

# Compliance Report

15 March 2024 to 15 March 2025 (2024-25)

HM Prison Barwon New High Security Unit, Lara, Victoria (EPBC  
2014/7274)

Department of Justice and Community Safety (DJCS)



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## 1. Report details

### 1.1 Declaration of Accuracy

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. 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.

Signed:

Full Name: **Melissa Westin**

Position: **Deputy Commissioner Custodial Operations, Corrections and Justice Services**

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

Date: **12/5/2025**

### 1.2 EPBC Act Approval details

Approval number	2014/7274
Approval holder	Department of Justice and Community Safety (DJCS) (formerly Department of Justice and Regulation)
ABN	32 790 228 959
Approved action	To construct and operate a new High Security Unit (HSU) adjacent to the existing HM Barwon Prison located at Bacchus Marsh Geelong Road, Lara, Victoria [See EPBC Act referral 2014/7274]

## 1.3 Report details

### 1.3.1 Reporting period

This report covers the reporting period from 15 March 2024 to 15 March 2025.

### 1.3.2 Date of report

The date of this report is 08 January 2025.



## 2. Document information

### Document details

Criteria	Details
<b>Document title:</b>	HM Prison Barwon New High Security Unit, Lara, Victoria (EPBC 2014/7274) Compliance Report – 15 March 2024 to 15 March 2025 (2024-25)
<b>Document owner:</b>	Governance and Assurance, Corporate Services and Infrastructure

### Version control

Version	Date	Description	Author
1.0	08 01 25	Final	Akash Samuel

### Document preparation

This document was prepared by the following:

Name	Title	Organisation
Akash Samuel	Senior Advisor - Environment and Approvals	Department of Justice and Community Safety

### 3. Approval conditions compliance

#### 3.1 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.

#### 3.2 Compliance table

Table 1: Approval conditions compliance

Condition no.	Approval condition	Is the project compliant with this condition?		Evidence/Comments
		Compliant/Non-compliant	Complete/Outstanding	
1	To offset the loss of Natural Temperate Grassland of the Victorian Volcanic Plain and potential Golden Sun Moth habitat, the approval holder must secure, protect and manage no less than 3.40 hectares of Natural Temperate Grassland of the Victorian Volcanic Plain and 3.86 hectares of Golden Sun Moth habitat. The nominated property is located at 833 Pura Road, Darlington, Victoria, (the Terrinalum South Offset) as specified in the offset management plan. The Terrinalum South Offset must be protected pursuant to a statutory agreement made under section 69 of the Conservation Forests and Lands Act 1987 (Vic) or section 173 of the Planning and Environment Act 1987 (Vic). The statutory agreement must contain covenants protecting the Natural Temperate Grassland of the Victorian Volcanic Plain and Golden Sun Moth within the Terrinalum South Offset against inconsistent use and development, and must be registered on	Compliant	Complete	The Department of Justice and Community Safety (DJCS) submitted evidence of lodgement of the agreement with the Registrar of Titles and a copy of the title to the Department on the 30 <sup>th</sup> of September 2015.



Condition no.	Approval condition	Is the project compliant with this condition?		Evidence/Comments
		Compliant/Non-compliant	Complete/Outstanding	
	title. Evidence of lodgement of the agreement with the Registrar of Titles must be provided to the Department within 90 days of the commencement of the action or within the period agreed to in writing by the Minister.			
2	The approval holder must ensure that the Terrinalum South Offset is managed in a manner consistent with the offset management plan for a period not less than 10 years from the date of lodgement of the agreement with the Registrar of Titles.	Compliant	Complete	The Terrinalum South Offset is managed in a manner consistent with the offset management plan as demonstrated in the offset monitoring reports which have been submitted to the Department. The last round of monitoring reports was submitted to the Department via email on the 3 October 2024.
3	Within 10 days after the commencement of the action, the approval holder must advise the Department in writing of the actual date of commencement.	Compliant	Complete	The action commenced on the 12 March 2015, Department of Justice and Community Safety have notified the Department of commencement of the action via email on the 12 March 2015.
4	The approval holder must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the Offset Management Plan required by this approval, and make them available upon request to the Department. Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the Department's website. The results of audits may also be publicised through the general media.	Non-Compliant	Complete	Given non-compliance with condition 5 and 10, DJCS is non-compliant with this condition.  DJCS have implemented an approval tracking system to prevent future oversights.

Condition no.	Approval condition	Is the project compliant with this condition?		Evidence/Comments
		Compliant/Non-compliant	Complete/Outstanding	
5	Within three months of the 1 <sup>st</sup> , 3 <sup>rd</sup> , 7 <sup>th</sup> and 10 <sup>th</sup> anniversary of the commencement of the action, the approval holder must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of the offset management plan as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published.	Non-complaint	Complete	DJCS is non-compliant with this condition and have failed to prepare and publish compliance reports for 1 <sup>st</sup> , 3 <sup>rd</sup> and 7 <sup>th</sup> anniversary from the commencement of the action. This report aims to satisfy the final compliance report for year 10.  DJCS have implemented an approval tracking system to prevent future oversights.
6	Upon the direction of the Minister, the approval holder must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.	Not applicable	Not applicable	Not applicable
7	If the approval holder wishes to carry out any activity otherwise than in accordance with the offset management plan as specified in the conditions, the approval holder must submit to the Department for the Minister's written approval a revised version of that offset management plan. The varied activity shall not commence until the Minister has approved the varied offset management plan in writing. If the Minister approves the revised offset management plan, that offset management plan must be implemented in place of the offset management plan originally approved.  Note: The Minister will not approve a varied management plan unless the revised management plan would result in an equivalent or improved environmental outcome over time.	Not applicable	Not applicable	Not applicable
8	If the Minister believes that it is necessary or convenient for the better protection of listed threatened species and ecological	Not applicable	Not applicable	Not applicable



Condition no.	Approval condition	Is the project compliant with this condition?		Evidence/Comments
		Compliant/Non-compliant	Complete/Outstanding	
	communities to do so, the Minister may request that the approval holder make specified revisions to the offset management plan specified in the conditions and submit a revised offset management plan for the Minister's written approval. The approval holder must comply with any such request. The revised approved offset management plan must be implemented. Unless the Minister has approved the revised offset management plan, then the approval holder must continue to implement the offset management plan originally approved, as specified in the conditions.			
9	If, at any time after 5 years from the date of this approval, the approval holder has not substantially commenced the action, then the approval holder must not substantially commence the action without the written agreement of the Minister.	Not applicable	Not applicable	Not applicable
10	Unless otherwise agreed to in writing by the Minister, the approval holder must publish the offset management plan referred to in these conditions of approval on their website. The offset management plan must be published on the website within 1 month of this decision.	Non-compliant	Complete	<p>The Terrinalum South Offset is managed in accordance with an Offset Management Plan approved by the Department. However, DJCS cannot locate evidence that the Offset Management Plan was published on a DJCS website within 1 month of the decision. The Offset Management Plan has been published on the DJCS website.</p> <p>DJCS have prepared an approval tracker system to prevent future oversights.</p>





#### **4. New environmental risks**

Not applicable.

#### **5. Other information**

Not applicable.