



Australian Government
Department of Finance

Whole of Australian Government Property

**Annual Compliance Report
(2023) – Block 48, Hall
ACT**



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Document Preparation and Control	Document Review
Compliance Report No.1 (2023)	10 March 2023

1. Purpose

On 21 February 2019, the *Environment Protection and Biodiversity Conservation Act 1999* (**EPBC Act**) [Approval 2017/8028](#) (the **Approval**) was granted by the then Department of the Environment and Energy (now the Department of Climate Change, Energy, the Environment and Water (**DCCEEW**)) to the Department of Finance (**Finance**).

The Approval action (**Action**) was granted '*To clear all vegetation from, and then sell, Blocks 3 and 15, Section 22, Barton, Australian Capital Territory*' and was subject to 28 conditions (**Conditions**) under the EPBC Act.

This Annual Compliance Report demonstrates that since the commencement of the Action, Finance is compliant with all 28 conditions of the Approval.

2. Background

Blocks 3 and 15, Section 22, Barton, ACT

Blocks 3 and 15, Section 22, Barton, ACT are located on the corner of Sydney Avenue and National Circuit, Barton, ACT. The surrounding area is a mix of office, commercial and residential properties.

At the time of the EPBC Act referral, Block 3, Section 22 Barton ACT was owned and managed by Finance on behalf of the Commonwealth. Block 15, Section 22 Barton ACT was owned by the ACT Government.

Block 3, Section 22, Barton ACT (**Barton Site**) was identified as surplus to Commonwealth requirements and was sold on the open market on 14 February 2020 through a competitive sales process. It was sold to support urban renewal, provide significant development opportunities, and contribute to the revitalisation of the Barton precinct.

A section of the property contained 0.32 hectares of natural temperate grassland (NTG) and 1.46 hectares of golden sun moth (GSM) habitat, both Critically Endangered under the EPBC Act.

The below map shows the location of these values prior to the site being cleared.



- Legend**
- Study Area
 - High Quality GSM Habitat (NTG)
 - Moderate - Disturbed Quality GSM Habitat
 - Low Quality GSM Habitat
 - Female GSM Points

Figure 2
Identified GSM & NTG

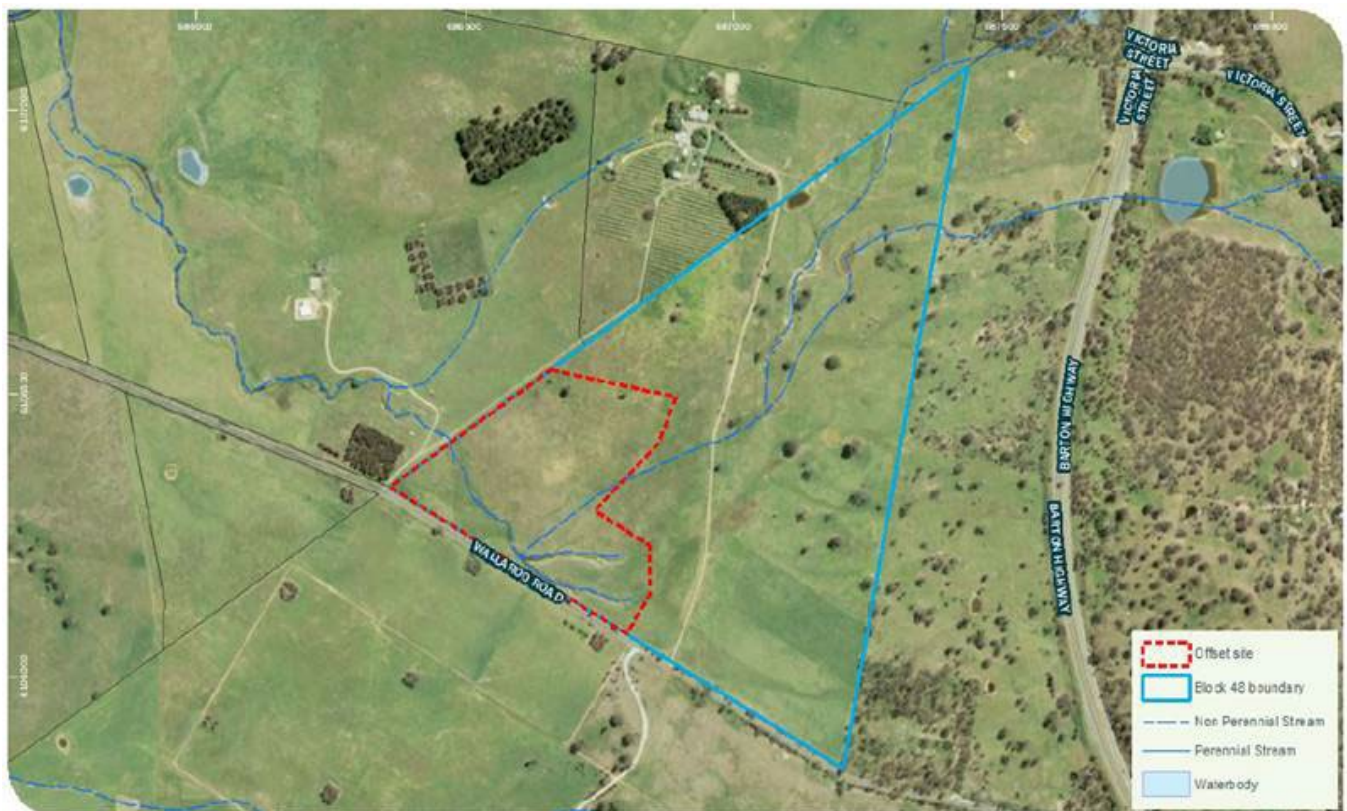
Block 48, Wallaroo Road, Hall, ACT

Block 48, Wallaroo Road, Hall ACT is located on the ACT/NSW border with access to the Barton Highway. It is surrounded by open country and neighbouring farmland.

The property is unleased National Land, owned by the Commonwealth and managed by Finance. It was previously leased to the CSIRO, before the land passed back to Finance in 2004.

Finance has secured 12.7 hectares of the property as an environmental offset to compensate the loss of NTG and GSM habitat at the Barton site. Finance will continue to manage the offset site at Block 48, Wallaroo Road, Hall in line with approved EPBC compliance conditions.

The 12.7 hectare offset area can be seen on the map below:



3. Conditions of Approval Compliance

Part A – Conditions specific to the Action

Impacts

Condition Number/reference	Condition	Compliance	Evidence/Comments
Condition 1	To minimise the impacts of the approved action the approval holder must limit all vegetation clearing to within the proposed action area.	Compliant	<p>On 14 January 2020, Finance wrote to DCCEEW, confirming that Finance had completed the proposed action for Block 3, Section 22 Barton, ACT.</p> <p>This notification included photographic evidence.</p> <p>The adjoining land parcels were not impacted by the action.</p>
Condition 2	Prior to the commencement of the action, the approval holder must not constrain public access to the proposed action area unless there is a demonstrable safety or security reason to do so.	Compliant	<p>On 13 September 2019, Finance wrote to DCCEEW, advising that the property was open to the public, and that the scientific community was invited to take genetic samples of the GSM.</p> <p>Prior to the action taking place, on 6 January 2020, the property was fenced following the action for safety and security reasons.</p>

Compensation Matters

Condition Number/reference	Condition	Compliance	Evidence/Comments
Condition 3	<p>To offset the impacts on 0.32 ha of NTG, the approval holder must ensure that 2.3 ha of NTG is secured within the offset site prior to the commencement of the action.</p> <p>Note: Offset areas for NTG and GSM habitat may overlap as required.</p>	Compliant	<p>Since 2 March 1989, the Commonwealth has owned Block 48 Hall. The site was leased to CSIRO for cultivation purposes and passed to Finance in 2004. Finance has since retained ownership of the entire site, including the offset portion of the site.</p> <p>Block 48 Hall is 12.7 ha, and of that area 2.62 ha is NTG.</p> <p>Finance can confirm that Block 48 Hall is currently zoned as 'NUZ3: Hills, Ridges and Buffer Areas' which prevents the area from being developed.</p>
Condition 4	<p>To offset the impacts on 1.46 ha of GSM habitat, the approval holder must ensure that 6.2 ha of GSM habitat is secured within the offsite site prior to the commencement of the action.</p> <p>Note: Offset areas for NTG and GSM habitat may overlap as required.</p>	Compliant	<p>Since 2 March 1989, the Commonwealth has owned Block 48 Hall. The site was leased to CSIRO for cultivation purposes and passed to Finance in 2004. Finance has since retained ownership of the entire site, including the offset portion of the site.</p> <p>Block 48 Hall is 12.7 ha, and of that area 7.82 ha is GSM.</p> <p>Finance can confirm that Block 48 Hall is currently zoned as 'NUZ3: Hills, Ridges and Buffer Areas' which prevents the area from being developed.</p>
Condition 5	<p>Within 10 business days of securing the required offsets specified in conditions 3 and 4, the approval holder must provide the Department (DCCEEW) with evidence of the offset having been secured and the mechanism used to secure the offsets.</p>	Compliant	<p>On 18 October 2019, Finance wrote to DCCEEW, advising that Block 48 Hall, in its entirety, has been secured.</p>

Condition Number/reference	Condition	Compliance	Evidence/Comments
Condition 6	To compensate for the loss of heritage values as a result of the action, within 12 months of commitment of the action, the approval holder must submit to the Department and the National Archives of Australia, an archival record of GSM research conducted in the proposed action area, comprising a scientific review of precious research conducted at the site and a database of previous research reports and datasets. The archival record must be prepared in compliance with <i>How to Prepare Archival Records of Heritage Items</i> (1998) issued by the New South Wales Heritage Office or relevant ACT standard (where available).	Compliant	<p>Finance engaged environmental consultants, Umwelt Australia Pty Ltd, to undertake an archival record of GSM research undertaken at the Barton site, and a scientific review of the research. In March 2020, the archival record was completed in compliance with <i>How to Prepare Archival Records of Heritage Items</i> (1998) issued by the New South Wales Heritage Office or relevant ACT standard.</p> <p>On 23 April 2020, Finance wrote to DCCEEW providing a link to the archival record on its website: https://www.finance.gov.au/government/property-and-construction/property-compliance-reporting/golden-sun-moth-archival-record</p> <p>The National Archives of Australia advised that this archival material is not within its charter and will not accept the archival recording. As an alternative, the National Library of Australia has accepted the archival record.</p> <p>On 30 July 2020, Finance wrote to DCCEEW confirming that the National Library of Australia has accepted the archival record and that this record is available to the public through its Trove online portal (refer to: https://nla.gov.au/nla.obj-2638803566/view).</p>
Condition 7	To compensate for the loss of heritage values associated with the action, the approval holder must prepare and implement a GSM research plan in consultation with the ACT Government	Compliant	<p>On 23 October 2019, Finance engaged the ACT Government's Parks and Conservation Service to prepare and implement a GSM Research Plan. The GSM Research Plan intends to bridge the gaps in scientific understanding of active restoration of NTG, a habitat of GSM. The Research Plan includes factors influencing</p>

Condition Number/reference	Condition	Compliance	Evidence/Comments
	<p>Environment, Planning and Sustainable Development Directorate, Parks and Conservation Service. The research plan must address one or more of the research priorities identified in the Conservation Advice for <i>Synemon plana</i> (golden sun moth).</p> <p>The research plan must be submitted to the Minister for approval within 6 months of commencement of the action. The approved research plan must be implemented.</p> <p>The approval holder must contribute \$100,000 to fund activities outlined in the research plan and in accordance with any deadlines prescribed by the research plan.</p>		<p>local scale habitat use and experimental restoration of Chilean Needle Grass dominated grassland.</p> <p>On 1 November 2019, Finance submitted the GSM Research Plan to DCCEEW for approval, prior to the action taking place in early 2020 (within 6 months prior of the commencement of the action). On 5 November 2019, the GSM Research Plan was approved and since been implemented. The GSM Research Plan is available on the Finance website: https://www.finance.gov.au/sites/default/files/2023-03/Golden-Sun-Moth-Research-Plan.pdf</p> <p>Finance, as the approval holder, and the Doma Group, as the new owner of Block 3 Section 22 Barton site, each contributed \$100,000 (a total of \$200,000) to fund the activities in the GSM Research Plan.</p>
Condition 8	To offset for impacts to NTG and GSM habitat (as described in conditions 3-4), the approval holder must submit an offset management plan for the protection of protected matters at the offset site, for the Minister's approval within 12 months of commencement of the action. Once the Minister approves the offset management	Compliant	<p>On 24 July 2020, Finance submitted the Offset Management Plan (OMP) to DCCEEW. This was within the 12-month timeframe of the commencement of the action (early 2020).</p> <p>On 25 July 2022, the OMP was approved by DCCEEW. Finance is implementing the plan and engaged a contractor to undertake the annual monitoring program.</p>

Condition Number/reference	Condition	Compliance	Evidence/Comments
	plan, then the approved offset management plan must be implemented.		On 8 December 2022 the OMP was amended by Finance (grammatical edits and name change for DCCEEW following the Machinery of Government).
Condition 9 (a)	<p>The offset management plan must be consistent with the Department's <i>Environmental Management Plan Guidelines</i>, and must include:</p> <p>a. The offset management plan's environmental objectives relevant to protected matters, and must allow for access to the offset site for scientific research on protected matters;</p>	Compliant	<p>The OMP is consistent with DCCEEW's Environmental Management Plan Guidelines: Environmental Management Plan Guidelines 2014 (dcceew.gov.au).</p> <p>The offset site is under a cattle agistment to reduce biomass accumulation and, as part of our bushfire management strategy, to reduce fire loads. As such, access to the property is by appointment only, however Finance does provide access to the site for scientific research, where required.</p>
Condition 9 (b)	b. A table of where the plan addresses relevant EPBC Act approval conditions;	Compliant	<p>Refer to Table 1, page 8 of the OMP: https://www.finance.gov.au/sites/default/files/2023-03/7360_Block_48_Hall_OMP_Rev10_20230206_Final.pdf</p>
Condition 9 (c)	c. A table of commitments made in the offset management plan to achieve the objectives, and a reference to where the commitments are detailed in the offset management plan;	Compliant	<p>Refer to Section 3.2, Table 3 of the OMP: https://www.finance.gov.au/sites/default/files/2023-03/7360_Block_48_Hall_OMP_Rev10_20230206_Final.pdf</p>

Condition Number/reference	Condition	Compliance	Evidence/Comments
Condition 9 (d)	d. Details of the parties responsible for undertaking management actions;	Compliant	Refer to Table 4 of the OMP: https://www.finance.gov.au/sites/default/files/2023-03/7360_Block_48_Hall_OMP_Rev10_20230206_Final.pdf
Condition 9 (e)	e. Reporting and review mechanisms, and documentation standards to demonstrate compliance with the offset management plan;	Compliant	Refer to Table 9 and 10 of the OMP: https://www.finance.gov.au/sites/default/files/2023-03/7360_Block_48_Hall_OMP_Rev10_20230206_Final.pdf
Condition 9 (f)	f. An assessment of risks to achieving the offset management plan's environmental objectives and risk management strategies that will be applied;	Compliant	Refer to Table 20 of the OMP: https://www.finance.gov.au/sites/default/files/2023-03/7360_Block_48_Hall_OMP_Rev10_20230206_Final.pdf
Condition 9 (g)	g. Impact avoidance, mitigation and/or repair measures, and their timing;	Compliant	Refer to Table 20 of the OMP: https://www.finance.gov.au/sites/default/files/2023-03/7360_Block_48_Hall_OMP_Rev10_20230206_Final.pdf
Condition 9 (h)	h. A monitoring program, which must include: i. measurable performance indicators; ii. trigger values for corrective actions; iii. the timing and frequency of monitoring to detect changes	Compliant	Refer to Table 9 of the OMP: https://www.finance.gov.au/sites/default/files/2023-03/7360_Block_48_Hall_OMP_Rev10_20230206_Final.pdf

Condition Number/reference	Condition	Compliance	Evidence/Comments
	iv. in the performance indicators and trigger values; and proposed corrective actions, if trigger values are reached.		
Condition 9 (i)	(i) Description of long-term funding mechanism for measures outlined in the offset management plan.	Compliant	Finance will fund all costs associated with the implementation and operation of the OMP and maintenance of the offset site for the life of the approval. Finance will be responsible for management actions undertaken in the OMP.
Condition 10	The approval holder must notify the Department in writing of the date of commencement of the action and the date of commencement of each stage of the action within 10 business days after the date of commencement of the action or the relevant stage of the action.	Compliant	On 14 January 2020, Finance wrote to DCCEEW confirming that the proposed action had been completed on Block 3 Section 22, Barton. The letter also confirmed that Block 15 Section 22, Barton, owned by the ACT Government, remained in its original <i>c(offset management site)</i> condition as no clearing was required. The letter outlines the commencement of each stage, with the action commencing on 6 January 2020 and completed by 9 January 2020.
Condition 11	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.	Compliant	Action commenced on 6 January 2020 (within 12 months of the date of the approval), and part of the action was completed on 9 January 2020. The action was only completed on Block 3 Section 22 (owned by the Commonwealth), and not Block 15 Section 22 (owned by the ACT Government).

Condition Number/reference	Condition	Compliance	Evidence/Comments
Condition 12	The approval holder must maintain accurate and complete compliance records.	Compliant	Finance maintains accurate and complete compliance records.
Condition 13	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.	Compliant	Finance will provide DCCEEW with electronic copies of compliance reports, in the specified timeframes, where requested.
Condition 14 (a)	The approval holder must: a. submit plans electronically to the Department for approval by the Minister;	Compliant	Finance will submit any plans requiring approval by DCCEEW electronically.
Condition 14 (b)	b. 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 to in writing by the Minister;	Compliant	Finance will publish approved plans on its website within the required timeframes unless otherwise notified by DCCEEW.

Condition Number/reference	Condition	Compliance	Evidence/Comments
Condition 14 (c)	c. exclude or redact sensitive ecological data from plans published on the website or provided to a member of the public; and	Compliant	Not applicable to date. Finance has not excluded nor redacted any data prior to publication on the website and/or distribution to the public. Finance has confirmed with the ACT Government that no sensitive information is contained within the GSM research plan.
Condition 14 (d)	d. keep plans published on the website until the end date of this approval.	Compliant	Finance will maintain all records and publication on the Finance website as required until this approval end date (31 December 2038).
Condition 15 (a)	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;	Compliant	Finance has prepared and uploaded the compliance report, for this reporting period, to the Finance website
Condition 15 (b)	b. notify the Department by email that a compliance report has been published on the website	Compliant	Finance has notified DCCEEW in writing that this compliance report has been uploaded to the website.

Condition Number/reference	Condition	Compliance	Evidence/Comments
	within five business days of the date of publication;		
Condition 15 (c)	c. keep all compliance reports publicly available on the website until this approval expires;	Compliant	Finance will keep, and maintain, all compliance reports on the website until this approval expires.
Condition 15 (d)	d. exclude or redact sensitive ecological data from compliance reports published on the website; and	Compliant	Not applicable to date. Finance will exclude or redact any sensitive ecological data from the compliance reports published on the website.
Condition 15 (e)	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.	Compliant	No sensitive ecological data has been identified thus we consider this report as full and complete.
Condition 16 (a)	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 must be given as soon as practicable, and no later	Not applicable	Not applicable to date. Finance undertakes to comply with the requirements of this condition when incidents are identified.

Condition Number/reference	Condition	Compliance	Evidence/Comments
	<p>than 10 business days, after becoming aware of the incident or non-compliance. The notification must specify:</p> <p>a. the condition which is or may be in breach; and</p>		
Condition 16 (b)	b. a short description of the incident and/or non-compliance.	Not applicable	Not applicable to date. Finance undertakes to comply with the requirements of this condition when incidents are identified.
Condition 17 (a)	<p>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 20 business days after becoming aware of the incident or non-compliance, specifying:</p> <p>a. any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;</p>	Not applicable	Not applicable to date. Finance undertakes to comply with the requirements of this condition when incidents are identified.
Condition 17 (b)	b. the potential impacts of the incident or non-compliance; and	Not applicable	Not applicable to date. Finance undertakes to comply with the requirements of this condition when incidents are identified.

Condition Number/reference	Condition	Compliance	Evidence/Comments
Condition 17 (c)	c. the method and timing of any remedial action that will be undertaken by the approval holder.	Not applicable	Not applicable to date. Finance undertakes to comply with the requirements of this condition when incidents are identified.
Condition 18	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 to date. Finance undertakes to comply with this condition when requested by the Minister (or delegate).
Condition 19 (a)	For each independent audit, the approval holder must: a. provide the name and qualifications of the independent auditor and the draft audit criteria to the Department;	Not Applicable	Not applicable to date. Finance undertakes to comply with this condition. No requests for an independent audit have been submitted to date.
Condition 19 (b)	b. only commence the independent audit once the audit criteria have been approved in writing by the Department; and	Not Applicable	Not applicable to date. Finance undertakes to comply with this condition. No requests for an independent audit have been submitted to date.
Condition 19 (c)	c. submit an audit report to the Department within the timeframe specified in the approved audit criteria.	Not Applicable	Not applicable to date. Finance undertakes to comply with this condition. No requests for an independent audit have been submitted to date.

Condition Number/reference	Condition	Compliance	Evidence/Comments
Condition 20	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 to date. Finance undertakes to comply with this condition. No requests for an independent audit have been submitted to date.
Condition 21	The approval holder may, at any time, apply to the Minister for a variation to an action management plan approved by the Minister under conditions 7 or 8, 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.	Not Applicable	Not applicable to date. Where a revised OMP is produced, Finance will update this report to reflect the work undertaken during the relevant reporting period.
Condition 22	The approval holder may choose to revise an action management plan approved by the Minister under conditions 7 or 8, or as subsequently revised in accordance with	Not Applicable	Not applicable to date. Where a revised OMP is produced, Finance will update this report to reflect the work undertaken during the relevant reporting period.

Condition Number/reference	Condition	Compliance	Evidence/Comments
	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 be likely to have a new or increased impact.		
Condition 23 (a)	<p>If the approval holder makes the choice under condition 22 to revise an action management plan without submitting it for approval, the approval holder must:</p> <ul style="list-style-type: none"> a. notify the Department in writing that the approved action management plan has been revised and provide the Department with: <ul style="list-style-type: none"> i. an electronic copy of the RAMP; ii. an electronic copy of the RAMP marked up with track changes to show the differences between the approved action management plan and the RAMP; iii. an explanation of the differences between the approved action management plan and the RAMP; 	Not Applicable	Not applicable to date. Where a revised OMP is produced, Finance will update this report to reflect the work undertaken during the relevant reporting period.

Condition Number/reference	Condition	Compliance	Evidence/Comments
	iv. 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 v. 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.		
Condition 23 (b)	b. subject to condition 25, implement the RAMP from the RAMP implementation date.	Not Applicable	Not applicable to date. Finance will ensure that if a RAMP is approved that it will be implemented from the agreed implementation date.
Condition 24	The approval holder may revoke its choice to implement a RAMP under condition 22 at any time by giving written notice to the Department. If the approval holder revokes the choice under condition 22, the approval holder must implement the previous action	Not Applicable	Not applicable to date. Finance will notify DCCEEW should the choice to implement a RAMP be revoked.

Condition Number/reference	Condition	Compliance	Evidence/Comments
	management plan approved by the Minister.		
Condition 25 (a)	<p>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:</p> <p>a. condition 22 does not apply, or ceases to apply, in relation to the RAMP; and</p>	Not Applicable	Not applicable to date. Where a revised OMP is produced, and identifies a new or increased impact, Finance will update and submit this report to DCCEEW for approval.
Condition 25 (b)	b. the approval holder must implement the action management plan specified by the Minister in the notice.	Not Applicable	Not applicable to date. Finance will implement the action management plan where notified by the Minister.
Condition 26	At the time of giving the notice under condition 25, the Minister may also notify that for a specified period of time, condition 22 does not apply for one or more specified action management plans.	Not Applicable	Noted.

Condition Number/reference	Condition	Compliance	Evidence/Comments
Condition 27	Within 30 days after the completion of the action, the approval holder must notify the Department in writing and provide completion date.	Compliant	Finance will notify DCCEEW, in writing, when the action has been completed.
Condition 28	Definitions	Not Applicable	The definitions provide context for the approval conditions and can be located at Appendix A.