

Attachment 2**For Public Notice via Internet****REASONS FOR DECISION UNDER ENVIRONMENT EFFECTS ACT 1978****Title of Proposal:** Youth Justice Redevelopment Project, Cherry Creek**Proponent:** The Department of Justice and Regulation**Description of Project:**

The Department of Justice and Regulation (DJR) are proposing to construct a new Youth Justice Centre (YJC) at Cherry Creek, 20 km south west of Werribee to address demonstrated capacity constraints at existing youth justice facilities in Parkville and Malmsbury. The proposed facility will provide 224 beds for remand and sentenced clients, a 12 bed mental health unit and an intensive supervision unit of at least 8 beds (with an option to expand it in the future). The proposed YJC will occupy approximately 37 ha of an 83 ha site, and is bounded by buffers from surrounding land-uses including an existing quarry, a future quarry site, the Wyndham Refuse facility and a broiler farm.

Decision:

The Minister for Planning has decided that an environment effects statement (EES) is not required, subject to the following conditions, for the Youth Justice Centre (YJC) at Cherry Creek, as described in the referral accepted on 13 November 2017.

- 1) An environmental report based on the final design for the YJC facility and ancillary infrastructure is to be completed by the proponent to the satisfaction of the Minister for Planning prior to the commencement of works. The report must document the potential impacts from the final design of the YJC facility and ancillary infrastructure based on the results of the targeted surveys, due diligence investigations, the amount of vegetation clearing, and risks related to construction and operation of the YJC facility.
- 2) An environmental management framework (EMF), based on the environmental report, is to be completed by the proponent to the satisfaction of the Minister for Planning prior to the commencement of works. The EMF must provide the measures to reduce environmental and amenity effects, including the environmental performance requirements for the project.

Reasons for Decision:

- The project has potential for significant environmental effects on biodiversity values, in particular:
 - The removal of up to 29 ha of endangered Low-rainfall Plains Grassland, which meets the criteria for the threatened Western (Basalt) Plains Grasslands Community (under the *Flora and Fauna Guarantee Act 1988* (FFG Act)) and the critically endangered Natural Temperate Grassland of the Victorian Volcanic Plain (NTGVVP) ecological community (under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act)).
 - The loss of potential habitat across the site for threatened species listed under the EPBC Act and FFG Act (Button Wrinklewort *Rutidosis leptorhynchoides*, Clover Glycine *Glycine latrobeana*, Large-headed Fireweed *Senecio macrocarpus*, Matted Flax-lily *Dianella amoena*, Golden Sun Moth *Synemon plana*, and Striped Legless Lizard *Delma impar*).
- The extent of the likely effects and necessary mitigation measures are not able to be confirmed until the design of the YJC facility and ancillary infrastructure is finalised, together with further targeted surveys. The conditions set out through this decision provide the most appropriate means for examining these biodiversity effects and the adequacy of the measures to avoid and mitigate impacts in the context of the relevant approvals processes.
- Other residual potential effects should be readily addressed through respective statutory requirements, including under the *Aboriginal Heritage Act 2006*, *Environment Protection Act 1970* and *Planning and Environment Act 1987*.

Date of Decision: 6 December 2017