

Compliance Report

7 January 2023 to 6 January 2024 (2023-24)

Cherry Creek Youth Justice Project – EPBC 2017/8049

Community Safety Building Authority



Justice
and Community
Safety

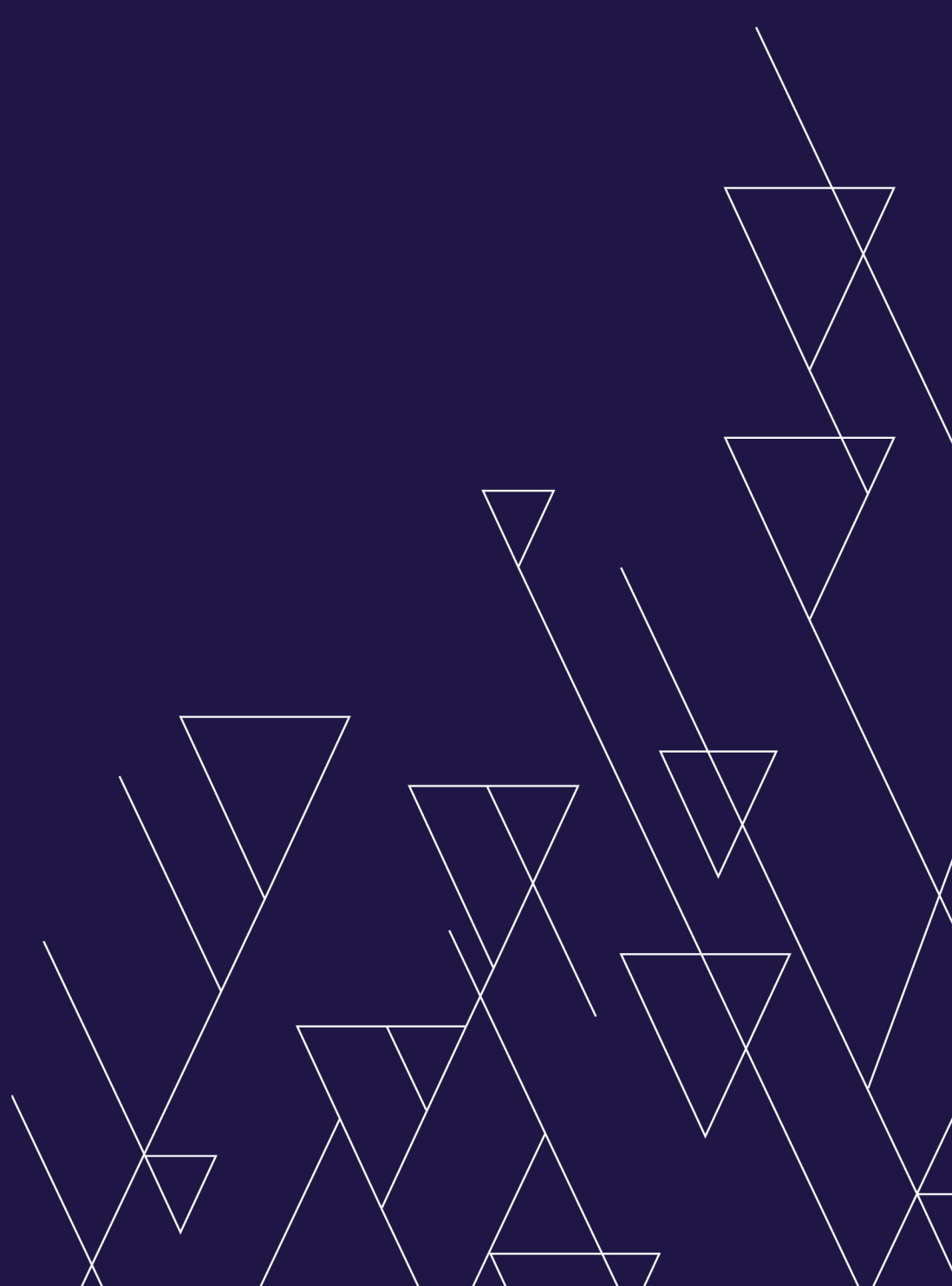




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1. Report details

1.1 Declaration of Accuracy

I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

In making this declaration, I am aware that sections 490 and 491 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both.

Signed:

Full Name:

Kate Houghton

Position:

Secretary, Department of Justice and Community Safety

Organisation:

Department of Justice and Community Safety (ABN 32 790 228 959)

Date:

04/04/2024

1.2 EPBC Act Approval details

Approval number	2017/8049
Approval holder	Department of Justice and Community Safety (DJCS) (formerly Department of Justice and Regulation)
ABN	32 790 228 959
Approved action	To construct a new Youth Justice Centre, as well as an access road link to existing road infrastructure and ancillary infrastructure, approximately 10 km south-west of Werribee, Victoria

1.3 Report details

1.3.1 Reporting period

This report covers the reporting period from 7 January 2023 to 6 January 2024.

1.3.2 Date of report

The date of this report is 4 April 2024.



2. Document information

Document details

Criteria	Details
TRIM ID:	DJ/20/55801
Document title:	Cherry Creek Youth Justice Project, EPBC 2017/8049 Compliance Report – 7 January 2023 to 6 January 2024 (2023-24)
Document owner:	Deputy Secretary, Corporate Services and Infrastructure

Version control

Version	Date	Description	Author
1.0	04 04 22	Final	Akash Samuel

Document preparation

This document was prepared by the following:

Name	Title	Organisation
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Document review

This document was reviewed by the following:

Name	Title	Organisation
Anne Matthey	Acting Executive Director - Program Delivery	Community Safety Building Authority
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3. Introduction

3.1 Community Safety Building Authority

Formed on 1 July 2019, the Community Safety Building Authority (CSBA) designs, procures, builds, and upgrades the infrastructure needed to keep the Victorian community safe, on behalf of the Department of Justice and Community Safety (DJCS).

The primary focus of our work is to provide the end-to-end project management and delivery of Victoria's new prisons, youth justice centres and court and custody facilities, in addition to emergency services facilities and public safety features. Additionally, we modernise, expand, and upgrade existing infrastructure within the corrections, youth justice and emergency services portfolios.

As well as keeping the community safe, our projects are constructed in a way that maximises benefit to the Victorian community by creating jobs and providing opportunities for apprentices, trainees, cadets, Aboriginal and Torres Strait Islanders, disadvantaged Victorians, and people with a disability.

An essential part of our work is consulting with Traditional Owners, local councils, local community members and other key stakeholders across the Victorian Government.

3.2 Cherry Creek Youth Justice Project

This report relates to the Cherry Creek Youth Justice Project (CCYJP) (formerly the Youth Justice Redevelopment Project (YJRP)). Located west of Werribee, the new 140-bed youth justice centre will cater for future demand, provide enhanced safety and security, and have the capacity to deliver rehabilitative services for young people.

Construction of the Cherry Creek Youth Justice Centre was completed on 14 February 2023. The Department was notified of the completion of the action and the completion data submitted via email on 14 March 2023. The facility has been handed over to Youth Justice and is now operational.

For additional information about the CCYJP, see the project website at www.csba.vic.gov.au/project/cherry-creek-youth-justice-centre.



4. Document purpose/context

The purpose of this document is to demonstrate compliance with the conditions of the approval 2017/8049 granted under the *Environment Protection and Biodiversity Conservation Act 1999* and to satisfy **Condition 14** of that approval, which states:

The approval holder must prepare a **compliance report** for each 12 month period following the date of **commencement of the action**, or as otherwise agreed to in writing by the **Minister**. The approval holder must:

- a. publish each **compliance report** on the **website** within 60 **business days** following the relevant 12 month period;
- b. notify the **Department** by email that a **compliance report** has been published on the **website** within five **business days** of the date of publication;
- c. keep all **compliance reports** publicly available on the **website** until this approval expires;
- d. exclude or redact **sensitive ecological data** from **compliance reports** published on the **website**; and
- e. where any **sensitive ecological data** has been excluded from the version published, submit the full **compliance report** to the **Department** within 5 **business days** of publication.

Note: Compliance reports may be published on the **Department's** website.

The action commenced on 7 January 2019. All previous annual compliance reports have been published on the CSBA website.

This report will satisfy the annual compliance report requirement for the 2023-24 period and will be published by the due date which is 4 April 2024.

The action was completed on 14 February 2023. The Department was notified of the completion of the action and the completion data submitted via email on 14 March 2023. All conditions of this approval have now been satisfied. As such, DJCS considers this to be the final annual compliance report to be submitted.



5. Description of activities

5.1 Overview of project

In 2017, the Victorian Government announced the construction of a new fit-for-purpose youth justice facility at Cherry Creek (located west of Werribee). The 140-bed facility will cater for remand and sentenced youth custody. The project includes the development of supporting infrastructure such as an access road, sewage, potable water, electricity, and other utilities.

The Managing Contractor (MC) commenced Initial Early Works on site in January 2019. Stage 2 main construction works commenced on 1 October 2020.

5.2 Works undertaken in the 2023-24 period (Post-PC works)

The MC reached Practical Completion (PC) of the main construction works on 9 August 2022. Due to several late variation requests, the MC was required to undertake Post-PC Works. The Post-PC Works phase commenced on 10 August 2022 and were completed on 14 February 2023. These works, that were in an advanced stage of completion by the end of this reporting period, included:

- Construction of a Vehicle Wash facility
- Removal of the construction rock stockpile
- Minor road, car park and fencing alterations
- Installation of additional equipment, joinery and fixtures and fittings
- Additional landscaping.



6. Approval conditions compliance

6.1 How to interpret this section

Each condition and part are listed with the compliance status and evidence/comments provided. The statuses are:

- Compliant – the requirements of the condition have been met.
- Non-compliant – the requirements of the condition have not been met.
- Not applicable – the requirements of a condition or elements of a condition fall outside of the scope of this reporting period.

6.2 Compliance table

Table 1: Approval conditions compliance

Condition no.	Date of condition	Approval condition	Is the project compliant with this condition?		Evidence/Comments	
			Compliant/ Non-compliant	Complete/ Outstanding		
			Part A – Conditions specific to the action			
1	-	Variation dated 17/02/23	The approval holder must:	Compliant	Complete	
1	a	Variation dated 17/02/23	Ensure construction is within the construction area .	Compliant	Complete	This condition was previously reported as non-compliant in the 2021-2022 period as construction works had occurred outside the original construction area. A request to adjust the construction area to encompass all works was submitted to the Department in December 2022. DJCS received approval of the variation on 17 February 2023. As such, this condition is now considered compliant.



Condition no.		Date of condition	Approval condition	Is the project compliant with this condition?		Evidence/Comments
				Compliant/ Non-compliant	Complete/ Outstanding	
1	b	Variation dated 17/02/23	Not clear more than 34.867 35.66 ha of Golden Sun Moth habitat as shown in <u>Appendix 1</u> and <u>2</u> .	Compliant	Complete	See condition 1a
1	c	Variation dated 17/02/23	Not clear more than 27.923 28.23 ha of Natural Temperate Grassland of the Victorian Volcanic Plain (NTGVVP) as shown in <u>Appendix 1</u> .	Compliant	Complete	See condition 1a
2	-	Original dated 20/11/18	To avoid impacts to the ecological character of the Port Phillip Bay (Western Shoreline) and Bellarine Peninsula Ramsar wetland , the approval holder must avoid modification of the bed and banks of Lollypop Creek, where the sewer alignment crosses the creek as shown in <u>Appendix 3</u> .	Compliant	Complete	<p>The construction methodology (under boring) avoided modification of the creek bed and banks, and sediment fencing prevented impacts from vehicles in this area. Monthly inspections were undertaken by an independent consultant who verified and documented the controls during the sewer construction. The monthly inspection reports are available on request.</p> <p>No impacts to Lollypop Creek were observed during the activity.</p> <p>No sewer works were conducted during the 2023-2024 period. The sewer construction was completed in 2021.</p>



Condition no.	Date of condition	Approval condition	Is the project compliant with this condition?		Evidence/Comments	
			Compliant/ Non-compliant	Complete/ Outstanding		
3	-	Original dated 20/11/18	To minimise impacts to the ecological character of the Port Phillip Bay (Western Shoreline) and Bellarine Peninsula Ramsar wetland , and indirect impacts to Golden Sun Moth habitat and NTGVVP the approval holder must implement the Stormwater Management Plan .	Compliant	Complete	The Facility Plan includes the approved Stormwater Management Plan. During construction the MC implemented this plan, which is described in further detail in their Environmental Management Plan (EMP), the Site Environmental Plan (SEP) and the Stormwater Environmental Control Plan (ECP).
4	-	Original dated 20/11/18	To minimise impacts to the ecological character of the Port Phillip Bay (Western Shoreline) and Bellarine Peninsula Ramsar wetland , and indirect impacts to Golden Sun Moth habitat and NTGVVP the approval holder must undertake construction consistent with the Environmental Management Framework .	Compliant	Complete	<p>This condition was previously reported as non-compliant during the 2021-2022 period due to works occurring outside the construction area, as the Environmental Management Framework (EMF) required materials, plant, equipment and vehicles to be restricted to the construction area (see Attachment 7 to 2019-21 report).</p> <p>Corrective actions have been undertaken in response to the non-compliance (See comments to conditions 15 and 16 for details).</p> <p>Furthermore, the request to adjust the construction area to encompass all works was submitted to the Department in December 2022. DJCS received approval of the variation on 17 February 2023. As such, this condition is now considered compliant (See comments to condition 1a).</p> <p>For further detail see the 2021-22 Annual Compliance Report.</p>



Condition no.	Date of condition	Approval condition	Is the project compliant with this condition?		Evidence/Comments	
			Compliant/ Non-compliant	Complete/ Outstanding		
5	-	Variation dated 17/02/23	Environmental Offsets To compensate for the loss of 27.92328.23 hectares of NTGVVP and 34.86735.66 hectares of Golden Sun Moth habitat , at the construction area , prior to commencement of construction, the approval holder must:	Compliant	Complete	Condition 5 has been exceeded with 116.28% of the GSM and 111.31% of NTGVVP offset requirements secured at the Warrambeen and Rokewood Offset sites. The Warrambeen Offset site provided 76.7% of GSM and 86.6% of NTGVVP offsets. The Rokewood site provided 39.58% of GSM and 24.71% of NTGVVP.
5	a	17/02/23	Enter into a written bond agreement with Trust for Nature requiring Trust for Nature to hold funds in trust for the purpose of securing and managing an offset area . A copy of the bond agreement must be provided to the Department within seven days following execution.	Compliant	Complete	The bond agreement was executed by DJCS on 21 November 2018, and Trust for Nature (TfN) on 12 December 2018. A copy of the executed bond agreement was sent to the Department on 17 December 2018.



Condition no.	Date of condition	Approval condition	Is the project compliant with this condition?		Evidence/Comments
			Compliant/ Non-compliant	Complete/ Outstanding	
5	b	Variation dated 17/02/23 Provide a sum of \$9,000,000 (excluding GST) to Trust for Nature to be held until such time as the offset area is identified and secured in accordance with condition 6a, at which time that sum will form the basis of the payment to purchase environmental services for the offset area .	Compliant	Complete	DJCS paid the sum of \$9,000,000 (excluding GST) to TfN on 17 December 2018, which TfN held in trust for the duration of the period specified.
5	(i)	Variation dated 17/02/23 The arrangements for the provision and expenditure of the funds must be set out in the written bond agreement .	Compliant	Complete	The arrangements for the provision and expenditure of the funds are set out in the bond agreement.
5	(ii)	Variation dated 17/02/23 If the cost of purchasing environmental services is less than \$9,000,000 the surplus funds must be returned to the approval holder as required by the bond agreement .	Not applicable	Not applicable	The cost of purchasing the environmental services exceeded \$9,000,000 (excluding GST), therefore this condition is not applicable.



Condition no.	Date of condition	Approval condition	Is the project compliant with this condition?		Evidence/Comments	
			Compliant/ Non-compliant	Complete/ Outstanding		
5	(iii)	Variation dated 17/02/23	If the cost of purchasing environmental services is greater than \$9,000,000 the approval holder must provide additional funds to Trust for Nature as required by the bond agreement .	Compliant	Complete	As the cost exceeded \$9,000,000 (excluding GST), TfN issued an invoice for the balance owed and the GST on 26 February 2021. DJCS paid the additional funds required on 5 March 2021.
6	-	Variation dated 29/04/22	To provide for the conservation and enhancement of NTGVVP and Golden Sun Moth habitat the approval holder must:	Compliant	Complete	Condition 6 has been exceeded with 116.28% of the GSM and 111.31% of NTGVVP offset requirements secured at the Warrambeen and Rokewood Offset sites. The Warrambeen Offset site provided 76.7% of GSM and 86.6% of NTGVVP offsets. The Rokewood site provided 39.58% of GSM and 24.71% of NTGVVP.
6	a	Variation dated 29/04/22	By 31 August 2021 By 30 April 2022 By 30 April 2023, execute a Credit Trading Agreement for the provision of Environmental Services at the offset area .	Compliant	Complete	The original due date for condition 6(a) was 20 November 2019, 12 months following the EPBC Act approval. The Credit Trading Agreement (CTA) for the Warrambeen offset site, providing 144.35ha NTGVVP/GSM, was executed on 19 August 2020. Due to delays caused by sourcing and negotiating the remaining offsets, the CTA for the Rokewood offset site, providing 43.83 ha of NTGVVP/GSM, was executed on the 2 October 2023. The following extensions and requests have occurred following the execution of the Rokewood CTA: <ul style="list-style-type: none"> CSBA applied for a six -month extension on 14 October 2019 which was granted, and the condition was varied on 14 November 2019 with a new due date of 20 May 2020. CSBA applied for a second extension on 12 May 2020 however this was not approved until 2 December 2020



Condition no.	Date of condition	Approval condition	Is the project compliant with this condition?		Evidence/Comments	
			Compliant/ Non-compliant	Complete/ Outstanding		
					<p>meaning that CSBA was technically non-compliant with this condition from 21 May 2020 to 1 December 2020. The new due date was 31 August 2021.</p> <ul style="list-style-type: none"> CSBA applied for a third extension on 18 August 2021 which was granted, and the condition varied on 31 August 2021. The new due date was 30 April 2022. CSBA applied for a fourth extension on 22 April 2022 which was granted, and the condition varied on 29 April 2022. The new due date was 30 April 2023. CSBA applied for a fifth extension on 24 April 2023 for an additional 6 months to execute the CTA. As part of this request CSBA provided evidence regarding why the 30th of April 2023 was not achievable. This extension was not processed as DCCEEW prioritised progressing approval of the Rokewood offset site instead of the extension. Given the submission of an extension request, DJCS believes it is compliant with Condition 6a. 	
6	b	Variation dated 29/04/22	The Department must be provided with a copy of the signed Credit Trading Agreement within 4 weeks following its execution.	Compliant	Complete	<p>The executed CTA for the Warrambeen offset site, providing 144.35ha NTGVVP/GSM, was sent to the Department on 25 August 2020 which is within 4 weeks following its execution.</p> <p>The executed CTA for the Rokewood offset site, providing 43.83 ha of NTGVVP/GSM, was sent to the Department on the 10 of October 2023 which is within 4 weeks following its execution.</p>
6	c	Variation dated 29/04/22	Within 12 months of the date of signing the Credit Trading Agreement , provide written evidence to the Department that	Compliant	Complete	The conservation covenants and Register Search Statements for the Warrambeen offset site were sent to the Department within 12 months of the date of signing the CTA, on 16 March 2021.



Condition no.	Date of condition	Approval condition	Is the project compliant with this condition?		Evidence/Comments	
			Compliant/ Non-compliant	Complete/ Outstanding		
					The Rokewood offset site has an existing covenant - Section 69 Land Agreement and management plan (registered on title), which was provided in the Offset Plan appendices on 4 May 2023.	
6	d	Variation dated 29/04/22	The Department must be provided with a copy of the signed conservation covenant within 4 weeks following its execution.	Compliant	Compete	CSBA received the executed copy of the conservation covenants for the Warrambeen offset site on 16 March 2021, and immediately sent these to the Department. The covenants were executed by TfN on 22 January 2021 and registered on title on 23 February 2021. The Rokewood offset site has an existing covenant - Section 69 Land Agreement and management plan (registered on title), which was provided in the Offset Plan appendices on 4 May 2023.
7		Variation dated 17/02/23	Prior to executing the Credit Trading Agreement under condition 6, the approval holder must submit to the Department an Offset Management Plan for the offset area .	Compliant	Complete	The OMP for the Warrambeen offset site was submitted on 1 November 2019 and 15 November 2019, respectively. The Department reviewed and provided comments. The updated Final versions were submitted on 24 January 2020. See Attachments 8 and 9 to the 2020-21 report. The OMP for the Rokewood offset site was submitted on the 5 July 2023. The Department reviewed and provided comments. An updated OMP was submitted on the 18 August 2023. Additional comments were received by the Department and a final copy was provided 13 September 2023.
7	a	Variation dated 17/02/23	The approval holder must obtain the Minister's approval for the Offset Management Plan before executing a Credit Trading Agreement .	Compliant	Complete	The Minister's delegate approved the OMP for the Warrambeen offset site on 4 February 2020 The Branch Head of the Environment Assessments and Post Approvals team approved the OMP for the Rokewood offset site on the 25 September 2023.



Condition no.	Date of condition	Approval condition	Is the project compliant with this condition?		Evidence/Comments	
			Compliant/ Non-compliant	Complete/ Outstanding		
7	b	Variation dated 17/02/23	The Offset Management Plan must be prepared by a suitably qualified person and be consistent with the Department's Environmental Management Plan Guidelines , and the EPBC Act Environmental Offset Policy .	Compliant	Complete	The Warrambeen OMP was prepared by a qualified ecological consultant, Biosis Pty Ltd. The Rokewood OMP was prepared by a qualified ecological consultant, Biodiversity Offsets Victoria Pty Ltd.
7	c	Variation dated 17/02/23	The Offset Management Plan must demonstrate how the offset area and Environmental Services will compensate for the loss of 27.92328.23 hectares of NTGVVP and 34.86735.66 hectares of Golden Sun Moth habitat consistent with the EPBC Act Environmental Offsets Policy .	Compliant	Complete	Both OMPs demonstrate how the offset areas and environmental services will compensate for the loss of 27.923ha of NTGVVP and 34.867ha of GSM habitat consistent with the EPBC Act Environmental Offsets Policy.
7	d	Variation dated 17/02.23	The Offset Management Plan must include, but not be limited to:	Compliant	Complete	See comments to condition 7 above.
7	(i)	Variation dated 17/02/23	A description of the offset area including location, size, condition,	Compliant	Complete	See comments to condition 7 above.



Condition no.	Date of condition	Approval condition	Is the project compliant with this condition?		Evidence/Comments	
			Compliant/ Non-compliant	Complete/ Outstanding		
			environmental values present and surrounding land uses.			
7	(ii)	Variation dated 17/02/23	Baseline data and other supporting evidence that documents the presence and baseline quality of the NTGVVP and Golden Sun Moth habitat within the offset area .	Compliant	Complete	See comments to condition 7 above.
7	(iii)	Variation dated 17/02/23	Maps and shapefiles of the offset area .	Compliant	Complete	See comments to condition 7 above.
7	(iv)	Variation dated 17/02/23	Specific objectives to demonstrate NTGVVP and Golden Sun Moth habitat quality improvement over the period of the Offset Management Plan's implementation.	Compliant	Complete	See comments to condition 7 above.
7	(v)	Variation dated 17/02/23	Specific management actions, and timeframes for implementation, to be carried out to meet specific objectives to improve the quality of the NTGVVP and Golden Sun Moth habitat within the offset area .	Compliant	Complete	See comments to condition 7 above.



Condition no.		Date of condition	Approval condition	Is the project compliant with this condition?		Evidence/Comments
				Compliant/ Non-compliant	Complete/ Outstanding	
7	(vi)	Variation dated 17/02/23	Key performance indicators to demonstrate the improvement to the quality of NTGVVP and Golden Sun Moth habitat .	Compliant	Complete	See comments to condition 7 above.
7	(vii)	Variation dated 17/02/23	The nature, timing and frequency of monitoring to determine the success of management actions against key performance indicators.	Compliant	Complete	See comments to condition 7 above.
7	(viii)	Variation dated 17/02/23	indicative corrective actions that will be implemented in the event monitoring activities indicate key performance indicators are not or are unlikely to be achieved.	Compliant	Complete	See comments to condition 7 above.
7	(ix)	Variation dated 17/02/23	The roles and responsibilities for implementing the management actions.	Compliant	Complete	See comments to condition 7 above.



Condition no.	Date of condition	Approval condition	Is the project compliant with this condition?		Evidence/Comments	
			Compliant/ Non-compliant	Complete/ Outstanding		
7	(x)	Variation dated 17/02/23	Evidence of consistency with relevant conservation advices, recovery plans and/or threat abatement plans.	Compliant	Complete	See comments to condition 7 above.
7	(xi)	Variation dated 17/02/23	Maintain or improve the extent and quality of habitat and populations of other EPBC Act listed threatened species and ecological communities in the offset area .	Compliant	Complete	See comments to condition 7 above.
			Part B – Standard administrative conditions			
8	-	Original dated 20/11/18	<p>Notification of date of commencement of the action</p> <p>The approval holder must notify the Department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action.</p>	Compliant	Complete	The Department was notified that the action commenced on 7 January 2019, via email on the 11 January 2019.



Condition no.	Date of condition	Approval condition	Is the project compliant with this condition?		Evidence/Comments
			Compliant/ Non-compliant	Complete/ Outstanding	
9	-	Original dated 20/11/18 If the commencement of the action does not occur within 5 years from the date of this approval, then the approval holder must not commence the action without the prior written agreement of the Minister .	Not applicable	Not applicable	The action was commenced within five years from the date of this approval; therefore, this condition is not applicable.
10	-	Original dated 20/11/18 Compliance records The approval holder must maintain accurate and complete compliance records .	Compliant	Complete	DJCS maintains compliance records in the DJCS electronic document management system. The EPBC Act approval conditions register contains the compliance status of each condition for each reporting period, including references to supporting documentation and records. The CSBA responsible officer maintains the compliance records, which are available to the Department on request. DJCS also uses an Environmental Management System to track the compliance of all projects.
11	-	Original dated 20/11/18 If the Department makes a request in writing, the approval holder must provide electronic copies of compliance records to the Department within the timeframe specified in the request. Note: Compliance records may be subject to audit by the Department or an independent auditor	Not applicable	Not applicable	



Condition no.	Date of condition	Approval condition	Is the project compliant with this condition?		Evidence/Comments
			Compliant/ Non-compliant	Complete/ Outstanding	
			in accordance with section 458 of the EPBC Act , and or used to verify compliance with the conditions. Summaries of the result of an audit may be published on the Department's website or through the general media.		
12	-	Original dated 20/11/18	Preparation and publication of plans The approval holder must:	Not applicable	Not applicable
12	a	Original dated 20/11/18	Submit plans electronically to the Department for approval by the Minister ;	Not applicable	Not applicable
12	b	Original dated 20/11/18	Publish each plan on the website within 20 business days of the date the plan is approved by the Minister or of the date a revised action management plan is submitted to the Minister , unless otherwise agreed	Not applicable	Not applicable



Condition no.	Date of condition	Approval condition	Is the project compliant with this condition?		Evidence/Comments
			Compliant/ Non-compliant	Complete/ Outstanding	
			to in writing by the Minister ;		
12	c	Original dated 20/11/18	Exclude or redact sensitive ecological data from plans published on the website or provided to a member of the public; and	Not applicable	Not applicable
12	d	Original dated 20/11/18	Keep plans published on the website until the end date of this approval.	Not applicable	Not applicable
13	-	Original dated 20/11/18	The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under a plan is prepared in accordance with the Department's Guidelines for biological survey and mapped data (2018) and submitted electronically to the in accordance with the requirements of the plan .	Not applicable	Not applicable



Condition no.	Date of condition	Approval condition	Is the project compliant with this condition?		Evidence/Comments
			Compliant/ Non-compliant	Complete/ Outstanding	
14	-	Original dated 20/11/18 Annual compliance reporting The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action , or as otherwise agreed to in writing by the Minister . The approval holder must:	Compliant	Complete	
14	a	Original dated 20/11/18 Publish each compliance report on the website within 60 business days following the relevant 12 month period;	Compliant	Complete	All previous annual compliance reports have been published on the CSBA website within the 60-business day period. This report will satisfy the annual compliance report requirement for the 2023-24 period and will be published by the due date which is 4 April 2024.
14	b	Original dated 20/11/18 Notify the Department by email that a compliance report has been published on the website within five business days of the date of publication;	Compliant	Complete	The Department will be notified within five business days of the publication.
14	c	Original dated 20/11/18 Keep all compliance reports publicly available on the website until this approval expires;	Compliant	Complete	All compliance reports will be kept publicly available on the CSBA website until this approval expires.



Condition no.		Date of condition	Approval condition	Is the project compliant with this condition?		Evidence/Comments
				Compliant/ Non-compliant	Complete/ Outstanding	
14	d	Original dated 20/11/18	Exclude or redact sensitive ecological data from compliance reports published on the website ; and	Not applicable	Not applicable	
14	e	Original dated 20/11/18	Where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within 5 business days of publication. Note: Compliance reports may be published on the Department's website.	Not applicable	Not applicable	
15	-	Original dated 20/11/18	Reporting non-compliance The approval holder must notify the Department in writing of any: incident ; non-compliance with the conditions; or non-compliance with the commitments made in plans . The notification	Compliant	Complete	



Condition no.	Date of condition	Approval condition	Is the project compliant with this condition?		Evidence/Comments	
			Compliant/ Non-compliant	Complete/ Outstanding		
			must be given as soon as practicable, and no later than two business days after becoming aware of the incident or non-compliance. The notification must specify:			
15	a	Original dated 20/11/18	The condition which is or may be in breach; and	Not applicable	Not applicable	There were no incidents, non-compliances with the conditions or non-compliances with the commitments made in plans identified in the 2023-2024 reporting period.
15	b	Original dated 20/11/18	A short description of the incident and/or non-compliance.	Compliant	Not applicable	See condition 15 a.
16		Original dated 20/11/18	The approval holder must provide to the Department the details of any incident or non-compliance with the conditions or commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying:	Not applicable	Not applicable	

Condition no.	Date of condition	Approval condition	Is the project compliant with this condition?		Evidence/Comments	
			Compliant/ Non-compliant	Complete/ Outstanding		
16	a	Original dated 20/11/18	Any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;	Not applicable	Not applicable	There were no incidents, non-compliances with the conditions or non-compliances with the commitments made in plans identified in the 2023-2024 reporting period.
16	b	Original dated 20/11/18	The potential impacts of the incident or non-compliance; and	Not applicable	Not applicable	See condition 16a.
16	c	Original dated 20/11/18	The method and timing of any remedial action that will be undertaken by the approval holder.	Not applicable	Not applicable	See condition 16a.
17		Original dated 20/11/18	Independent audit The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister .	Not applicable	Not applicable	No requests for an independent audit have been requested by the Minister
18		Original dated 20/11/18	For each independent audit , the approval holder must:	Not applicable	Not applicable	See condition 17
18	a	Original dated 20/11/18	Provide the name and qualifications of the independent auditor and	Not applicable	Not applicable	See condition 17



Condition no.	Date of condition	Approval condition	Is the project compliant with this condition?		Evidence/Comments	
			Compliant/ Non-compliant	Complete/ Outstanding		
			the draft audit criteria to the Department ;			
18	b	Original dated 20/11/18	Only commence the independent audit once the audit criteria have been approved in writing by the Department ; and	Not applicable	Not applicable	See condition 17
18	c	Original dated 20/11/18	Submit an audit report to the Department within the timeframe specified in the approved audit criteria.	Not applicable	Not applicable	See condition 17
19	-	Original dated 20/11/18	The approval holder must publish the audit report on the website within 10 business days of receiving the Department's approval of the audit report and keep the audit report published on the website until the end date of this approval.	Not applicable	Not applicable	See condition 17
20	-	Original dated 20/11/18	Revision of action management plans The approval holder may, at any time, apply to the Minister for a variation to an action management plan approved by the	Not applicable	Not applicable	



Condition no.	Date of condition	Approval condition	Is the project compliant with this condition?		Evidence/Comments
			Compliant/ Non-compliant	Complete/ Outstanding	
21	-	Original dated 20/11/18	Not applicable	Not applicable	

Minister under condition 3, or as subsequently revised in accordance with these conditions, by submitting an application in accordance with the requirements of section 143A of the **EPBC Act**. If the **Minister** approves a revised action management plan (RAMP) then, from the date specified, the approval holder must implement the RAMP in place of the previous action management plan.

The approval holder may choose to revise an action management plan approved by the **Minister** under condition 3, or as subsequently revised in accordance with these conditions, without submitting it for approval under section 143A of the **EPBC Act**, if the taking of the action in accordance with the RAMP would not



Condition no.	Date of condition	Approval condition	Is the project compliant with this condition?		Evidence/Comments
			Compliant/ Non-compliant	Complete/ Outstanding	
			be likely to have a new or increased impact .		
22		Original dated 20/11/18	If the approval holder makes the choice under condition 21 to revise an action management plan without submitting it for approval, the approval holder must:	Not applicable	Not applicable
22	a	Original dated 20/11/18	Notify the Department in writing that the approved action management plan has been revised and provide the Department with:	Not applicable	Not applicable
22	(i)	Original dated 20/11/18	An electronic copy of the RAMP;	Not applicable	Not applicable
22	(ii)	Original dated 20/11/18	An electronic copy of the RAMP marked up with track changes to show the differences between the approved action management plan and the RAMP;	Not applicable	Not applicable



Condition no.	Date of condition	Approval condition	Is the project compliant with this condition?		Evidence/Comments	
			Compliant/ Non-compliant	Complete/ Outstanding		
22	(iii)	Original dated 20/11/18	An explanation of the differences between the approved action management plan and the RAMP;	Not applicable	Not applicable	
22	(iv)	Original dated 20/11/18	The reasons the approval holder considers that taking the action in accordance with the RAMP would not be likely to have a new or increased impact ; and	Not applicable	Not applicable	
22	(v)	Original dated 20/11/18	Written notice of the date on which the approval holder will implement the RAMP (RAMP implementation date), being at least 20 business days after the date of providing notice of the revision of the action management plan, or a date agreed to in writing with the Department	Not applicable	Not applicable	
22	b	Original dated 20/11/18	Subject to condition 24, implement the RAMP from the RAMP implementation date.	Not applicable	Not applicable	



Condition no.	Date of condition	Approval condition	Is the project compliant with this condition?		Evidence/Comments	
			Compliant/ Non-compliant	Complete/ Outstanding		
23	-	Original dated 20/11/18	The approval holder may revoke their choice to implement a RAMP under condition 21 at any time by giving written notice to the Department . If the approval holder revokes the choice under condition 21 the approval holder must implement the previous action management plan approved by the Minister .	Not applicable	Not applicable	
24		Original dated 20/11/18	If the Minister gives a notice to the approval holder that the Minister is satisfied that the taking of the action in accordance with the RAMP would be likely to have a new or increased impact , then:	Not applicable	Not applicable	
24	a	Original dated 20/11/18	Condition 21 does not apply, or ceases to apply, in relation to the RAMP; and,	Not applicable	Not applicable	
24	b	Original dated 20/11/18	The approval holder must implement the action management plan	Not applicable	Not applicable	



Condition no.	Date of condition	Approval condition	Is the project compliant with this condition?		Evidence/Comments	
			Compliant/ Non-compliant	Complete/ Outstanding		
			specified by the Minister in the notice.			
25	-	Original dated 20/11/18	At the time of giving the notice under condition 24, the Minister may also notify that for a specified period of time, condition 21 does not apply for one or more specified action management plans. Note: conditions 21, 22, 23 and 24 are not intended to limit the operation of section 143A of the EPBC Act which allows the approval holder to submit a revised action management plan, at any time, to the Minister for approval.	Not applicable	Not applicable	
26	-	Original dated 20/11/18	Completion of the action Within 30 days after the completion of the action , the approval holder must notify the Department in writing and provide completion data .	Compliant	Complete	The action was completed on 14 February 2023. The Department was notified of the completion of the action and the completion data submitted via email on 14 March 2023. All conditions of this approval have now been satisfied. As such, CSBA considers this to be the final annual compliance report required to be submitted.



7. New environmental risks

Not applicable.

8. Other information

Not applicable.



Appendix 1 – Reference material

Attachment #	Description	TRIM ID/Location
N/A		

Acronyms	Description
CCYJP	Cherry Creek Youth Justice Project (formerly Youth Justice Redevelopment Project, YJRP)
CSBA	Community Safety Building Authority
CTA	Credit Trading Agreement
DJCS	Department of Justice and Community Safety
ECP	Environmental Control Plan
EMF	Environmental Management Framework
EMP	Environmental Management Plan
EPBC	The <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth) (EPBC Act)
GSM	Golden Sun Moth
MC	Managing Contractor, John Holland Pty Ltd
NTGVVP	Natural Temperate Grassland of the Victorian Volcanic Plain
OMP	Offset Management Plan
SEP	Site Environmental Plan
TfN	Trust for Nature
YJ	Youth Justice
YJRP	Youth Justice Redevelopment Project (now Cherry Creek Youth Justice Project, CCYJP)

Terms	Description
Department	The Department of Climate Change, Energy, the Environment and Water (formerly the Department of the Agriculture, Water and the Environment)