



Australian Government
Department of Finance

Annual Compliance Report (2025) Block 48, Wallaroo Road, Hall, ACT

EPBC Act Approval 2017/8028

Document Preparation and Control	Document Review
Compliance Report No. 3 (2025)	28 March 2025

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 27 conditions (**conditions**) under the EPBC Act. The 2025 Annual Compliance Report is reflective of the findings from the audit undertaken by DCCEEW between 11 December 2023 and 23 July 2024, which found:

- **compliance** with 12 conditions
- **non-compliance** with 4 conditions
- a finding of **not applicable** for 11 conditions.

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 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 map below shows the location of the GSM habitat prior to the site being cleared.

Map 1: Barton site - GSM habitat prior to the site been cleared



Image Source: Environment and Planning Directorate, ACT Government (2016)

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1:2 000

Legend

- Study Area
- High Quality GSM Habitat
- Moderate - Disturbed Quality GSM Habitat
- Low Quality GSM Habitat
- ✦ Female GSM Points

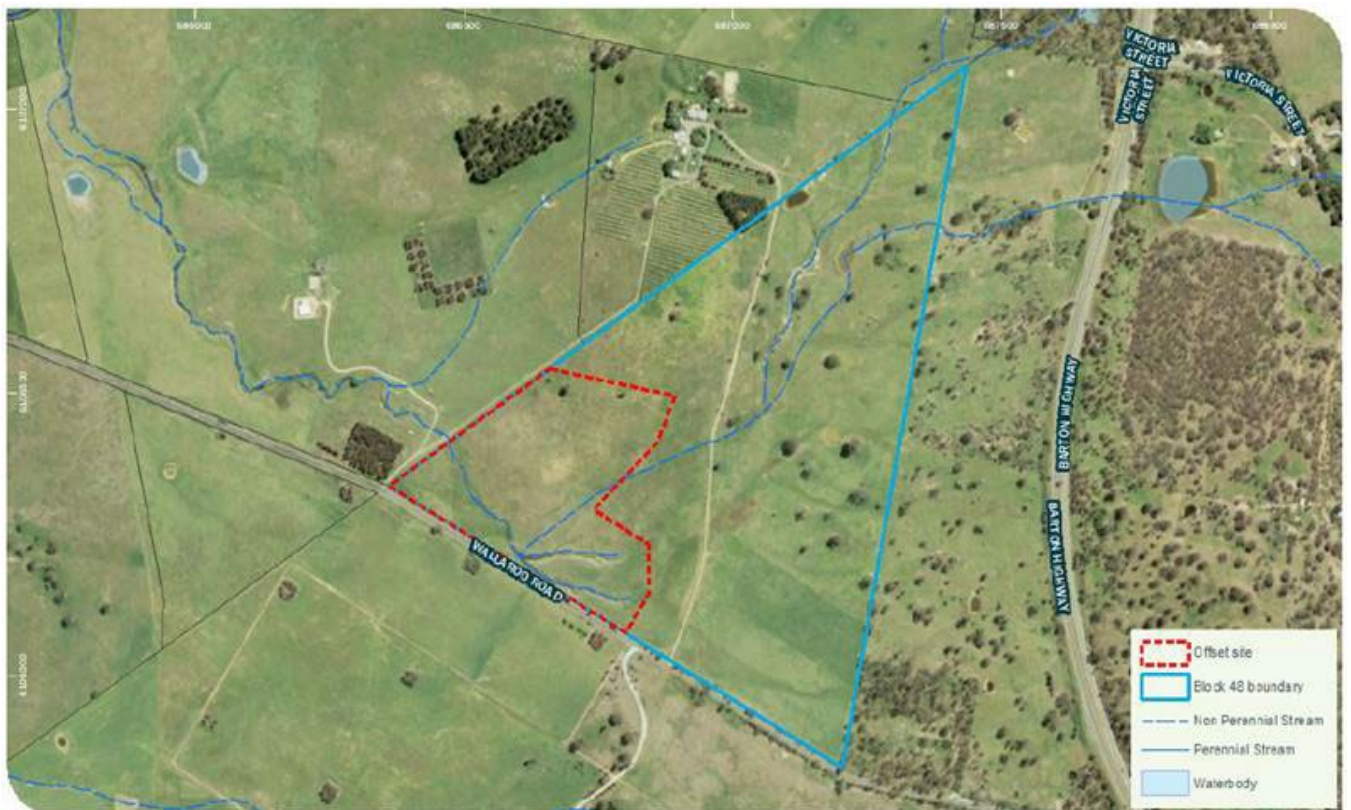
3. Background: Block 48, Wallaroo Road, Hall, ACT

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 was 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, ACT in line with approved EPBC compliance conditions.

Map 2: 12.7 hectare offset area at Block 48, Wallaroo Road, Hall, ACT



4. 2023-24 DCCEEW Audit

A desktop audit was undertaken by DCCEEW between 11 December 2023 and 23 July 2024 on the compliance of conditions and requirements of the EPBC 2017/8028 approval. The compliance audit found that Finance demonstrated:

- **Compliance** with 12 conditions (refer to conditions of compliance below).
- **Non-compliance** with 4 conditions (refer to conditions of compliance below).
- **Not applicable** for 11 conditions (refer to conditions of compliance below).

To address the 4 non-compliant conditions, Finance is:

- Continuing to work with its consultants and its Property Service Provider to ensure compliance with the requirements and conditions of the approval.
- Working on a revision of the Offset Management Plan (OMP) 2025. The first draft of the revised plan will be provided to DCCEEW for feedback.
- Continuing to compile historic documentation in relation to the identified management actions and conditions, to provide to DCCEEW.

Overall, Finance notes that the offset site is managed to a very high standard, however future improvements in record keeping and reporting to DCCEEW needs further improvement.

During the 2023-24 audit Finance extended an invitation to the DCCEEW Audit Team to visit the offset site.

More information on the DCCEEW Audit Program can be found at: [Audit program - EPBC Act approvals - DCCEEW](#).

5. Conditions of Approval Compliance

Part A – Conditions specific to the Action

Impacts

Condition Number/reference	Condition	Compliance	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	On 14 January 2020, Finance wrote to DCCEEW, confirming that Finance had completed the proposed action for Block 3, Section 22 Barton, ACT. This notification included photographic evidence. The adjoining land parcels were not impacted by the action.
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	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. Prior to the action taking place, on 6 January 2020, the property was fenced following the action for safety and security reasons.

Compensation Matters

Condition Number/reference	Condition	Compliance	Comments
Condition 3	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. Note: Offset areas for NTG and GSM habitat may overlap as required.	Compliant	Block 48, Wallaroo Road, Hall, ACT is 12.7 ha, and of that area 2.62 ha is NTG and GSM. Finance can confirm that Block 48, Wallaroo Road, Hall, ACT is currently zoned as 'NUZ3: Hills, Ridges and Buffer Areas' which prevents the area from being developed. The site is located on National Land and therefore cannot be secured under the <i>ACT Planning and Development Act 2007</i> . In September 2023, DCCEEW approved a variation to the National Capital Plan as a suitable legal mechanism to secure the offset site, which is currently being progressed by Finance. However, during the 2023-24 audit undertaken by DCCEEW it was established that the previous approval was not provided by the appropriate delegate within DCCEEW. Subsequently, Finance wrote to DCCEEW in August 2024 to obtain approval from the appropriate delegate. In January 2025, DCCEEW endorsed Finance's proposed legal mechanism to securing the offset site via the National Capital Plan.
Condition 4	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. Note: Offset areas for NTG and GSM habitat may overlap as required.	Compliant	As above.

Condition Number/reference	Condition	Compliance	Comments
Condition 5	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.	Compliant	As above. Also to note under this condition, on 18 October 2019, Finance wrote to DCCEEW, advising that Block 48, Wallaroo Road, Hall, ACT had been secured by retaining ownership in its entirety. Finance has continued to retain ownership and prevent the development of the site.
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: Golden Sun Moth Archival Record Department of Finance</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 (obj-2638803566) and that this record is available to the public through its Trove online portal: Archival record of golden sun moth research : York Park Conservation Area, Barton ACT : final</p>
Condition 7	<p>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 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>	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 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: Golden Sun Moth Research Plan.</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> <p>In May 2023, the ACT Government Parks and Conservation Service (Environment, Planning and Sustainable Development Directorate) concluded the GSM restoration project and prepared the final report in accordance with the approved GSM Research Plan.</p>

Condition Number/reference	Condition	Compliance	Comments
	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.		
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 plan, then the approved offset management plan must be implemented.	Non - 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> <p>The implementation of the OMP commenced on 1 July 2020. Finance has, through its outsourced Property Service Provider, appointed a Facility Manager and has long-term contracts with ecologists and land maintenance consultants to ensure the management actions outlined in the OMP are implemented.</p> <p>However, the 2023-2024 DCCEEW audit found Finance to be non-compliant in relation to this condition as 8 of the 21 management actions included in the OMP were not fully implemented. Refer to: Offset Management Plan</p>
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 (dceew.gov.au).</p> <p>Finance has implemented access protocols with its property service provider to facilitate access to the site the offset site for scientific research on protected matters.</p> <p>On 11 October 2023, Finance granted access to the site to the ACT Government Office of Nature Conservation to undertake a citizen science program called the Canberra Urban Biodiversity Surveys.</p>
Condition 9 (b)	b. A table of where the plan addresses relevant EPBC Act approval conditions;	Compliant	Refer to Table 1, page 8 of the OMP: Offset Management Plan
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	Refer to Section 3.2, Table 3 of the OMP: Offset Management Plan
Condition 9 (d)	d. Details of the parties responsible for undertaking management actions;	Compliant	Refer to Table 4 of the OMP: Offset Management Plan
Condition 9 (e)	e. Reporting and review mechanisms, and documentation standards to	Compliant	Refer to Table 9 and 10 of the OMP: Offset Management Plan

Condition Number/reference	Condition	Compliance	Comments
	demonstrate compliance with the offset management plan;		
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: Offset Management Plan
Condition 9 (g)	g. Impact avoidance, mitigation and/or repair measures, and their timing;	Compliant	Refer to Table 20 of the OMP: Offset Management Plan
Condition 9 (h)	h. A monitoring program, which must include: <ul style="list-style-type: none"> i. measurable performance indicators; ii. trigger values for corrective actions; iii. the timing and frequency of monitoring to detect changes in the performance indicators and trigger values; and iv. proposed corrective actions, if trigger values are reached. 	Compliant	Refer to Table 9 of the OMP: Offset Management Plan
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 condition at the time. 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.	Not applicable	The action commenced on 6 January 2020 following Finance receiving approval on 21 February 2019, which occurred within 12 months of the date of the approval. 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	Comments
Condition 12	The approval holder must maintain accurate and complete compliance records.	Non - Compliant	<p>The 2023-2024 DCCEEW audit found Finance to be non-compliant in relation to this condition. While Finance has provided all documentation as requested by DCCEEW, the following documents have not yet been provided:</p> <ul style="list-style-type: none"> • annual works plan for Year 2; • annual report for Year 2 based on quarterly inspections; and • a copy of the burn plan, including information on the sites that have been burnt/will be burnt, and the results of the burns. <p>Finance is continuing to locate historic documentation in relation to the identified management actions and conditions. Finance will continue to work with the DCCEEW and provide historic correspondence once located. Finance has initiated stronger file management controls.</p>
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.	Non - Compliant	As above.
Condition 14 (a)	The approval holder must: a. submit plans electronically to the Department for approval by the Minister;	Compliant	<p>Finance has obtained approval for all relevant plans by the Minister.</p> <p>On 1 November 2019, Finance wrote to DCCEEW seeking approval for the GSM Research Plan. The plan was approved by a delegate of the Minister on 5 November 2019.</p> <p>On 7 July 2020, Finance wrote to DCCEEW seeking approval for the OMP. The plan was approved by a delegate of the Minister in July 2020.</p>
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	<p>Finance has published the approved plans on its website within the required timeframes.</p> <p>GSM Research Plan: Golden Sun Moth Research Plan</p> <p>OMP: Offset Management Plan</p>
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	Not applicable to date	<p>Finance has not excluded nor redacted any data prior to publication on the website and/or distribution to the public.</p> <p>Finance has confirmed with the ACT Government that no sensitive information is contained within the GSM Research Plan.</p>
Condition 14 (d)	d. keep plans published on the website until the end date of this approval.	Compliant	Finance will maintain and publish the most up-to-date versions of each plan on the Finance website until 31 December 2038.
Condition 15 (a)	The approval holder must prepare a compliance report for each 12 month period following the date of	Compliant	Finance has prepared and uploaded the 2023, 2024 and 2025 Compliance Reports to the Finance website: Annual Compliance Reports Department of Finance

Condition Number/reference	Condition	Compliance	Comments
	<p>commencement of the action, or as otherwise agreed to in writing by the Minister. The approval holder must:</p> <p>a. publish each compliance report on the website within 60 business days following the relevant 12 month period;</p>		
Condition 15 (b)	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;	Compliant	<p>Finance will notify DCCEEW of the publication of this report on the Finance website within five business days from the date of publication.</p> <p>On 26 March 2024, Finance notified DCCEEW of the publication of the 2024 Annual Compliance Report on the Finance website within five business days of publication.</p>
Condition 15 (c)	c. keep all compliance reports publicly available on the website until this approval expires;	Compliant	<p>Finance has published and will continue to maintain all compliance reports on the Finance website until 31 December 2038: Annual Compliance Reports Department of Finance</p>
Condition 15 (d)	d. exclude or redact sensitive ecological data from compliance reports published on the website; and	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.	Not applicable to date	No sensitive ecological data has been identified thus we consider this report as full and complete.
Condition 16 (a)	<p>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 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>	Not applicable to date	Finance undertakes to comply with the requirements of this condition when incidents are identified.

Condition Number/reference	Condition	Compliance	Comments
Condition 16 (b)	b. a short description of the incident and/or non-compliance.	Not applicable to date	Finance undertakes to comply with the requirements of this condition when incidents are identified.
Condition 17 (a)	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: a. any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;	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 to date	Finance undertakes to comply with the requirements of this condition when incidents are identified.
Condition 17 (c)	c. the method and timing of any remedial action that will be undertaken by the approval holder.	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 to date	As prescribed by the approved OMP, Finance is to commission an independent audit of its compliance with the conditions of approval by a qualified ecologist at the end of each 5-year management period until performance criteria for NTG and GSM has been met. Finance is seeking confirmation from DCCEEW regarding if an independent audit is still required in FY25-26, given DCCEEW undertook an independent audit in 2023-24.
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 to date	As above.
Condition 19 (b)	b. only commence the independent audit once the audit criteria have been approved in writing by the Department; and	Not applicable to date	As above.

Condition Number/reference	Condition	Compliance	Comments
Condition 19 (c)	c. submit an audit report to the Department within the timeframe specified in the approved audit criteria.	Not applicable to date	As above
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 to date	As above
Condition 21	<p>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.</p> <p>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.</p>	Not applicable to date	<p>Finance will submit an application to the Minister for any variations to a plan that may have a new or increased impact.</p> <p>Finance submitted an application to the Minister for approval of a variation to GSM Research Plan. The authorised delegate of the Minister approved the revised GSM Research Plan on 5 November 2019.</p> <p>On 31 May 2022, Finance submitted an application to the Minister for approval of a variation to the OMP. The authorised delegate of the Minister approved the revised OMP on 25 July 2022.</p>
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 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.	Compliant	On 6 February 2023, Finance revised the approved OMP in collaboration with DCCEEW.
Condition 23 (a)	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:	Non - Compliant	The 2023-2024 DCCEEW audit found Finance to be non-compliant in relation to this condition as Finance did not notify DCCEEW of the minor changes made to the Offset Management Plan on 6 February 2023, and DCCEEW viewed the amendments to be regarded as a revised plan.

Condition Number/reference	Condition	Compliance	Comments
	<p>a) notify the Department in writing that the approved action management plan has been revised and provide the Department with:</p> <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; 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. 		Finance will work closer with DCCEEW going forward, notifying them of any change to the OMP.
Condition 23 (b)	b) subject to condition 25, implement the RAMP from the RAMP implementation date.	Compliant	Finance implemented the revised OMP on the 6 February 2023.
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 management plan approved by the Minister.	Not applicable to date	Finance will notify DCCEEW should the choice to implement a RAMP be revoked.
Condition 25 (a)	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	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 Number/reference	Condition	Compliance	Comments
	likely to have a new or increased impact, then: a. condition 22 does not apply, or ceases to apply, in relation to the RAMP; and		
Condition 25 (b)	b. the approval holder must implement the action management plan specified by the Minister in the notice.	Not applicable to date	Finance will implement the action management plan when 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 to date	Finance will give notice under condition 25 if it does not apply for one or more specified action management plans.
Condition 27	Within 30 days after the completion of the action, the approval holder must notify the Department in writing and provide completion date.	Not applicable to date	Finance will notify DCCEEW upon the expiration of the approval on 31 December 2038.