



ACT
Government

Environment, Planning and
Sustainable Development

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 Company Pty Ltd, as represented by William Pearson, Planning Manager.

PROPOSAL DESCRIPTION

Subdivision of Block 1 Section 82 Weston into four (4) parcels; and Lease Variation to add 'early childhood education and care' as a permitted use.

LOCATION

Block 1 Section 82 Weston, corner of Unwin Street and Streeton Drive (2 Unwin Street, Weston ACT).

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.

- The environmental management plan '*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' (the EMP) 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 the ACT Environment Protection Authority (EPA).
- All spoil identified at the site must be managed in accordance with EPA [Information Sheet – Spoil Management in the ACT](#) available at [Environment protection guidelines \(act.gov.au\)](https://www.act.gov.au/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 [Contaminated sites \(act.gov.au\)](#).
- No soil is to be disposed from the site without EPA approval.

Attached is a Statement of Reasons for the decision.



George Cilliers

Territory Planning Authority

12 May 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 matter.

This response has been provided on the basis of email advice received from the Impact Assessment unit on 4 April 2025 which identified the relevant documents for the Work Health and Safety Commissioner's consideration. This response does not take into account any subsequent changes to the identified documents 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

The Office of the Environment Protection Authority (EPA) provides the following comments:

The site was formerly used as an Australian Federal Police Complex and was subject to a contaminated land site audit.

The site is listed on the register of contaminated sites and EPA has reviewed the following documents submitted by Mr Rod Harwood of Arcadis Australia Pacific Pty Ltd, an approved site Auditor, under the Environment Protection Act 1997:

- i. Site Audit Statement (No. 257R) dated 08 May 2018; and*
- ii. "Revised Site Audit Report Former Australian Federal Police Complex Block 1 Section 82, Weston, ACT" dated 08 May 2018*

EPA endorsed the findings of the audit that the site was suitable for the uses permitted by its zoning "RZ4 Medium Density Residential", subject to compliance with the environmental management plan "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" due to residual contamination remaining on site.

EPA supports the preparation of an ESO, subject to the following conditions:

- The above EMP 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 the ACT EPA.*
- All spoil identified at the site must be managed in accordance with EPA [Information Sheet – Spoil Management in the ACT](#) available at [Environment protection guidelines \(act.gov.au\)](#).*
- 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 [Contaminated sites \(act.gov.au\)](#).*
- No soil is to be disposed from the site without EPA approval.*

Emergency Services Commissioner

ACTF&R has reviewed the Environmental Significance Opinion Application (202500020 – Block 1 Section 82 Weston) and have no comments or objections.

ACTSES has reviewed the subject DA and have no comments or objections. Any previous commentary remains valid and expected of this DA.

Utilities Technical Regulator

UTR have reviewed the documents associated with ESO202500020 - Subdivision and lease variation - Block 1 Section 82 Weston for the former Australian Federal Police Complex. The documents were referred to UTR as part of an application for Environmental Significance Opinion. The project involves subdivision, and varying a lead to add early childhood education and care as a permitted use.

From a utilities perspective, UTR have no comment to make on ESO202500020.

Director-General of ACT Health

Thank you for the documentation received on 4 April 2025 regarding the Environmental Significance Opinion (ESO) application for the proposed development at Block 1 Section 82 in Weston.

The Health Protection Service (HPS) does not oppose the issuing of an ESO.

POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACTS

Block 1, Section 82, Weston (the Site) was formerly used as an Australian Federal Police Complex and asbestos contamination remains in the soil. In 2017 and 2018 demolition and remediation of the Site occurred. A site audit statement and site audit report were prepared by Arcadis Australia Pacific Pty Ltd in 2018. The environmental management plan *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 (the EMP) was prepared by Safe Work & Environments Pty Ltd.

The Environment Protection Authority (EPA) endorsed the findings of the audit that the Site was suitable for the uses permitted by its zoning 'RZ4 Medium Density Residential' (RZ4), subject to compliance with the EMP due to residual contamination remaining on site. Early childhood education and care is a permitted use in RZ4. The remaining contamination is the presence of four residual areas of asbestos that could not be remediated because of the presence of overlying trees and associated root impacts.

The EMP provides a management framework to minimise the risk of exposure and documents the steps to take (including environmental controls, health and safety measures, monitoring, waste classification and disposal procedures) should asbestos materials be encountered or removed. It is a condition of this ESO that the EMP must be placed on the new block identifiers, and that the EMP must remain in place unless amended or removed subject to an accredited site auditor and endorsed in writing by the EPA. In addition, spoil management and soil disposal are subject to EPA guidelines and approvals.

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.