

ENVIRONMENTAL SIGNIFICANCE OPINION

An application for an Environmental Significance Opinion (ESO) has been received under section 138 of the *Planning Act 2023* (the Act). In accordance with section 140(4) of the Act, I provide the following environmental significance opinion:

APPLICANT

The Village Building Co. Pty Ltd, as represented by William Pearson, Planning Manager.

PROPOSAL DESCRIPTION

The application (ESO202500040) seeks to enable a range of future land uses, subject to separate development approvals. These include residential use, with a lease variation to limit the total number of dwellings permitted on the site. It also allows for community use, specifically limited to a community activity centre, educational establishment, and place of worship. In addition, the proposal includes provisions for early childhood education and care, as well as a health facility.

LOCATION

Block 1 and Section 82 Weston

MATTERS TO WHICH THIS OPINION APPLIES

This opinion applies only to the development proposal as described in the application.

OPINION

Provided the works are undertaken in a manner consistent with the following conditions, they are unlikely to cause a significant adverse environmental impact.

This opinion is granted subject to the following conditions made under section 140(4) of the Act.

Conditions


1. The Site Audit Report and Site Audit Statement must be reviewed and formally endorsed by the Environment Protection Authority (EPA) prior to the site being used for any other purposes.
2. The Environmental Management Plan (EMP) for Residual Asbestos in Soil – Former AFP Complex, Block 1, Section 82, Weston (2 Unwin Street, Weston ACT), dated April 2018 and prepared by Safe Work & Environments Pty Ltd, must be placed on the titles of the new block identifiers.
3. The EMP prepared for asbestos contamination must be reviewed in conjunction with the ESO report to resolve any inconsistencies regarding the timing and responsibility for asbestos removal. The developer must seek clarification and endorsement from the EPA.

4. The EMP must remain in place and may only be amended or removed subject to review by an accredited site auditor and written endorsement by the EPA.
5. All spoil identified at the site must be managed in accordance with the [EPA Information Sheet – Spoil Management](#) in the ACT, available through the [ACT Environment Protection Guidelines](#).
6. All soil subject to disposal from the site must be assessed in accordance with the EPA [Information Sheet 4 – Requirements for the Reuse and Disposal of Contaminated Soil](#) in the ACT, available through [ACT Contaminated Sites](#).
7. No soil is to be disposed of from the site without prior written approval from the EPA.
8. Works undertaken in areas identified as containing contaminated land, specifically buried asbestos, must be conducted in a manner that mitigates the risk of mobilising contaminants of concern. These works should be targeted and completed prior to the commencement of construction activities, as indicated in the ESO report.
9. Any future development proposed for the site will be subject to Development Application (DA) processes to ensure that no further public health concerns arise from such developments.
10. Upon completion of the remediation works, an updated Site Audit Statement must be prepared to confirm that the site is suitable for removal from the Register of Contaminated Sites.

Comments

1. The development documentation does not identify any existing regulated utility infrastructure within or adjacent to the project area. However, the absence of Dial Before You Dig (DBYD) search results means potential nearby infrastructure cannot be ruled out. The developer must undertake DBYD searches to confirm the presence or absence of utility services.
2. The progression of design must demonstrate consideration for minimising damage and disruption to existing utility infrastructure, including water, electrical, and gas services. This includes incorporating protective measures and coordination with relevant utility providers where necessary.
3. During remediation of contaminated soils and/or plant material, the applicant must implement all reasonable and practicable measures to suppress dust and minimise adverse impacts on air quality.

Attached is a Statement of Reasons for the decision.


George Cilliers
Territory Planning Authority
03 October 2025

STATEMENT OF REASONS

The proposed development is a proposal mentioned in Schedule 1 of the *Planning (General) Regulation 2023* – development proposals requiring environmental impact assessment, being:

Part 1.2 item 23 -proposal involving land included on the register of contaminated sites under the *Environment Protection Act 1997*.

The proponent is seeking an environmental significance opinion to remove the requirement for an environmental impact statement on the grounds that the proposal is not likely to have a significant adverse environmental impact and has applied to the Territory Planning Authority for an opinion to that effect.

Meaning of *significant* adverse environmental impact – *Planning Act 2023*, section 104

An adverse environmental impact is ***significant*** if—

- (a) the environmental function, system, value or entity that might be adversely impacted by a proposed development is significant; or
- (b) the cumulative or incremental effect of a proposed development might contribute to a substantial adverse impact on an environmental function, system, value or entity.

In deciding whether an adverse environmental impact is ***significant***, the following matters must be taken into account:

- (a) the kind, size, frequency, intensity, scope and length of time of the impact;
- (b) the sensitivity, resilience and rarity of the environmental function, system, value or entity likely to be affected.

In deciding whether a development proposal is likely to have a significant adverse environmental impact it does not matter whether the adverse environmental impact is likely to occur on the site of the development or elsewhere.

CONSULTATION WITH ENTITIES

In deciding whether a development proposal is likely to have a significant adverse environmental impact the Territory Planning Authority consulted with entities, in accordance with section 139 (1) of the Act. Entity responses are provided below:

Work health and safety commissioner

The Work Health and Safety Commissioner does not have any comments on this application for an Environmental Significance Opinion (reference ESO202500040).

This response has been provided on the basis of email advice received from the Impact Assessment unit on 16 September 2025 which identified the relevant material for the Work Health and Safety Commissioner's consideration.

This response does not take into account any subsequent changes to the identified material or any other information held by the Impact Assessment unit.

In providing this response, the Work Health and Safety Commissioner is not approving or endorsing any proposed work arrangements or any proposed risk control measures, and nothing in this response affects the safety duties of person involved in carrying out the proposed work under the Work Health and Safety Act 2011.

Environment Protection Authority

EPA received a site audit notification for the site on 22 July 2025 from Rowena Salmon of Ramboll Australia Pty Ltd, an accredited site auditor under the Environment Protection Act 1997.

EPA would support the preparation of an ESO subject to the following conditions:

The Site Audit Report and Site Audit Statement must be reviewed and endorsed by the Environment Protection Authority prior to the site being used for any other purposes.

The Environmental Management Plan (EMP for Residual Asbestos in Soil) Former AFP Complex Block 1, Section 82, Weston (2 Unwin Street, Weston ACT) dated April 2018 by Safe Work & Environments Pty Ltd must be placed on the titles of the new block identifiers.

The EMP must remain in place and can only be amended or removed subject to an accredited site auditor and endorsed in writing by EPA.

All spoil identified at the site must be managed in accordance with EPA Information Sheet – Spoil Management in the ACT available at ACT Environment Protection Guidelines.

All soil subject to disposal from the site must be assessed in accordance with EPA Information Sheet 4 - Requirements for the reuse and disposal of contaminated soil in the ACT available at ACT Contaminated Sites.

No soil is to be disposed from the site without EPA approval.

Emergency Services Commissioner

ACTF&R has reviewed Environmental Significance Opinion Application (202500040 – Block 1 Section 82 WESTON) and have no comments or objections.

ACTF&R will make further comments on the detailed design of the development at an appropriate time.

Technical Regulator

Utilities Technical Regulation (UTR) have reviewed the ESO report submission.

The proposal comprises redevelopment of the former AFP College, Weston to deliver a mixed-use development. The proposed development includes residential dwellings, a community activity centre, an educational establishment, a place of worship, an early childhood education centre and a health facility.

The proposed development and historic land use within the project area have been noted. There is little discussion of future works. Relevant considerations are given below with UTR comments:

There is contaminated land, specifically buried asbestos, which seems localised and low risk based on existing knowledge. At those specific locations works must be undertaken in a manner to mitigate the risk of mobilising contaminants of concern. The ESO report suggests these would be targeted works prior to construction activities commencing. An EMP for this specific hazard has been prepared, and the developer should refer to the EPA for comments. It appears that there is an inconsistency between the ESO and the EMP that should be considered further regarding the removal of asbestos (who / when).

The documentation does not indicate impact on any existing regulated utility infrastructure, as none is referenced within or adjacent to project area. A review of the ACTMapi "Utility Infrastructure" layers do not identify any existing utility services or easements within the project area. No DBYDs were provided, though these would likely identify existing utility infrastructure in close proximity to the site.

UTR require design progression demonstrates consideration of minimising damage and disruption to existing utility (water/electrical/gas) infrastructure.

UTR believe these comments could be resolved through the DA process and suggest an EIS or significant DA not be required, given the comments made above.

Director-General of ACT Health

The Health Protection Service (HPS) notes that the site is impacted by residual asbestos contamination of soil with the site subject an ongoing Environment Management Plan (EMP). It is noted the remediation activities described in the Environmental Management Plan are currently being carried out, with the exhumation of the last remaining residual asbestos area (RA03) expected to commence in early September 2025 and be completed by the end of 2025. Once completed, an updated Site Audit Statement will be prepared to confirm the site can be removed from the Register of Contaminated Sites.

The applicant is advised that all reasonable and practicable measures must be taken to suppress dust and minimise detrimental impacts to air quality during remediation of any contaminated soils and or plant material.

Future development proposed at the site will be subject to Development Applications to determine that there are no further public health concerns from such developments.

The HPS does not oppose the issuing of an ESO

POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACTS

The proposed development of Block 1, Section 82 Weston, is not expected to result in significant adverse environmental impacts under the criteria outlined in section 104 of the Planning Act 2003. The site is a brownfield parcel within an RZ4 zone, surrounded by existing residential and community uses. It does not contain significant vegetation, heritage items, or ecological values. The

development aligns with the Weston Creek District Strategy and is consistent with surrounding land uses. While the site is part of the Green Network, it is not mapped as containing protected conservation areas or sensitive ecological communities, and future development will avoid impacts to perimeter trees in accordance with the *Urban Forest Act 2023*.

Residual asbestos contamination is being actively managed under an Environmental Management Plan (EMP), with final remediation works scheduled for completion by the end of 2025. Once complete, the site is expected to be removed from the Register of Contaminated Sites. The development will be staged, and while the exact timeline is unknown, it is not anticipated to involve activities of a scale or intensity that would cause significant environmental harm. Dust suppression and air quality controls will be implemented during remediation, and future development applications will be subject to public health and environmental review. Overall, the site's modified condition, lack of significant sensitive environmental features, and planned mitigation measures support the conclusion that the development will not result in significant adverse environmental impacts.

It has been demonstrated that if the works are undertaken in a manner consistent with the above conditions attached to the ESO, they are unlikely to cause a significant adverse environmental impact.