

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

Select Committee on Estimates 2023-2024

**Inquiry into Appropriation Bill 2023-2024 and
Appropriation (Office of the Legislative
Assembly) Bill 2023-2024**

Recommendation 55 Response

**Presented by
Yvette Berry MLA
Minister for Homes and New Suburbs
May 2025**

I present the results of the Commonwealth Department of Climate Change, Energy, the Environment and Water (DCCEEW) compliance audit of the Ginninderry Joint Venture's (Ginninderry JV) *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) development conditions in response to Recommendation 55 from the ACT Legislative Assembly Select Committee on Estimates 2023-2024 that *"the ACT Government immediately update the Legislative Assembly on the findings of the Commonwealth Government's review into compliance of the Ginninderry Joint Venture with the Environment Protection and Biodiversity Conservation Act 1999 (Cth)."*

Riverview Projects are the EPBC Act approval holder on behalf of the Ginninderry JV, the Strategic Assessment agreement was signed on 24 June 2024.

Riverview Projects undertook to submit an annual report demonstrating compliance in addition to audited Program Reports and Review Reports every five years.

The first Program Report was completed in June 2022. This report identified four minor, administrative non-conformances with the Ginninderry JV's EPBC Act development conditions. The Ginninderry JV have consistently reported these non-conformances in their annual reporting.

In April 2024, DCCEEW notified Riverview that they were undertaking a development condition compliance investigation.

In September 2024 DCCEEW provided Riverview with a draft of their compliance review for comment. DCCEEW had identified six non-conformances, two further than the four that had previously been audited and reported. Riverview appealed against the additional two non-conformances. In November 2024 DCCEEW provided their final determination and upheld five of the non-conformances and issued Riverview Projects with a formal infringement notice.

It is important to note that the non-conformances are administrative in nature and not related to environmental damage.

Riverview Projects and the Ginninderry JV have committed to ensure that there will be no further non-compliance to their EPBC Act development conditions.