

# Modern Slavery Statement

Cross Yarra Partnership  
(ABN 57 956 065 885)

**Financial Year**  
**2023**



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# Identifying the entity

This Modern Slavery Statement (**Statement**) is made by Cross Yarra Partnership (ABN 57 956 065 885) (CYP) and relates to the financial year 1 July 2022 to 30 June 2023 (**Reporting Period**).

CYP is a Reporting Entity for the purposes of the Modern Slavery Act 2018 (Cth).

CYP is committed to having a robust framework and processes in place to minimise the risk of modern slavery in its business operations and supply chains and to continuous improvement, as set out further in this Statement.

# Structure, operations and supply chains

## Structure

CYP is a special purpose vehicle, formed to enter into a Project Agreement with the Minister for Transport Infrastructure on behalf of the Crown in right of the State of Victoria (**the State**) to deliver the Metro Tunnel (Tunnel and Stations PPP) (**MTP PPP**) as part of the Metro Tunnel Project in Melbourne, Victoria (**Project Agreement**).

CYP is a partnership between 4 equity partners, with interests in CYP held as detailed below:

CYP does not own or control any other entities and does not have any employees.

CYP has engaged a Lendlease entity, Capella Management Services Pty Limited (ACN 127 727 842) (**CMS**) to provide various services to CYP including contract administration services and staff.

By virtue of this agreement, CYP has the benefit of the LendLease Group systems and processes including its supply chain systems, processes and controls for mitigating modern slavery risk.

CYP's CEO and 12 staff are employed by CMS and seconded to CYP pursuant to secondment agreements (**Secondment**

**Agreements**). CYP's CEO reports to the CYP Partnership Committee, which is made up of partner representatives from each of the 4 equity partners. The CYP secondees in turn, report to the CYP CEO.

The Secondment Agreements require the CEO and CYP secondees to comply with various Lendlease and CYP procedures and policies.

## Operations and supply chains

The Project Agreement sets out CYP's obligations in delivering two 9-kilometre twin tunnels (**Tunnels**), five underground stations (**Stations**), Stations fit-outs, mechanical and electrical systems (**Works**) and provision of maintenance services for a 25-year term for the completed Tunnels and Stations. It also includes obligations relating to the operation of commercial retail opportunities (retail, advertising, ATMs and vending machines) at the Stations.

More information regarding the Metro Tunnel Project and the MTP PPP can be found at <https://metrotunnel.vic.gov.au/>

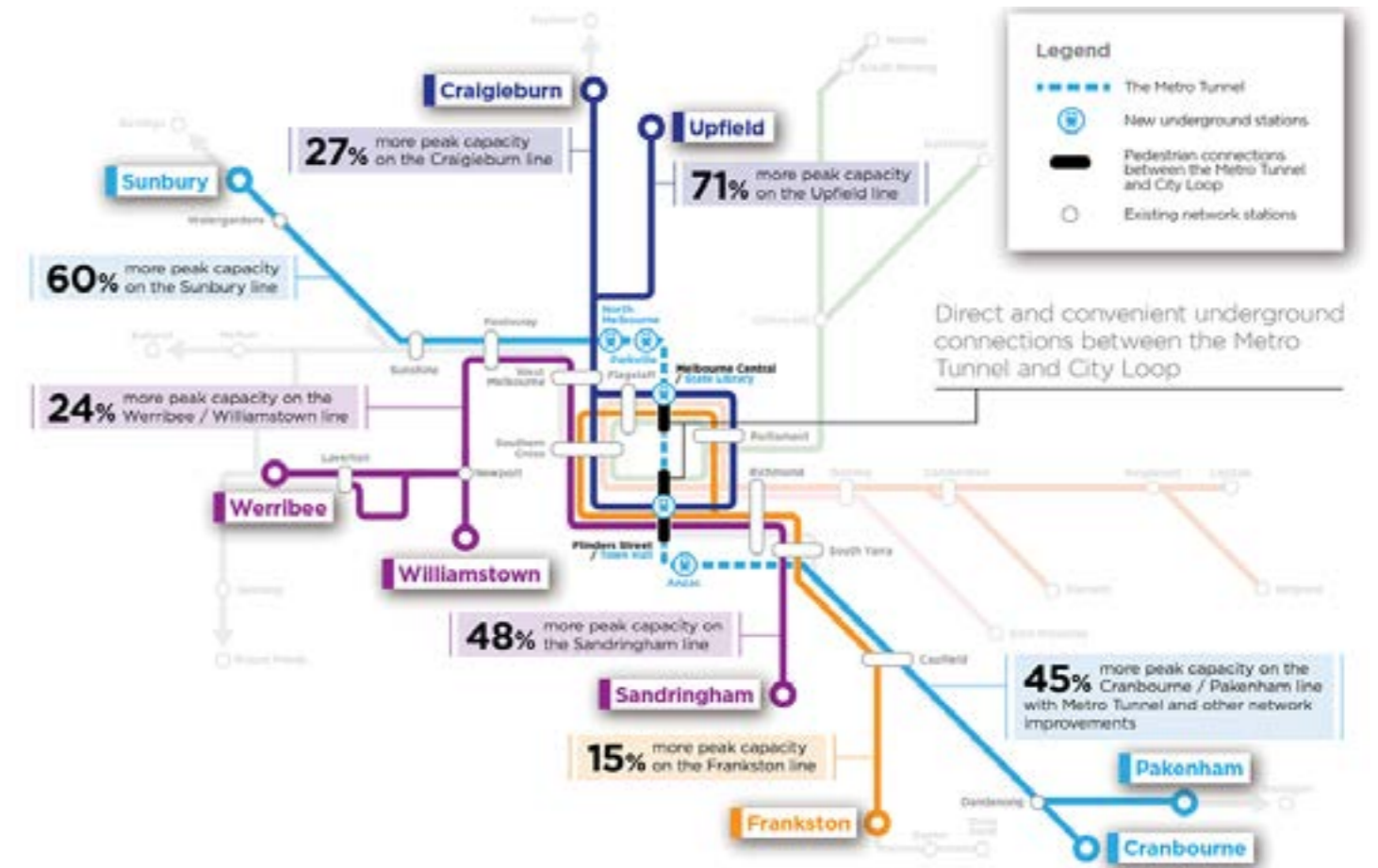
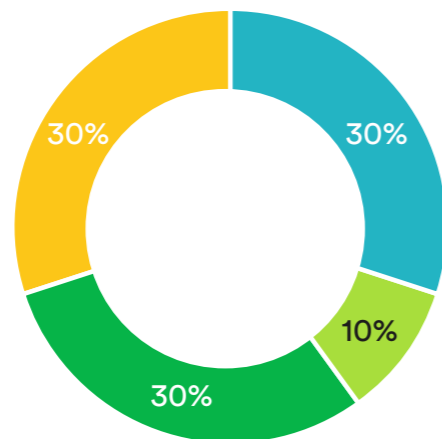
CYP is party to the following key agreements (**Key Agreements**), with parties who are based in Australia, which are the main source of CYP's operations and supply chains:

- **D&C Subcontract** with the unincorporated joint venture comprising Lendlease Melbourne Metro Pty Limited (ABN 24 639 377 030), John Holland Pty Limited (ABN 11 004 282 268) and Bouygues Construction Australia Pty Ltd (ABN 37 144 013 801) (together the **D&C Subcontractor**) to design, supply, construct, install, commission and complete the Works which CYP is required to perform under the Project Agreement.
- **Maintenance Subcontract** with John Holland Pty Ltd (ABN 11 004 282 268) (the **Maintenance Subcontractor**), to carry out certain maintenance services, which include the maintenance and repair of the Tunnels and Stations over a 25-year term (anticipated to commence in 2025) (**Maintenance Services**), which CYP is required to perform under the Project Agreement.
- **Management Services Agreement** with CMS, under which CMS provides services to CYP and Stella MMTS Finance Pty Ltd (ACN 612 094 078) which include:
  - procurement of CYP staff and secondment to CYP;
  - financial reporting, including preparation of monthly reporting, annual financial reports and tax return preparation;
  - facilitating recruitment, establishment of business systems, IT systems and bank accounts, and arranging office space; and
  - executive and compliance support.

In addition, CYP procures services for its business which comprises consultancy services agreements for consultants to assist with our tax, finances and permitted commercial opportunities, and low value procurement for the Metro Tunnel Creative Program, which CYP administer under the MTP PPP. The Metro Tunnel Creative Program largely comprises commissioning and licensing agreements for artists and temporary activations around construction sites.

## CYP Equity Partners FY23

- **Lendlease**  
30% (held via Cross Yarra 1 Pty Ltd in the capacity as trustee of Cross Yarra Trust 1)
- **Bouygues**  
10% (held via Cross Yarra 2 Pty Ltd in the capacity as trustee of Cross Yarra Trust 2)
- **John Laing**  
30% (held via Cross Yarra 3 Pty Ltd in the capacity as trustee of Cross Yarra Trust 3)
- **John Holland**  
30% (held via John Holland (CY) Custodian Pty Ltd in the capacity as trustee of John Holland (CY) Trust)



# Modern slavery risks in our operations and supply chains

In its operations, CYP has adopted various processes of the Lendlease Group including access to the systems and processes of Lendlease Group's modern slavery risk supplier assessment and mitigation measures.

Refer to the [Lendlease Group Modern Slavery Statement FY23](#) for further details

In this Reporting Period, CYP has undertaken a risk assessment of its Key Agreements and considered the following risk factors:

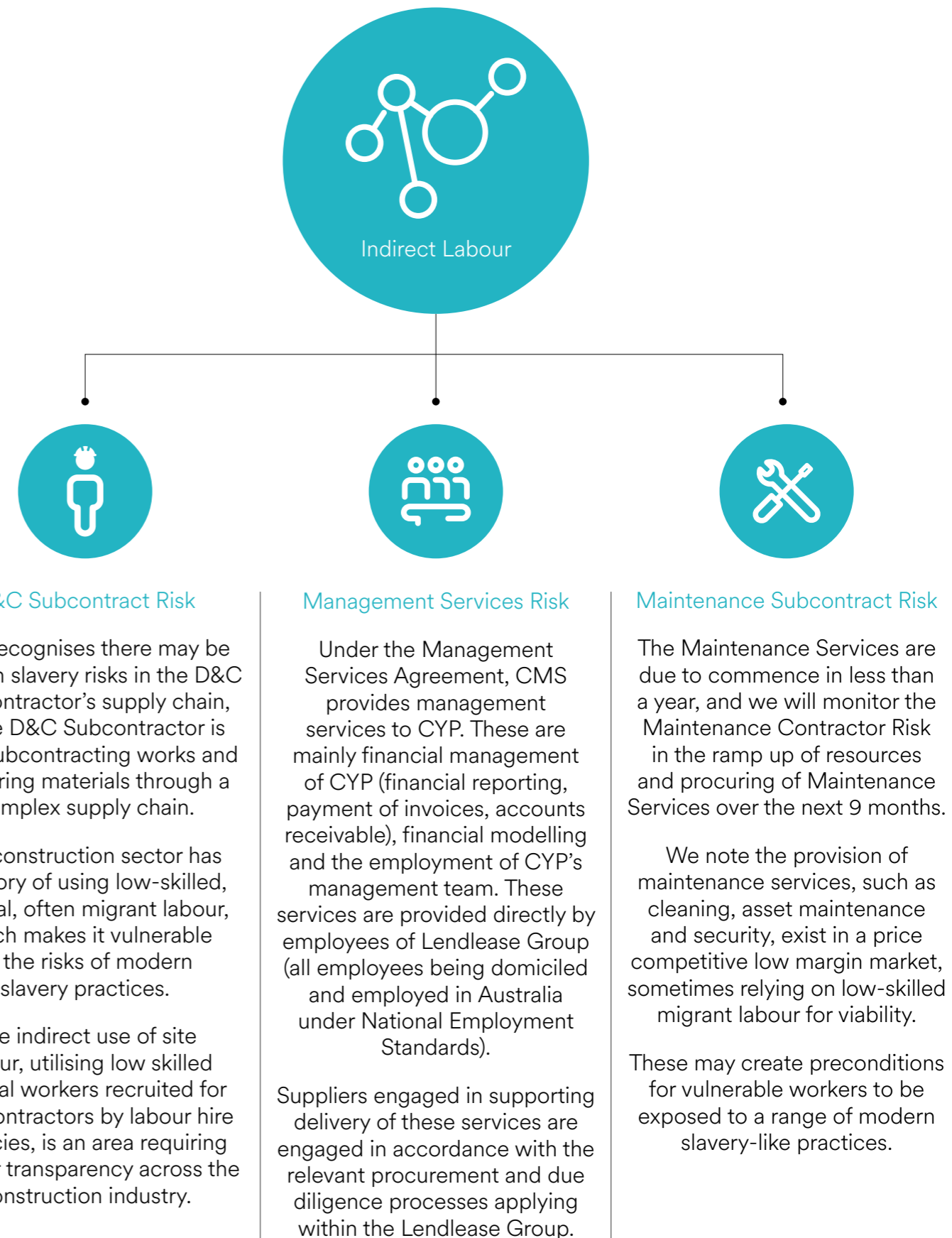
- the industry sector in which its supply chain operates;
- the types of products and services provided; and
- the business models of its key contractors.

The following diagram outlines the three key modern slavery risk areas for CYP:

1. D&C Subcontract Risk;
2. Maintenance Subcontract Risk; and
3. Management Services Agreement Risk.

The following diagram identifies key areas vulnerable to modern slavery risks.

## Modern slavery risks – CYP



# Actions taken including remediation

During the Reporting Period, CYP has worked with the D&C Subcontractor, Maintenance Subcontractor and CMS (**Key Contractors**) to assess their approaches to mitigating modern slavery risk.

In the discharge of CYP's obligations under the Project Agreement, the D&C Subcontractor has been engaged to design, supply, construct, install, commission and complete the Works and the Maintenance Subcontractor has been engaged to perform the Maintenance Services. CMS has been engaged to provide management services to CYP. For further details, refer to the heading above "Our Operations and Supply Chain".

CYP has undertaken the following modern slavery risk mitigation actions:

- engaging with Key Contractors to understand how they are addressing their modern slavery risks by requesting them to complete a Modern Slavery risk due diligence questionnaire. This has included understanding supplier verification procedures and internal policies and

procedures regarding workers' labour conditions and workplace practices;

- using the modern slavery risk due diligence questionnaire responses to inform CYP's risk assessment to identify the requirement for additional risk screening; and
- conducting ongoing assessment of modern slavery risks in respect of CYP's D&C Subcontractor, by monitoring the monthly progress management reports related to the use of resources, industrial relations and workplace health and safety standards.

During the Reporting Period, responses to the modern slavery risk due diligence questionnaire (which are checked by the legal team) have not raised any issues requiring further verification or risk mitigation actions by CYP.

CYP is also taking the following actions to continue to raise awareness of, and mitigate, modern slavery and labour rights risks within its own supply chain:

- the inclusion of template modern slavery risk contract clauses, where appropriate, for agreements entered into by CYP including the inclusion of a modern slavery clause in the CYP standard Professional Services

Agreement, tender documents, and other contracts relating to our Commercial Opportunities (such as leases);

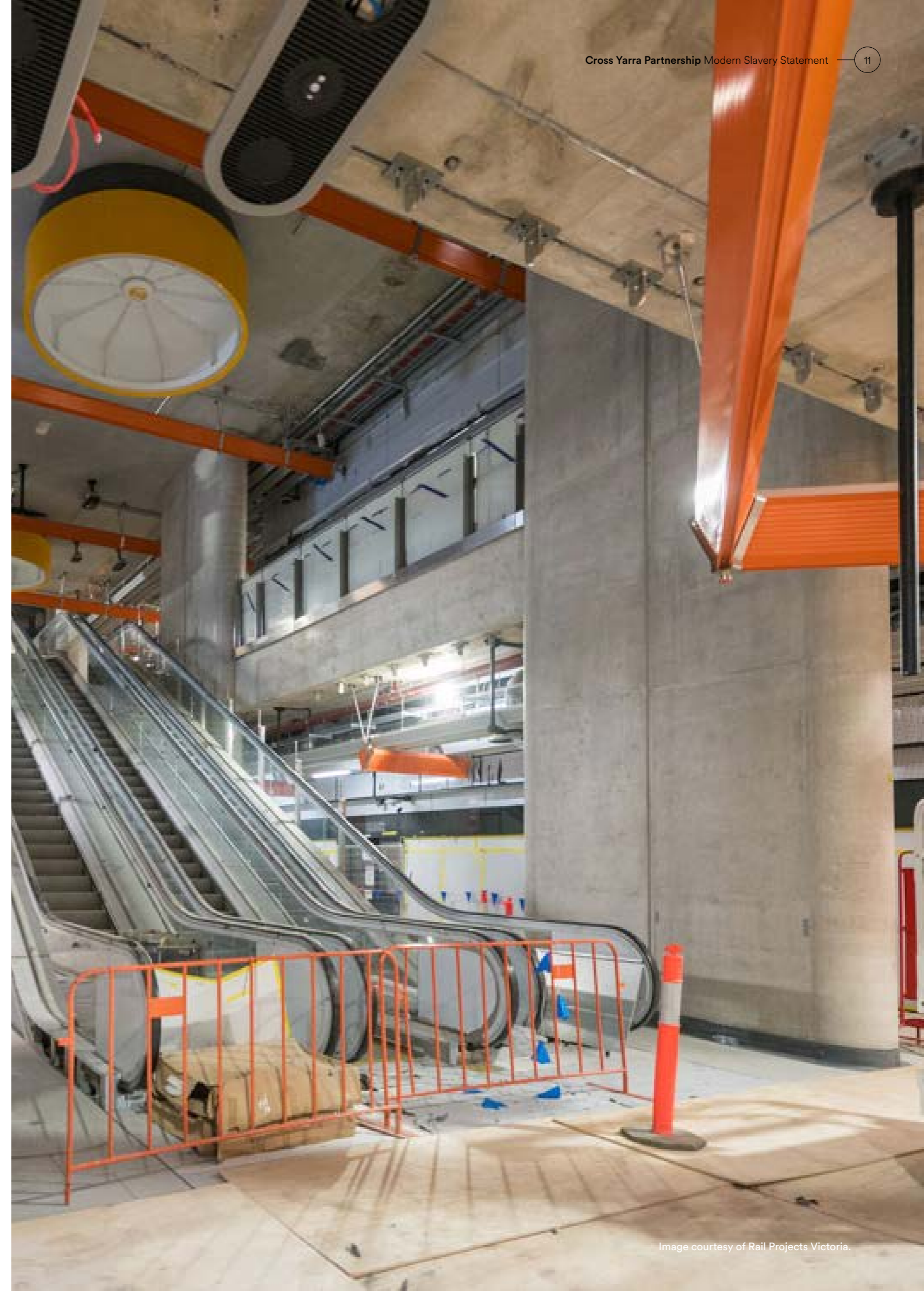
- encouraging CYP's Key Contractors to annually review their policies and procedures in relation to labour rights risks and modern slavery risk issues;
- the inclusion of provisions in the CYP Supplier Code of Conduct (amongst other things):
  - regarding CYP's expectations of suppliers in relation to Modern Slavery risk mitigation measures; and
  - encouraging suppliers to annually review their own policies and procedures in relation to Modern Slavery risks; and
- request CYP suppliers to acknowledge they have read and understood the CYP Supplier Code of Conduct which includes expectations around mitigating modern slavery risk. The CYP Supplier Code of Conduct is an internal document that is applied to the limited set of suppliers and contractors CYP engages.

CYP has also adopted the following Lendlease Group policies: Employee Code of Conduct (including associated policies), 'Environment, Health and Safety and Diversity and Inclusion' policies. It also adopts Lendlease's Human Rights Position Statement, released during the reporting period. Further details may be found on the [Governance](#) page of the Lendlease website. As such, CYP acts ethically and respects fundamental aspects of human rights in conducting its business relationships.

CYP has also completed the following during the Reporting Period:

- staff attendance at various Modern Slavery seminars; and
- an update on Modern Slavery risk to members of the Working Group Meeting by the Commercial and Legal Manager.

CYP also access the Lendlease Ethics Point facility and there were no matters logged specifically for CYP during the Reporting Period.



# Assessing effectiveness of actions taken for mitigating modern slavery risks

The Modern Slavery Working Group is an internal CYP working group who meet each quarter. The group consists of the CEO and representation from the Legal and Commercial Team.

The Modern Slavery Working Group continues to consider the effectiveness of its actions to assess and address modern slavery risks. The Modern Slavery Working Group performs an assessment to identify and assess any new risks that may emerge during CYP's operations and supply chains using its Supplier Risk Assessment Checklist.

The outcome of the assessment is then provided to the CYP Partnership Committee for response monitoring and corrective action. Assessing the requirement for corrective action is determined by the Modern Slavery Working Group.

CYP has created a supplier risk assessment checklist and conducted a Modern Slavery supplier risk assessment of all CYP's suppliers to determine those suppliers who would be required to complete a modern slavery risk due diligence questionnaire for the FY23 reporting period.

As part of its risk assessment, the CYP Commercial and Legal team has also reviewed the list of Suppliers for the Full Year who were paid over \$AU100,000.

The team determined that their inherent modern slavery risk is likely to be low given each supplier is only providing services within Australia, and the majority of the suppliers are providing professional consultancy services. .

Following the supplier risk assessment, CYP has required CYP's Key Contractors to complete the modern slavery risk due diligence questionnaire to improve CYP's understanding of their supply chains and to understand how they are addressing their modern slavery risks. The responses provided informed a further assessment to identify if additional risk screening was required.

The risk assessments conducted in relation to CYP's suppliers as outlined above have not raised any issues requiring further monitoring of the supply chains, verification or mitigation actions by CYP for the Reporting Period.

Given the lower risk profile of its Key Contractors, CYP considers the above actions effective, as a pre-emptive monitoring measure. Nonetheless, CYP continues to build on its actions by organising for relevant staff to continue to attend seminars and other educational sessions in relation to modern slavery risk.

CYP notes the following:

- CYP does not own or control any other entities;
- CYP has established a process to regularly review actions taken by CYP pursuant to the Modern Slavery Working Group;
- CYP has checked its risk assessment processes and considers these to still be appropriate; and
- CYP is regularly engaging with other Lendlease entities to discuss and review the effectiveness of actions being taken.

No corrective action has been identified for the Reporting Period.



## Consultation and engagement undertaking on managing modern slavery risks

Image courtesy of Rail Projects Victoria.

CYP has considered modern slavery issues in its risk framework to ensure accountability and oversight of mitigation approaches by its leadership team and the CYP Partnership Committee.

CYP established a Modern Slavery Working Group consisting of the CYP's Chief Executive Officer and the Legal and Commercial team. The Modern Slavery Working Group meets on a

quarterly basis, to review CYP's supply chain and procurement practices and to assess the effectiveness of actions taken to address modern slavery risk in CYP's operations and supply chains and to update the Modern Slavery Working Group on recent developments on the Modern Slavery legislation.

### Engagement with External Stakeholders

CYP recognises tackling systemic modern slavery practices in global supply chains requires strong collaboration not only with suppliers,

but government, industry and civil society. CYP is in the early stages of its engagement journey, but greatly values the insights and perspectives gained from the construction sector in the Victorian industry on the approach to this issue.

Our team members have also attended industry seminars from time to time during the Reporting Period, in an effort to increase awareness, obtain insights into broader industry dialogues and build operational capacity on the issue.



# Other relevant information

### Mitigating the impacts of COVID-19

The Covid-19 pandemic declaration ended during the Reporting Period (at 11:59pm on 12 October 2022) and all associated pandemic orders ceased at this time as normal operations resumed. Nonetheless, CYP continues to focus on the health, safety and wellbeing of its direct workforce and subcontractors.

CYP has continued a number of its business continuity measures to respond to the impacts from COVID-19 and ensure there are specific systems and processes in place for remote working.

This Statement is made pursuant to section 13 of the *Modern Slavery Act 2018 (Cth)* and constitutes the Modern Slavery Statement of CYP.

This Statement has been prepared by the CYP CEO and was approved by the principal governing body on 12 December 2023.

Signed:

Director name: Dennis Cliche  
Chair of the CYP Partnership Committee

Date: 20 / 12 / 2023

## Looking ahead

CYP will continue to focus on the following areas for FY24:



### Operations

CYP will continue to operate responsibly, and to safeguard our workforce and subcontractors and remain mindful of supply chain impacts of COVID-19 on our Key Contractors and suppliers



### Developing + Embedding

CYP will continue to develop and embed CYP's modern slavery risk due diligence and mitigation processes in its engagements with suppliers and contractors



### Monitoring + Assessment

Targeted screening and assessment of key suppliers and supply chain categories



### Engagement

Engage suppliers, property services providers, investors, tenants on education collaboration and awareness raising to jointly tackle modern slavery risks

This document has been prepared and is issued by CYP in good faith, based on the information available to it at the time of preparation.

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