4 - Evoenergy Project - Replacement of Padmount Substation in Campbell

Importance: High

#### **OFFICIAL**

Hi Jai

Signed by Tim.

Regards

Helen

From: Huynh, Jai < <u>Jai.Huynh@act.gov.au</u>>
Sent: Tuesday, 4 July 2023 11:59 AM

**To:** Stravens, Helen < <u>Helen.Stravens@act.gov.au</u>>

**Cc:** TCCS\_DC DevelopmentCoordination < <a href="mailto:TCCS.DCDevelopmentCoordination@act.gov.au">TCCS.DCDevelopmentCoordination@act.gov.au</a>>

Subject: RE: LoA Form 4 - Evoenergy Project - Replacement of Padmount Substation in Campbell

Importance: High

#### **OFFICIAL**

Hi Helen,

The attached Form 4 is an Evoenergy project - proposed retrospective DA replacement of the padmount substation on **Jacka Crescent, Campbell (near Block 12 Section 13).** As the current installed padmount substation top level has exceeded the 2m high from NGL.

Form 4 can be signed by Tim.

Once signed, please return Form 4 back to me.

Thank You

Kind regards, Jai

From: TCCS DC DevelopmentCoordination < TCCS.DCDevelopmentCoordination@act.gov.au >

**Sent:** Thursday, 29 June 2023 5:51 PM

To:

Huynh, Jai <<u>Jai.Huynh@act.gov.au</u>>; TCCS DC

 $Development Coordination < \underline{TCCS.DCDevelopmentCoordination@act.gov.au} >$ 

Subject: FW: LoA Form 4 - Evoenergy Project - Replacement of Padmount Substation in Campbell

Importance: High

**OFFICIAL** 

Good afternoon

Thank you for your email.

The Development Coordination Branch acknowledge receipt and have commenced processing your submission/request.

Jai Huynh has been assigned and the timeframe for processing this type of submission/request is **15 Business Days.** 

Please note that whilst we will endeavour to review and respond within this timeframe, in some cases we may require additional information from you or may be experiencing delays. Should this be the case we will contact you to discuss.

We understand the importance of your enquiry and appreciate your patience as we work toward providing you with a response.

For further information regarding pre-lodgement Development Application (DA) advice and DA comments, please refer to the General Advisory Note published on our <u>website</u>.

Kind regards

Sarah Griffiths | Operational Coordinator, Customer Service and Business Improvement

Phone: 02620 70019 | Email: TCCS.DCDevelopmentCoordination@act.gov.au

Development Coordination Branch | Transport Canberra and City Services Directorate | ACT Government 480 Northbourne Avenue Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au | www.tccs.act.gov.au



Connected services for the people of Canberra

From:

**Sent:** Tuesday, 27 June 2023 4:36 PM

To: TCCS DC DevelopmentCoordination < TCCS.DCDevelopmentCoordination@act.gov.au>

Cc:

**Subject:** LoA Form 4 - Evoenergy Project - Replacement of Padmount Substation in Campbell

Importance: High

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Afternoon TCCS Development Coordination Team,

Evoenergy is planning to lodge a retrospective Development Application (DA) for the installation of a new padmount substation (which replaced existing padmount substation S955), located within the road verge of Jacka Crescent (near Block 12 Section 13 Campbell) – refer to photo below.

On commissioning of the padmount substation, it was discovered that the final level of the top of the substation exceeded 2 metres from the natural ground level, and was therefore considered designated development under the ACT Planning and Development Regulation (2008).

We are therefore seeking to obtain land custodian authorisation from TCCS Roads ACT for Jacka Crescent (near Block 12 Section 13 Campbell), to submit the retrospective DA via the attached form .

It would be greatly appreciated if a representative from TCCS Roads ACT could please fill and sign the 'land custodian' section of the forms and email it back to us as soon as practically possible.



Please do not hesitate to contact me should you require any further information.

Thank you kindly,



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Any views expressed in this message are those of the individual sender, except where the sender expressly, and with authority, states them to be the views of the organisation.

From: <u>Culvenor, Matthew</u>

Cc: TCCS DC DevelopmentCoordination

Subject: Re: LoA Form 4 - Evoenergy Project - Replacement of Padmount Substation in Campbell

Date: Friday, 12 January 2024 2:42:00 PM

Attachments: image001.png image002.png

image002.png image003.png image004.png image006.png

PLAN-DA202342025-Sheet0-01.pdf

2023081602 - Campbell Electrical Substation and Diagram.pdf

#### OFFICIAL

Hi

TCCS supports the proposed relocation of the substation in principle.

Your design must be submitted for <u>Design Review</u> to determine in detail its placement and see if there are any alterations that need to be made.

Kind regards,

Matthew Culvenor | Acting Planning Coordinator | GradIEAust

Development Assessment | Development Planning | Development Coordination Branch

Transport Canberra and City Services | ACT Government 480 Northbourne Avenue | GPO Box 158 Canberra ACT 2601 www.act.gov.au | www.city-services.act.gov.au | @tccs\_act



(My normal working hours are 7.00 a.m. to 3.00 p.m.)

**@**evoenergy.com.au>

Sent: Thursday, January 11, 2024 1:03 PM

To: Culvenor, Matthew < Matthew. Culvenor@act.gov.au >

**Cc:** TCCS\_DC DevelopmentCoordination < TCCS.DCDevelopmentCoordination@act.gov.au>;

@evoenergy.com.au>

Subject: RE: LoA Form 4 - Evoenergy Project - Replacement of Padmount Substation in Campbell

Importance: High

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<u>Learn why this is important</u>

Hi Matthew,

Hope you had a good Christmas / New Year.

Just checking to see how you are tracking with the LoA for the padmount substation at Jacka Crescent, Campbell?

Happy to discuss over the phone as always – my number is below.

Thank you kindly,



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From: Culvenor, Matthew < Matthew.Culvenor@act.gov.au >

Sent: Thursday, December 21, 2023 2:10 PM

To: @evoenergv.com.au>

**Cc:** TCCS\_DC DevelopmentCoordination < <a href="mailto:TCCS.DCDevelopmentCoordination@act.gov.au">TCCS.DCDevelopmentCoordination@act.gov.au</a>>

**Subject:** RE: LoA Form 4 - Evoenergy Project - Replacement of Padmount Substation in Campbell

OFFICIAL

Hi

Please ignore the prior message. I will consider the request and get back to you with comments. Kind regards,

Matthew Culvenor | Acting Planning Coordinator | GradIEAust

Development Assessment | Development Planning | Development Coordination Branch

Transport Canberra and City Services | ACT Government 480 Northbourne Avenue | GPO Box 158 Canberra ACT 2601 www.act.gov.au | www.city-services.act.gov.au | @tccs act



(My normal working hours are 7.00 a.m. to 3.00 p.m.)

From: Culvenor, Matthew

Sent: Thursday, December 21, 2023 2:04 PM

<u>@evoenergy.com.au</u>>

 $\textbf{Cc:} \ \mathsf{TCCS\_DC} \ \mathsf{DevelopmentCoordination} @ \mathsf{act.gov.au} > \\$ 

Subject: RE: LoA Form 4 - Evoenergy Project - Replacement of Padmount Substation in Campbell

**OFFICIAL** 

Hi

The LOA you attached is blank and needs filling.

Kind regards,

Matthew Culvenor | Acting Planning Coordinator | GradIEAust

Development Assessment | Development Planning | Development Coordination Branch

Transport Canberra and City Services | ACT Government 480 Northbourne Avenue | GPO Box 158 Canberra ACT 2601

www.act.gov.au | www.city-services.act.gov.au | @tccs act



(My normal working hours are 7.00 a.m. to 3.00 p.m.)

 $\textbf{From:} \ \mathsf{TCCS\_DC} \ \mathsf{DevelopmentCoordination} @ \mathsf{act.gov.au} > \\$ 

**Sent:** Thursday, December 21, 2023 12:21 PM **To:**@evoenergy.com.au

Culvenor, Matthew < <a href="matthew.culvenor@act.gov.au">Matthew.culvenor@act.gov.au</a>>

Subject: FW: LoA Form 4 - Evoenergy Project - Replacement of Padmount Substation in Campbell

Importance: High

#### OFFICIAL

Good afternoon

Thank you for your email.

The Development Coordination Branch acknowledge receipt and have commenced processing your submission/request.

Matthew Culvenor has been assigned and the timeframe for processing this type of submission/request is **15 Business Days**.

Please note that whilst we will endeavour to review and respond within this timeframe, in some cases we may require additional information from you or may be experiencing delays. Should this be the case we will contact you to discuss.

We understand the importance of your enquiry and appreciate your patience as we work toward providing you with a response.

For further information regarding pre-lodgement Development Application (DA) advice and DA comments, please refer to the General Advisory Note published on our <u>website</u>.

Many thanks

**Customer Support Team** 

<u>@evoenergy.com.au</u>>

Sent: Wednesday, December 20, 2023 1:27 PM

To: TCCS\_DC DevelopmentCoordination < TCCS.DCDevelopmentCoordination@act.gov.au >

**Cc:** Environment Evoenergy < <a href="mailto:Environment@evoenergy.com.au">Environment@evoenergy.com.au</a>; Huynh, Jai

<Jai.Huynh@act.gov.au>

Subject: FW: LoA Form 4 - Evoenergy Project - Replacement of Padmount Substation in Campbell

Importance: High

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Hi Jai and Development Coordination Team,

Noting changes to the ACT Planning Framework, the new *Planning Act 2023* and subsequent changes to the *Planning (Exempt Development) Regulation 2023*, Evoenergy is seeking TCCS Roads ACT consent for the relocation of padmount substation S955 in the road reserve on Jacka Crescent in Campbell (from south to north of POL39339) per the attached drawing (PLAN-DA202342025) to the new location shown on attachment "2023081602 Campbell Electrical Substation and Diagram".

Evoenergy is kindly requesting written agreement to the development by TCCS Roads ACT per 1.139 (2) (b) of the <u>Planning (Exempt Development) Regulation 2023</u> via this email. Happy to discuss,



We operate on Ngunnawal country

We acknowledge and pay our respects to the Traditional Custodians of our region and the land on which our network is located.



From:

**Sent:** Tuesday, July 4, 2023 3:28 PM **To:** Huynh, Jai <Jai.Huynh@act.gov.au>

Subject: RE: LoA Form 4 - Evoenergy Project - Replacement of Padmount Substation in Campbell

Thanks Jai, appreciate it.

Cheers,



M



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From: Huynh, Jai < Jai. Huynh@act.gov.au> Sent: Tuesday, July 4, 2023 1:14 PM

To: @evoenergy.com.au>

Cc: TCCS DC DevelopmentCoordination < TCCS.DCDevelopmentCoordination@act.gov.au>

Subject: FW: LoA Form 4 - Evoenergy Project - Replacement of Padmount Substation in Campbell

Importance: High

**OFFICIAL** 

Hi

Please find attached Form 4 signed by TCCS Roads ACT exec.

Thank you

Kind regards,

Jai Huynh | Assessing Officer | Architect

Development Planning | Phone 02 6205 4782 | Email: Jai.huynh@act.gov.au

Development Coordination Branch | Transport Canberra and City Services Directorate | ACT Government

480 Northbourne Avenue, Dickson | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: Huynh, Jai < <u>Jai.Huynh@act.gov.au</u>> Sent: Tuesday, 4 July 2023 11:59 AM

To: Stravens, Helen < Helen.Stravens@act.gov.au >

**Cc:** TCCS\_DC DevelopmentCoordination < <a href="mailto:TCCS.DCDevelopmentCoordination@act.gov.au">TCCS.DCDevelopmentCoordination@act.gov.au</a>>

Subject: RE: LoA Form 4 - Evoenergy Project - Replacement of Padmount Substation in Campbell

Importance: High

**OFFICIAL** 

Hi Helen.

The attached Form 4 is an Evoenergy project - proposed retrospective DA replacement of the padmount substation on **Jacka Crescent, Campbell (near Block 12 Section 13).** As the current installed padmount substation top level has exceeded the 2m high from NGL.

Form 4 can be signed by Tim.

Once signed, please return Form 4 back to me.

Thank You

Kind regards,

**From:** TCCS\_DC DevelopmentCoordination < <a href="mailto:TCCS.DCDevelopmentCoordination@act.gov.au">TCCS.DCDevelopmentCoordination@act.gov.au</a>>

**Sent:** Thursday, 29 June 2023 5:51 PM

To: @evoenergy.com.au>

@evoenergy.com.au>; Huynh, Jai <<u>Jai.Huynh@act.gov.au</u>>; TCCS\_DC

 $Development Coordination < \underline{TCCS.DCDevelopmentCoordination@act.gov.au} >$ 

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**Importance:** High

**OFFICIAL** 

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## Kind regards

Sarah Griffiths | Operational Coordinator, Customer Service and Business Improvement

Phone: 02620 70019 | Email: <u>TCCS.DCDevelopmentCoordination@act.gov.au</u>

Development Coordination Branch | Transport Canberra and City Services Directorate | ACT Government 480 Northbourne Avenue Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601 | www.act.gov.au | www.tccs.act.gov.au



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<u>@evoenergy.com.au</u>>

**Sent:** Tuesday, 27 June 2023 4:36 PM

**To:** TCCS\_DC DevelopmentCoordination < <a href="mailto:TCCS.DCDevelopmentCoordination@act.gov.au">TCCS.DCDevelopmentCoordination@act.gov.au</a>>

@evoenergy.com.au>

Subject: LoA Form 4 - Evoenergy Project - Replacement of Padmount Substation in Campbell

**Importance:** High

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<u>Learn why this is important</u>

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It would be greatly appreciated if a representative from TCCS Roads ACT could please fill and sign the 'land custodian' section of the forms and email it back to us as soon as practically possible.



Please do not hesitate to contact me should you require any further information. Thank you kindly,







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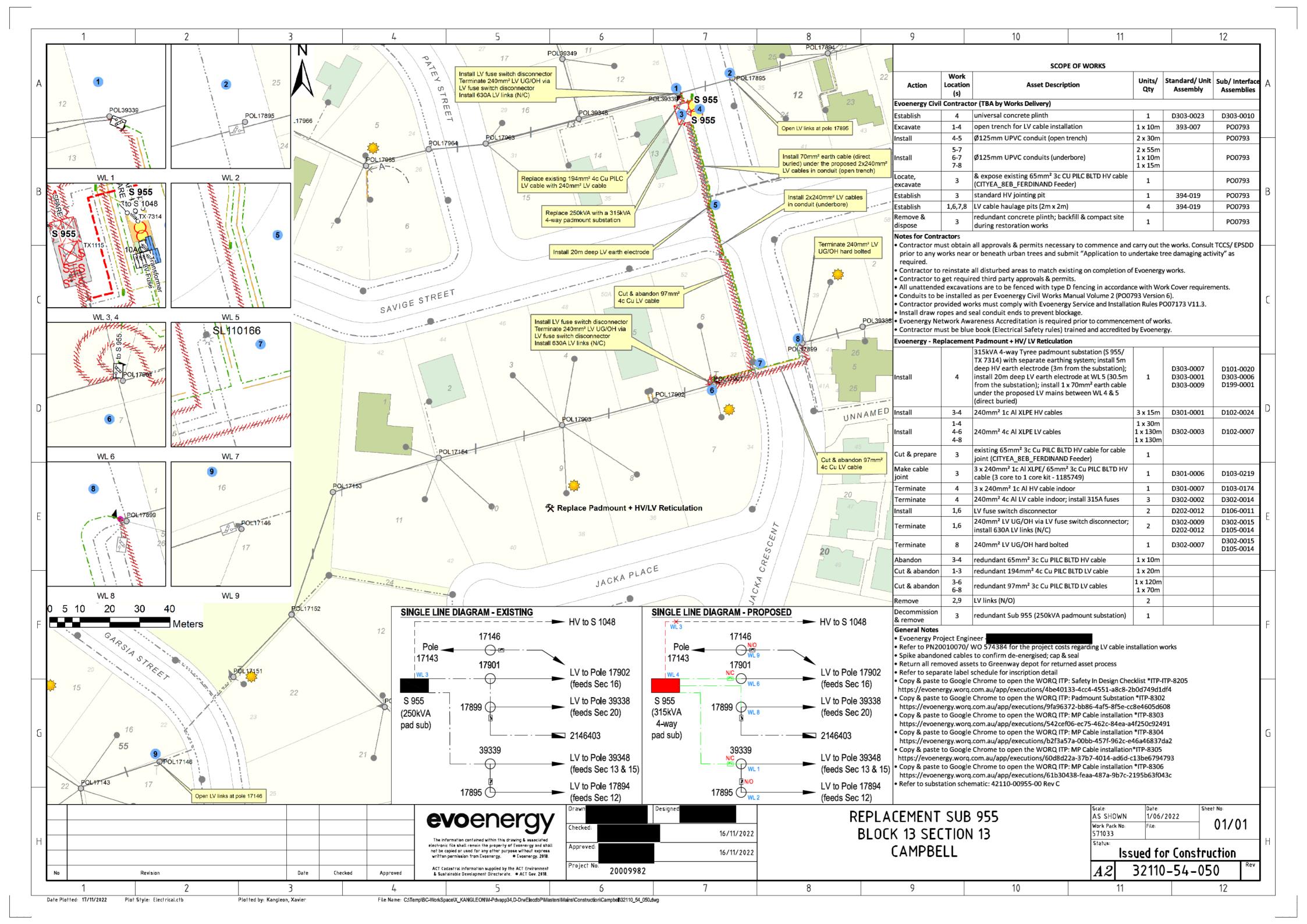
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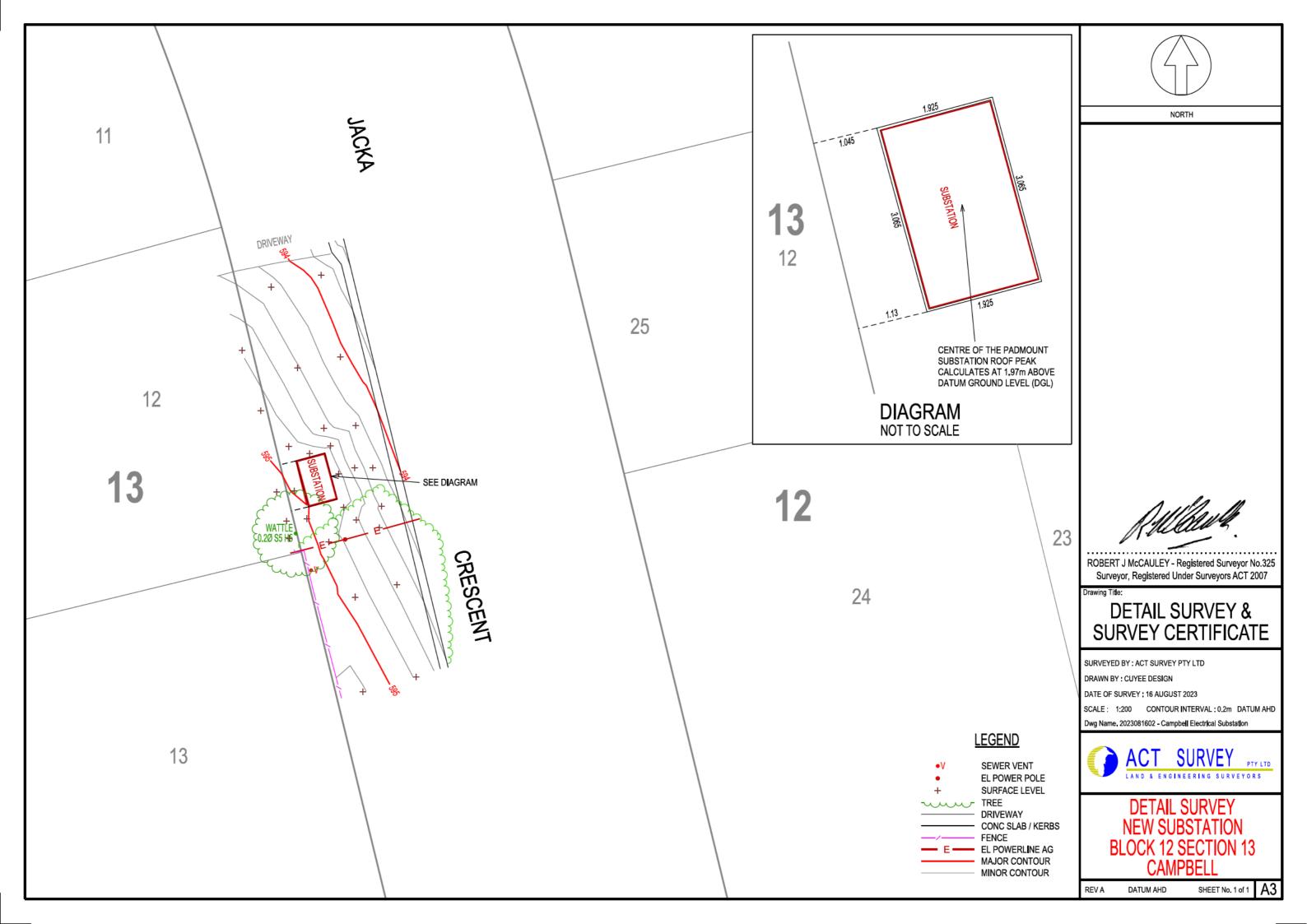
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Transport Canberra and City Services FOI 23-078(2) | Page 4



Transport Canberra and City Services FOI 23-078(2) | Page 5





