



# EPBC Act 1999 Approval Independent Audit

**Re-issue: Level Crossing Removal Project (LXRP)**

**– Edithvale and Bonbeach Level Crossing**

**Removal Environmental Audit 1 Report**

17 July 2024



### **Inherent Limitations**

*This document has been prepared at the request of the Level Crossing Removal Project (LXRP) in accordance with the terms of KPMG's engagement contract with LXRP dated 27 November 2023. The services provided in connection with this engagement comprise an advisory engagement and were performed in accordance with the Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines, Commonwealth of Australia 2019. The services provided are not subject to assurance or other standards issued by the Australian Auditing and Assurance Standards Board, and consequently, no opinions or conclusions intended to convey assurance have been expressed.*

*No warranty of completeness, accuracy or reliability is given in relation to the statements and representations made by, and the information and documentation provided by, the Level Crossing Removal Project (LXRP); the AECOM GHD Plus (AGP) Joint Venture (LXRPs technical advisor); and Southern Program Alliance (SPA) (LXRP delivery partner), consulted as part of the process. KPMG has indicated within this report the sources of the information provided. We have not sought to independently verify those sources unless otherwise noted within the report.*

*KPMG is under no obligation in any circumstance to update this report, in either oral or written form, for events occurring after the report has been issued in final form.*

### **Internal Control Structure**

*Due to the inherent limitations of any internal control structure, it is possible that fraud, error or non-compliance with laws and regulations may occur and not be detected. Further, the internal control structure, within which the control procedures that have been subject to the procedures we performed operate, has not been reviewed in its entirety and, therefore, no opinion or view is expressed as to its effectiveness of the greater internal control structure. The procedures performed were not designed to detect all weaknesses in control procedures as they are not performed continuously throughout the period and the tests performed on the control procedures are on sample basis. Any projection of the evaluation of control procedures to future periods is subject to the risk that the procedures may become inadequate because of changes in conditions, or that the degree of compliance with them may deteriorate.*

### **Third Party Reliance**

*This report is solely for the purpose set out in the Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines, Commonwealth of Australia 2019 and for information for the Level Crossing Removal Project and Department of Climate Change, Energy, the Environment and Water (DCCEEW), and is not to be used for any other purpose or distributed to any other party without KPMG's prior written consent.*

*This report has been prepared at the request of the Level Crossing Removal Project in accordance with the terms of KPMG's engagement contract dated 27 November 2023. Other than our responsibility to the Level Crossing Removal Project, neither KPMG nor any member or employee of KPMG undertakes responsibility arising in any way from reliance placed by a third party on this Audit Criteria and Methodology. Any reliance placed is that party's sole responsibility.*

### **Electronic Distribution**

*KPMG accepts no liability for and has not undertaken work in respect of any event after the date of the report which may affect findings in the report. Responsibility for the security of any electronic distribution of this report remains the responsibility of Level Crossing Removal Project and must be done so in accordance with the terms agreed between Level Crossing Removal Project and KPMG. KPMG accepts no liability if the report is or has been altered in any way by any person.*

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# Executive Summary

The Level Crossing Removal Project (LXRP), as a part of the Victorian Infrastructure Delivery Authority (VIDA), is a government entity responsible for eliminating 110 dangerous and congested level crossings across metropolitan Melbourne.

LXRP was granted approval under the provisions of the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)* for an approved action involving the removal of two-level crossings at Edithvale Road, Edithvale and Station Street/Bondi Road, Bonbeach, Victoria. In accordance with Condition 16 of the *EPBC Act Approval*, LXRP is required to engage an Independent Auditor (IA) to undertake an independent audit of compliance with the conditions of the *EPBC Act Approval* for the 12-month period after the commencement of the level crossing removal construction activities ('the action'). This 12-month period is October 2020 – October 2021.

The scope of the IA services was to assess activities associated with the removal of two-level crossings at Edithvale and Bonbeach, Victoria, against the conditions of the *EPBC Act Approval* held by LXRP and provide an Independent Audit Report to the Department of Climate Change, Energy, the Environment and Water (the Department).

The IA services were conducted and carried out in accordance with the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines, Commonwealth of Australia 2019* (the Guidelines).

Based on the documentation assessed for the period October 2020 – October 2021 and the stakeholder interview dated 8 February 2024, the following findings were identified: fifty-four Approval criteria were found to be 'Compliant', one (1) 'Non-Compliant', thirty-one 'Non-Applicable' and two (2) 'To Be Determined' resulting from the 25 conditions within the Approval. The audit rating criteria adopted ('Non-Compliant', 'Non-Applicable', 'Compliant' and 'Observations') was derived from the Guidelines. The IA added 'To Be Determined' as an additional rating criterion to cover the criteria which can only be assessed at a point in the future. The full compliance criteria and corresponding criteria descriptions are provided in **Appendix A**.

The previously-issued version of this report noted a non-compliance against EPBC Act Approval Criteria No. 11.2. The non-compliance was in reference to the publication of the Edithvale Wetland Monitoring and Mitigation Plan not occurring within the required timeframe. Through discussions and a review of evidence as part of Audit 2 activities, it was determined this non-compliance was incorrectly classified due to adoption of US dating convention. The Edithvale Wetland Monitoring and Mitigation Plan was published within the required timeframe which has resulted in re-issuing this Audit Report for Audit 1.

A summary of the 'Compliant' and 'Non-Compliant' findings for the corresponding *EPBC Act Approval* Condition is provided in **Table 1**. The detailed audit findings are contained in **Appendix E**.

Independent data quality validation (specifically for groundwater quality monitoring data) was not part of the IA's scope of work. Therefore, the IA has relied solely on data provided by LXRP to assess the compliance status with relevant conditions.

Table 1 - Summary of Compliance Outcome against each EPBC Act Approval Condition

EPBC Act Approval Criteria Number	EPBC Act Approval Criteria Name	Compliance Finding
1.1	Minister approval of Groundwater Monitoring and Management Plan (GMMP)	<b>Compliant</b>
2.1	Commencement of the Action	<b>Compliant</b>
2.2	Implementation of the approved GMMP	<b>Compliant</b>
3.1	Consistency with approved Environmental Performance Requirements (EPR)	<b>Compliant</b>
3.2	Inclusion of environmental objectives within the GMMP	<b>Compliant</b>
3.3	Inclusion of relevant EPBC Act protected matter/s within the GMMP	<b>Compliant</b>
3.4	Inclusion of a table addressing applicable EPBC Act approval conditions within the GMMP	<b>Compliant</b>
3.5	Inclusion of a table outlining commitments made to achieve objectives within the GMMP	<b>Compliant</b>
3.6	Inclusion of reporting mechanisms to demonstrate compliance within the GMMP	<b>Compliant</b>
3.7	Inclusion of review mechanisms to demonstrate compliance within the GMMP	<b>Compliant</b>
3.8	Inclusion of documentation standards to demonstrate compliance within the GMMP	<b>Compliant</b>
3.9	Inclusion of a risk assessment assessing the achievability of environmental objectives within the GMMP	<b>Compliant</b>
3.10	Inclusion of risk management strategies to address the risk assessment within the GMMP	<b>Compliant</b>
3.11	Inclusion of impact avoidance measures and their timing within the GMMP	<b>Compliant</b>
3.12	Inclusion of mitigation and/or repair measures and their timings within the GMMP	<b>Compliant</b>
3.13	Inclusion of a monitoring program within the GMMP	<b>Compliant</b>
3.14	Inclusion of measurable performance indicators within the monitoring program in the GMMP	<b>Compliant</b>
3.15	Inclusion of timing and frequency for monitoring against the performance indicators within the monitoring program in the GMMP	<b>Compliant</b>
3.16	Inclusion of trigger values for corrective actions within the monitoring program in the GMMP	<b>Compliant</b>
3.17	Inclusion of corrective actions, and commitments where trigger values are reached within the monitoring program in the GMMP	<b>Compliant</b>
4.1	Minister approval of the Edithvale Wetlands Monitoring and Mitigation Plan (EWMMP)	<b>Compliant</b>
5.1	Commencement of the Action	<b>Compliant</b>
5.2	Implementation of the approved EWMMP	<b>Compliant</b>
6.1	Consistency with approved Environmental Performance Requirements (EPR)	<b>Compliant</b>
6.2	Inclusion of environmental objectives within the EWMMP	<b>Compliant</b>
6.3	Inclusion of relevant EPBC Act protected matter/s within the EWMMP	<b>Compliant</b>
6.4	Inclusion of a table addressing applicable EPBC Act approval conditions within the EWMMP	<b>Compliant</b>
6.5	Inclusion of a table outlining commitments made to achieve objectives within the EWMMP	<b>Compliant</b>
6.6	Inclusion of reporting mechanisms to demonstrate compliance within the EWMMP	<b>Compliant</b>
6.7	Inclusion of review mechanisms to demonstrate compliance within the EWMMP	<b>Compliant</b>
6.8	Inclusion of documentation standards to demonstrate compliance within the EWMMP	<b>Compliant</b>

6.9	Inclusion of a risk assessment assessing the achievability of environmental objectives within the EWMMP	<b>Compliant</b>
6.10	Inclusion of risk management strategies to address the risk assessment within the EWMMP	<b>Compliant</b>
6.11	Inclusion of impact avoidance measures and their timing within the EWMMP	<b>Compliant</b>
6.12	Inclusion of mitigation and/or repair measures and their timings within the EWMMP	<b>Compliant</b>
6.13	Inclusion of a monitoring program within the EWMMP	<b>Compliant</b>
6.14	Inclusion of measurable performance indicators within the monitoring program in the EWMMP	<b>Compliant</b>
6.15	Inclusion of timing and frequency for monitoring against the performance indicators within the monitoring program in the EWMMP	<b>Compliant</b>
6.16	Inclusion of trigger values for corrective actions within the monitoring program in the EWMMP	<b>Compliant</b>
6.17	Inclusion of corrective actions, and commitments where trigger values are reached within the monitoring program in the EWMMP	<b>Compliant</b>
7.1	Notification notice of the commencement of action to the Department	<b>Compliant</b>
8.1	Minister approval of action commencement where 5 years after the date of the approval	<b>Compliant</b>
9.1	Maintenance of compliance records	<b>Non-Compliant</b> <ul style="list-style-type: none"> <li>Whilst the IA generally observed complete compliance records when considering the majority of audit criteria, the IA identified a missing compliance record when determining compliance against Approval Condition 1, criteria 1.1 'Minister approval of Groundwater Monitoring and Management Plan'.</li> </ul>
11.1	Electronic submission of plans for Minister's approval	<b>Compliant</b>
11.2	Publication of plans within the approved timeframe	<b>Compliant</b>
11.4	Maintaining publication of approved plans	<b>Compliant</b>
12.1	Preparation of relevant data in accordance with the Department's Guidelines	<b>Compliant</b>
13.1	Preparation of a compliance report every 12-month period following action commencement date	<b>Compliant</b>
13.2	Publication of prepared compliance reports within 60 business days following the relevant 12-month period	<b>Compliant</b>
13.3	Email notification to the Department of compliance report publication within five (5) business days of the date of publication	<b>Compliant</b>
13.4	Maintaining publication of compliance reports on website until 1 November 2033	<b>Compliant</b>
16.1	Independent Audits undertaken for compliance with the conditions	<b>Compliant</b>
17.1	Notification of the independent auditor to the Department	<b>Compliant</b>
17.2	Notification of the draft audit criteria to the Department	<b>Compliant</b>

17.3	Commencement of the audit within the approved timeframe	<b>Compliant</b>
17.4	Submission of the audit report within the approved timeframe	<b>To Be Determined</b>
18.1	Publication of the approved audit report within the specified timeframe by the Department	<b>To Be Determined</b>

# 1. Introduction

## 1.1 Background

The Level Crossing Removal Project (LXRP), which forms part of the Victorian Infrastructure Delivery Authority (VIDA), is a government entity responsible for overseeing the elimination of 110 dangerous and congested level crossings across metropolitan Melbourne by 2030, in addition to other rail network upgrades such as new train stations, track duplication and train stabling yards.

LXRP was granted approval under the provisions of the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)* for an approved action involving the removal of two-level crossings at Edithvale Road, Edithvale and Station Street/Bondi Road, Bonbeach, Victoria (EPBC Approval 2017/7906 dated 3 December 2018). While LXRP holds the EPBC Act Approval, the work required to remove the two-level crossings was undertaken by LXRP's delivery partner, the Southern Program Alliance (SPA). SPA comprises Metro Trains Melbourne Pty Ltd (MTM), WSP Australia Pty Ltd (WSP) and the Acciona Coleman Rail Joint Venture (Acciona Infrastructure Projects Australia Pty and Coleman Rail Pty Ltd) consortia.

In accordance with Conditions 16, 17 and 18 of the *EPBC Act* Approval, LXRP engaged KPMG Australia Pty Ltd (KPMG) to undertake an Independent Audit of compliance with the conditions of the *EPBC Act* Approval. Specifically, Condition 16 of the *EPBC Act* Approval requires that:

*"Independent audits of compliance with the conditions are conducted for the 12-month period from commencement of the action and for every subsequent 24-month period until the approval expires..."*

KPMG conducted the Independent Audit for the 12-month period from the commencement of the action, as required under Condition 16, with the audit<sup>1</sup> period under consideration being October 2020 – October 2021.

The IA considered the conditions of the *EPBC Act* Approval in accordance with the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines*, Commonwealth of Australia 2019 (the Guidelines). It is noted that LXRP's *EPBC Act* Approval references the 2015 version of the Guidelines, given the 3 December 2018 of the Approval decision. The revised 2019 Guidelines were adopted to conduct this IA in agreement with LXRP.

## 1.2 Overview of Scope

The scope of the IA services was to assess activities associated with removing two-level crossings at Edithvale and Bonbeach, Victoria, against the conditions of the *EPBC Act* Approval held by LXRP.

The IA scope of services was conducted and carried out in accordance with the Guidelines, which included the completion of four key tasks for the audit as described herein, noting that KPMG had completed the first two tasks in a previous submission titled *Auditor Competence and Audit Criteria/Methodology Package* dated 22 January 2024.

- Task 1: development of the audit criteria and methodology and formed part of the *Auditor Competence and Audit Criteria/Methodology Package* dated 22 January 2024.
- Task 2: approval of the *Auditor Competence and Audit Criteria/Methodology Package* dated 22 January 2024 by the Department of Climate Change, Energy, the Environment and Water (DCCEEW). Approval

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<sup>1</sup> Any references to 'audit' throughout this Independent Audit Report has not been used in the context of its respective meaning under assurance, audit and other standards issued by the Australian Auditing and Assurance Standards Board.



was received from DCEEW before the commencement of the subsequent audit on 1 February 2024, and approval covered the nominated audit team and the proposed audit criteria and methodology.

- Task 3: conduct audit activities using a combination of methods, including a site inspection, an interview with relevant staff, and an assessment of relevant documentation. The audit commenced on 5 February 2024, and activities were completed on 22 February 2024.
- Task 4: preparation of an audit report for provision to LXRP and subsequent submission by LXRP to DCCEEW, ultimately for approval. It is noted that after approval, the report will be publicly available. This document includes the audit details, methodology, the Independent Auditor's certification, and detailed audit findings.

# 2. Audit Approach

## 2.1 Methodology

The audit methodology included the desktop assessment of documentation (only where required by the approved criteria methodology), a site inspection, and an interview. Specifically, the audit process included the following activities:

- **Audit inception meeting:** a kick-off meeting was conducted on 5 February 2024 with the auditees, LXP, to outline audit objectives and confirm the logistics of the stakeholder interview and site visit.
- **A stakeholder interview:** an interview was conducted with key personnel from LXP and SPA on 8 February 2024. The interview focused on collecting evidence associated with compliance with the *EPBC Act* Approval and the activities undertaken during the audit period to comply with the approval conditions. Additionally, the interview assisted KPMG to understand the nature of the activities undertaken at the site. The details of the stakeholder interview are provided in **Appendix D**.
- **Field observation:** A site inspection was undertaken on 8 February 2024 to understand the nature of the operations, and the extent to which environmental controls were implemented and managed across the sites. The site inspection provides an understanding of the completed works resulting from the approved action, noting the time between the audit period and this audit date. The details of the site inspection are provided in **Appendix D**.
- **Document assessment:** Documentation relevant to the audit scope was collected and assessed from 5 February 2024 to 29 February 2024. Documentation assessment was undertaken only to the extent required by the approved criteria methodology, as outlined in **Appendix E**. It did not include a broader assessment of the documents received for completeness or technical validation<sup>2</sup>. Documents received included management plans, monitoring reports, approvals, and email correspondence. The document assessment directly informed the collation of the evidence used to assess compliance with the approval conditions. A complete list of documents, emails and management plans used during the audit assessment process is provided in **Appendix C**.

## 2.2 Compliance Criteria

The compliance criteria adopted by the IA aligned with the Department's Guidelines and were used as the basis to assess compliance and categorise findings and observations. The criteria include:

- **Compliant**
- **Non-Compliant**
- **Not Applicable**
- **Observation**
- **To be Determined**

The full compliance criteria, including a description of each criterion, are provided in **Appendix A**.

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<sup>2</sup> It is noted that the monitoring data received, including those present in the Groundwater Monitoring Program, was considered as evidence of implementation of the required monitoring activities as outlined in the required Groundwater Monitoring Management Plan (GMMP), and Edithvale Wetlands Monitoring and Mitigation Plan (EWMMP). The stakeholder interview was used to ascertain the appropriate application of the data received against any thresholds present in GMMP and EWMMP, and no additional validation of data was performed, in alignment with the scope of this audit.

# 3. Details of the Audit

## 3.1 Project Name

The name of the project is Edithvale and Bonbeach Level Crossing Removal, Edithvale and Bonbeach, Victoria (EPBC Approval 2017/7906 dated 3 December 2018).

## 3.2 Project Approval Holder

The name of the project approval holder is Level Crossing Removal Project (LXRP).

## 3.3 Approval Details

This audit was undertaken against the *EPBC Act* Approval titled *Edithvale and Bonbeach Level Crossing Removal, Edithvale and Bonbeach, Victoria (EPBC 2017/7906)*. This audit is undertaken for the initial 12-month period, dated October 2020 – October 2021, in accordance with Condition 16: “Independent audits of compliance with the conditions are conducted for the 12-month period from the commencement of the action and for every subsequent 24-month period until the approval expires.”

## 3.4 Scope of the Audit

The scope of the IA services was to assess activities associated with the removal of two-level crossings at Edithvale and Bonbeach, Victoria, against Conditions 1 to 25 of the *EPBC Act* Approval held by LXRP for the audit period from October 2020 to October 2021.

## 3.5 Implementation of the Audit

The dates and locations corresponding with the implementation of the audit are noted as follows:

- KPMG Melbourne Office - Tower Two, Collins Square, 727 Collins Street, Melbourne, Victoria (Desktop Assessment: 5 February 2024 to 29 February 2024)
- LXRP Office - 121 Exhibition Street Melbourne VIC 3000 (Interview: 8 February 2024 from 9:00 am to 1:00 pm)
- Edithvale Station - Sinclair Avenue and Nepean Highway, Edithvale VIC 3196 (Site Visit: 8 February 2024 from 2:00 am to 3:30 pm)

## 3.6 Methods Used to Assess Compliance

The methods used to assess compliance are presented in Section 2, Audit Approach, and included a desktop assessment of documentation (only where required by the approved criteria methodology), a site inspection, and a stakeholder interview.

## 3.7 Evidence Considered to Assess Compliance

The evidence considered to assess compliance is detailed in **Appendix E**. Example evidence includes email correspondences from and to LXRP, management plans including the Edithvale Wetland Monitoring and Mitigation Plan, supporting technical information, outcomes from a stakeholder interview, and a site inspection.

# 4. Auditor Certification

The certification of all auditors is provided in **Appendix B**, and it is noted that they are consistent with the approved audit criteria and methodology package (Document 15 in **Appendix C**) approved by DCCEEW.

# 5. Detailed Audit Findings

The findings from the audit activities are provided in **Appendix E** and prepared per the minimum requirements outlined in *the Guidelines*. These detailed audit findings demonstrate the verification<sup>3</sup> method, documents sighted, evidence utilised, determination and compliance findings against all criteria under each approval condition.

Based on the documentation assessed and provided in **Appendix C** for the audit period, the IA identified one (1) non-compliant finding concerning the EPBC Act Approval and two (2) to be determined findings summarised herein. There are no formal observations made.

## Non-Compliant Findings

<b>EPBC Approval Condition 9</b>	Whilst the IA generally observed complete compliance records when considering the majority of audit criteria, the IA identified a missing compliance record (email from LXRP to the Department providing notification of revision updates from GMMP V2 to GMMP V3) when determining compliance against Approval Condition 1, criteria 1.1 'Minister approval of Groundwater Monitoring and Management Plan'.	<b>Non-Compliant</b>
<b>Criteria 9.1 Maintenance of compliance records</b>		

Condition 9 of the Approval requires the approval holder to maintain accurate and complete compliance records and is assessed under Criteria 9.1 *Maintenance of compliance records*.

During the audit, a broad range of documentation was requested from the approval holder, including the documents listed in **Appendix C** and as noted in the 'documents sighted' column of the completed detailed audit findings table (**Appendix E**). Additionally, during the stakeholder interview, the approval holder provided an overview of the document management system utilised, and demonstrated how files material to the approval are recorded for future reference.

The IA noted a missing compliance record when determining compliance against Approval Condition 1, criteria 1.1 'Minister approval of Groundwater Monitoring and Management Plan', namely a record of the email notification that was understood to have been sent from LXRP to the Department based on the stakeholder interview conducted, to advise of an update to the GMMP (from version 2 to 3). This was also noted in the determination against criteria 1.1. Documentation records were otherwise found to be complete when considered against the remaining conditions of the Approval and their associated criteria.

Given there was an instance of a missing record, and this record was material in considering compliance against Approval Condition 1, criteria 1.1 Minister approval of Groundwater Monitoring and Management Plan (GMMP), it was found that complete compliance records were not maintained for the audit period resulting in this criterion being considered as non-compliant.

<sup>3</sup> Any reference to 'verification' or 'verification method' throughout this Independent Audit Report refers to its respective meaning defined in *the Guidelines*, and has not been used in the context of its respective meaning under assurance, audit and other standards issued by the Australian Auditing and Assurance Standards Board.

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## To Be Determined Findings

Two (2) findings identified during the audit relate to actions that will be undertaken at a future point in time from the date of this audit report and undertaken by the approval holder and not the IA. These findings are summarised below:

<b>EPBC Approval Condition 17</b>	The audit report associated with this independent audit (this document) will be submitted to the Department by the approval holder following finalisation of the audit report prepared by the Independent Auditor.	<b>To Be Determined</b>
<b>Criteria 17.4 Submission of the audit report within the approved timeframe</b>		

Further information is available in **Appendix E**.

<b>EPBC Approval Condition 18</b>	The audit report associated with this independent audit (this document) will be publicised on the approval holder website following receipt of the Department's approval of the submitted audit report, which proceeds with finalising the audit report prepared by the Independent Auditor.	<b>To Be Determined</b>
<b>Criteria 18.1 Publication of the approved audit report within the specified timeframe by the Department</b>		

Further information is available in **Appendix E**.

# Appendix A – Compliance Criteria

The criteria specified below, which are in accordance with the Department's Guidelines, were used for the rating and classification of findings:

Criteria	Criteria Description
<b>Compliant</b>	A rating of 'Compliant' is given when the auditee has complied with a condition or element of a condition.
<b>Non-Compliant</b>	A rating of 'Non-Compliant' is given when the auditee has not met a condition or an element of a condition.
<b>Not Applicable</b>	A rating of 'Not Applicable' at the time of the audit is given when the condition or element of a condition falls outside the scope of the audit, e.g., if an activity has not yet commenced or a requirement has not been triggered.
<b>Observations</b>	An 'Observation' may be made about issues relevant to the protection of a matter of national environmental significance when the issue is not strictly related to compliance or non-compliance with a condition or element of a condition.
<b>To Be Determined</b>	A 'To Be Determined' may be made about an assessment of activities in the future that cannot be determined in the present time.

# Appendix B – Auditor’s Certification

## Project and Technical Lead (EPA-Accredited Environmental Auditor)

**Auditor’s name, position, company and contact details:** Project and Technical Lead (EPA-Accredited Environmental Auditor), Partner, KPMG Australia, Tower Two, Collins Square, 727 Collins Street, Melbourne, Victoria, 3008, +61 (3) 9288 6171.

### **Auditor’s qualifications and/or experience:**

#### Education:

- Master of Engineering (Chemical) (Research)
- Master of Engineering (Environment)
- Bachelor of Applied Science (Distinction)

#### Certifications and Registrations:

- Accredited Environmental Auditor (Industrial Facilities), Victorian EPA pursuant to the Environmental Protection Act, 1970
- Department of Transport – certified Environment and Safety Auditor Pursuant to Marine Safety Act, 2010
- Member, Victorian EPA EASIG Committee for EPA- appointed Auditors

#### Experience:

- 30 years of experience directing and executing panel-led, multi-site, multi-jurisdictional work programs.
- Decades of experience in post-approval compliance auditing for Commonwealth and State governments.
- In-depth understanding of transport and infrastructure operational and regulatory environment, bringing an enterprise-wide risk perspective to Independent Auditor services.
- Strong risk and compliance expertise across environment and WHS impacts, and EPA-accredited auditor since 1996.

### **Auditor’s declaration:**

I, the Project and Technical Lead (EPA-Accredited Environmental Auditor), of KPMG Australia, Tower Two, Collins Square, 727 Collins Street, Melbourne, Victoria, 3008.

For environmental audits that are required by a condition of an Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) approval, I certify that, to the best of my knowledge, all information provided in the audit report attached to this audit certification statement is true, correct, and complete.

I am aware that section 491 of the EPBC Act makes it an offence in certain circumstances to knowingly provide false or misleading information or documents to specified persons who are known to be performing a duty or carrying out a function under the EPBC Act or the regulations. The offence is punishable on conviction by imprisonment for not more than 1 year, a fine of not more than 60 penalty units, or both.

For directed environmental audits that are required pursuant to section 458 of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), I certify that, to the best of my knowledge, all information provided in the audit report attached to this audit certification statement is true, correct, and complete.



I am aware that section 461(4) of the EPBC Act makes it an offence in certain circumstances for an environmental auditor to include a statement in an audit report that is false or misleading in a material particular. The offence is punishable on conviction by imprisonment for not more than 6 months.

Signature: **CONFIDENTIAL**

Date: 29 February 2024

Note: Modify the auditor's certification to reflect whether the environmental audit was required by a condition of an EPBC Act approval or directed pursuant to section 458 of the EPBC Act



## Reappointment by the Environment Protection Authority under the Environment Protection Act 2017

### Environmental Auditor

The Environment Protection Authority ("the Authority"), pursuant to its power in section 191(1) of the *Environment Protection Act 2017* ("the Act"), and by the operation of section 198(4) of the Act, hereby reappoints the following person as an **Environmental Auditor**, for the purposes of the Act and the Environment Protection Regulations 2021 made under the Act ("the Regulations"):

**Name:** Project Lead and Technical Lead  
**Appointment ID:** CONFIDENTIAL

Pursuant to section 197(1)(b) of the Act, this reappointment is subject to the following condition(s), and any conditions in the Schedule of Conditions:

1. This reappointment relates to the category (or categories) of reappointment listed below only:
  - a. Industrial facilities
2. This reappointment is subject to compliance with the Act, Regulations and any guidelines issued by the Authority under section 203 of the Act, including but not limited to the most recent edition of the *Environmental Auditor guidelines for appointment and conduct* Publication 865.

This reappointment takes effect on CONFIDENTIAL

Unless otherwise revoked earlier by the Authority under section 200 of the Act, in accordance with section 195(c) of the Act, the term of this reappointment will expire on CONFIDENTIAL

**CONFIDENTIAL**

**Signature of Delegate:** \_\_\_\_\_  
**Name of Delegate:** CONFIDENTIAL  
**Delegate Position:** Manager, Environmental Audit  
**Delegate of the Environment Protection Authority.**  
**Date of Reappointment:** CONFIDENTIAL

Environment Protection Authority Victoria  
GPO BOX 4395 Melbourne VIC 3001  
1300 372 842 (1300 EPA VIC) [www.epa.vic.gov.au](http://www.epa.vic.gov.au)



## Project Lead/Lead Environmental Auditor

**Auditor's name, position, company and contact details:** Project Lead/Lead Environmental Auditor, Associate Director, KPMG Australia, Tower Two, Collins Square, 727 Collins Street, Melbourne, Victoria, 3008, +61 (3) 9288 6171.

### **Auditor's qualifications and/or experience:**

#### Education:

- The University of Melbourne, Master of Engineering (Environmental)
- The University of Melbourne, Bachelor of Environments (Civil Systems)

#### Experience:

- KPMG Australia – Independent Environmental Audit Services – Audit Lead:
- Rail Projects Victoria – Melbourne Airport Rail & Regional Rail Revival Sustainability & Climate Change Discipline Lead.

### **Auditor's declaration:**

I, the Project Lead/Lead Environmental Auditor, of KPMG Australia, Tower Two, Collins Square, 727 Collins Street, Melbourne, Victoria, 3008.

For environmental audits that are required by a condition of an Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) approval, I certify that, to the best of my knowledge, all information provided in the audit report attached to this audit certification statement is true, correct, and complete.

I am aware that section 491 of the EPBC Act makes it an offence in certain circumstances to knowingly provide false or misleading information or documents to specified persons who are known to be performing a duty or carrying out a function under the EPBC Act or the regulations. The offence is punishable on conviction by imprisonment for not more than 1 year, a fine of not more than 60 penalty units, or both.

For directed environmental audits that are required pursuant to section 458 of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), I certify that, to the best of my knowledge, all information provided in the audit report attached to this audit certification statement is true, correct, and complete.

I am aware that section 461(4) of the EPBC Act makes it an offence in certain circumstances for an environmental auditor to include a statement in an audit report that is false or misleading in a material particular. The offence is punishable on conviction by imprisonment for not more than 6 months.

Signature: **CONFIDENTIAL**

Date: 29 February 2024

Note: Modify the auditor's certification to reflect whether the environmental audit was required by a condition of an EPBC Act approval or directed pursuant to section 458 of the EPBC Act

## Support Environmental Auditor

**Auditor's name, position, company and contact details:** Support Environmental Auditor, Senior Consultant, KPMG Australia, Tower Two, Collins Square, 727 Collins Street, Melbourne, Victoria, 3008, +61 (3) 9288 6171.

**Auditor's qualifications and/or experience:**

Education:

- The University of Melbourne, Master of Engineering (Environmental)
- Saint Louis University, Bachelor of Chemistry and Bachelor of Business Administration

Experience:

- KPMG Australia – Independent Environmental Audit Services – Audit Assistant:

**Auditor's declaration:**

I, the Support Environmental Auditor, of KPMG Australia, Tower Two, Collins Square, 727 Collins Street, Melbourne, Victoria, 3008.

For environmental audits that are required by a condition of an Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) approval, I certify that, to the best of my knowledge, all information provided in the audit report attached to this audit certification statement is true, correct, and complete.

I am aware that section 491 of the EPBC Act makes it an offence in certain circumstances to knowingly provide false or misleading information or documents to specified persons who are known to be performing a duty or carrying out a function under the EPBC Act or the regulations. The offence is punishable on conviction by imprisonment for not more than 1 year, a fine of not more than 60 penalty units, or both.

For directed environmental audits that are required pursuant to section 458 of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), I certify that, to the best of my knowledge, all information provided in the audit report attached to this audit certification statement is true, correct, and complete.

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Signature: **CONFIDENTIAL**

Date: 29 February 2024

Note: Modify the auditor's certification to reflect whether the environmental audit was required by a condition of an EPBC Act approval or directed pursuant to section 458 of the EPBC Act

# Appendix C – Document List

Per the Audit Approach, our audit team collected and assessed documentation relevant to the audit scope. This included management plans, monitoring reports, approvals, emails, and details of incidents within the audit period. The purpose of the document assessment was to gather evidence to assess compliance with the approval conditions. A complete list of documents, emails and management plans used during the audit assessment process can be found below.

## Documents considered:

Document	Name / Description	Attached
0	Department approval letter GMMP Version 1 and EWMMP Version 1	Y
1	GMMP Version 4 Explanatory Memorandum	Y
2	As-built construction program	Y
3	Copy of Referral Form	Y
4	Approved Environmental Management Framework (EMF) with Minister letter	Y
5	EPBC Act approval 2017-7906	Y
6	Groundwater Monitoring Program (13 October 2020 to 12 October 2021)	Y
7	Monthly Report October 2020 for audit FINAL	Y
8	Trigger Review Summary - Groundwater Monitoring and Management Plan (September to November 2020 review period)	Y
9	Year 1 Annual Compliance Report	Y
10	Webpage history of edits	Y
11	Condition 7 Commencement of Action signed letter	Y
12	Year 2 Annual Compliance Report	Y
13	Year 3 Annual Compliance Report	Y
14	SPA incident register FINAL	Y
15	LXRP EPBC Act Approval - Independent Audit - Pack for Department Approval (Issued 22.01.24)	Y

## Emails considered:

Email	Name / Description	Attached
1	Department Notification GMMP Version 2 and EWMMP Version 2	Y
2	Email from TA re GMMP Version 3 lodgment	Y
3	Email from LXRP to the Audit Team	Y
4	Evidence of publication of Year 1 Compliance Report on Website	Y
5	Notification of Year 1 Compliance Report to Department	Y
6	2017-7906 - Edithvale and Bonbeach level Crossing removal	Y
7	Audit Commencement	Y

## Management plans considered:

Abbreviation	Name / Description	Attached
GMMP 3	Approved GMMP Version 3	Y
EWMMP 2	Approved EWMMP Version 2	Y

# Appendix D – Audit Interview and Site Inspection

Per the Audit Approach, an interview was held with key personnel from LXP and SPA on 8 February 2024. The interview focused on collecting evidence associated with compliance with the EPBC Act Approval and the activities undertaken during the audit period to comply with the approval conditions. Additionally, the interview assisted KPMG to understand the nature of the activities undertaken at the site.

## Interview: 8 February 2024 – 9:00 am to 1:00 pm

Participants	Organisation
Senior Manager, Land Planning and Environment	LXP
Senior Hydrogeologist	LXP TA
Program Environment Manager	SPA
Project Manager/Lead Environmental Auditor	KPMG
Support Environmental Auditor	KPMG

Per the Audit Approach, a site inspection was undertaken on 8 February 2024 to understand the nature of the operations and the extent to which environmental controls were implemented and managed across the sites. KPMG took photographs during the inspection to collect audit evidence (with appropriate permissions obtained). The site inspection was limited to providing an overview of the approved action given the time that had elapsed since the period subject to the audit.

## Site Inspection: 8 February 2024 – 2:00 pm to 3:30 pm

Participants	Organisation
Project Manager/Lead Environmental Auditor	KPMG
Support Environmental Auditor	KPMG

# Appendix E – Detailed Audit Findings

*[Drafting Note: The detailed audit findings are provided from the following page when reading this report in pdf format. When reading this report in Word format, please refer to the Excel file titled 'LXRP EPBC Audit - Phase 2\_Completed Audit Criteria & Methodology 240222', which adjoins this submission.]*

**Audit Criteria and Methodology (EPBC Act Approval Independent Audit)**

**Inherent Limitations**

This Audit Criteria and Methodology has been prepared as outlined in the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines*, Commonwealth of Australia 2019 and at the request of the Level Crossing Removal Project in accordance with the terms of KPMG's engagement contract dated 27 November 2023. The services provided in connection with this engagement comprise an advisory engagement, which is not subject to assurance or other standards issued by the Australian Auditing and Assurance Standards Board and, consequently no opinions or conclusions intended to convey assurance have been expressed.

Due to the inherent limitations of any internal control structure, it is possible that fraud, error or non-compliance with laws and regulations may occur and not be detected. Further, the internal control structure, within which the control procedures that have been subject to the procedures we performed operate, has not been reviewed in its entirety and, therefore, no opinion or view is expressed as to its effectiveness of the greater internal control structure. The procedures performed were not designed to detect all weaknesses in control procedures as they are not performed continuously throughout the period and the tests performed on the control procedures are on sample basis. Any projection of the evaluation of control procedures to future periods is subject to the risk that the procedures may become inadequate because of changes in conditions, or that the degree of compliance with them may deteriorate.

No warranty of completeness, accuracy or reliability is given in relation to the statements and representations made by, and the information and documentation provided by the Level Crossing Removal Project consulted as part of the process.

KPMG has indicated within this report the sources of the information provided. We have not sought to independently verify those sources unless otherwise noted within the report.

KPMG is under no obligation in any circumstance to update this report, in either oral or written form, for events occurring after the report has been issued in final form.

The findings in this report have been formed on the above basis.

**Third Party Reliance**

This Audit Criteria and Methodology is solely for the purpose set out in the *Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines*, Commonwealth of Australia 2019 and for information for the Level Crossing Removal Project and Department of Climate Change, Energy, the Environment and Water (DCCEEW), and is not to be used for any other purpose or distributed to any other party without KPMG's prior written consent.

This report has been prepared at the request of the Level Crossing Removal Project, in accordance with the terms of KPMG's engagement contract dated 27 November 2023. Other than our responsibility to the Level Crossing Removal Project and DCCEEW, neither KPMG nor any member or employee of KPMG undertakes responsibility arising in any way from reliance placed by a third party on this Audit Criteria and Methodology. Any reliance placed is that party's sole responsibility.

**Notes:**

Any references to 'audit', 'review' and 'verification' in this Audit Criteria and Methodology have not been used in the context of its respective meaning under assurance, audit and other standards issued by the Australian Auditing and Assurance Standards Board. As such, no opinions or conclusions intended to convey assurance, or an audit opinion have been expressed in this report.

Any references to 'audit criteria' is intended to convey the same definition as that provided in AS/NZS ISO 19011:2019 *Guidelines for auditing management systems*, being a 'set of requirements (being 'need or expectation that is stated, generally implied or obligatory') used as a reference against which objective evidence (being 'data supporting the existence or verity of something') is compared'.

Within the context of this service any reference to 'Independent' is intended to convey the meaning given to 'independence' within Appendix A – Auditor's Declaration of Independence of the Guidelines.

**AUDIT PERIOD: The 12-month period from October 2020 to October 2021**

**DATE OF REPORT: 29 February 2024**

**REPORT PREPARED BY: Project and Technical Lead (EPA-Accredited Environmental Auditor), Project Manager/Lead Environmental Auditor, and Support Environmental Auditor**

**REPORT APPROVED BY: Project and Technical Lead (EPA-Accredited Environmental Auditor)**

PART		CONDITIONS OF EPBC ACT APPROVAL				
A - Conditions specific to the action		EPBC Approval Condition 1.				
		*If the approval holder must submit a Groundwater Monitoring and Management Plan for the Minister's approval that ensures predicted and potential impacts to groundwater as a result of the action are monitored, and corrective actions implemented if applicable trigger values are reached.*				
		Verification Method	Documents Sighted	Evidence	Determination	Compliance Finding
1.1	Minister approval of Groundwater Monitoring and Management Plan (GMMP)	Sighting the Minister's letter of approval of the GMMP alongside the approved version of the GMMP that was in place during the audit period.	GMMP 3: Edithvale and Bonbeach Groundwater Monitoring and Management Plan, dated 21 August 2020 by Team Member, Level Crossing Removal Project;  Email 1: Email from Team Member, Major Transport Infrastructure Authority (MTIA) to Post Approvals, The Australian Department of Agriculture, Water and the Environment (DAWE), dated 18 June 2020, titled: RE: EPBC Act Approval 2017/7906 - Edithvale and Bonbeach Level Crossing Removal Projects - RAMP documents;  Document 0: Letter from Team Member, Environment Approvals Division, to Team Member, Level Crossing Removal Project, dated 2 December 2019, titled: EPBC 2017/7906, Edithvale and Bonbeach Level Crossing Removal Projects, Victoria: Groundwater Monitoring and Management Plan and Edithvale Wetland Monitoring and Mitigation Plan;  Document 1: Memorandum, dated 23 December 2021 by Team Member, GHD-AECOM Joint Venture (TA);  Email 2: Email from MTIA to GHD-AECOM Joint Venture (TA), dated 12 August 2020, titled: [EXTERNAL] GW2 Revision 3 and Finalisation;  Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance;  Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (LXRP's Technical Advisor or TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).	Document 0: Letter from Team Member, Environment Approvals Division, to Team Member, Level Crossing Removal Project, dated 2 December 2019, titled: EPBC 2017/7906, Edithvale and Bonbeach Level Crossing Removal Projects, Victoria: Groundwater Monitoring and Management Plan and Edithvale Wetland Monitoring and Mitigation Plan;  - This is the first version of the GMMP where we sighted the Minister's approval.  GMMP 3: Edithvale and Bonbeach Groundwater Monitoring and Management Plan, dated 21 August 2020 by Team Member, Level Crossing Removal Project;  - On page 2, it is outlined that the document is "version 3". This is the third version of the GMMP, the version applicable to the audit period. The challenge for this criterion is that the Minister's approval for this third version of the GMMP was not sighted.  Note: Other document(s) listed in the 'Document Sighted' column but not listed in this cell serve as supplementary information to support the determination process.	The Ministers Letter of Approval for the initial, version 1 GMMP has been obtained (Document 0), however an updated version 3 of the GMMP plan was implemented in this audit period (GMMP 3).  Where revisions are required to a plan (like the GMMP), it is understood based on the stakeholder interview undertaken, that the Department does not re-issue an updated Letter of Approval, and instead the Department may confirm receipt of an amended plan via email. It was also noted in the stakeholder interview that email confirmation from the Department was not always received.  In place of an updated Ministers Letter of Approval for, the email notification process from LXRP to the Department was instead considered. The email notification from LXRP to the Department for version 3 of the GMMP could not be located, however there is evidence that the notification did occur, including:  - Email 2 is an email that demonstrates transmittals between MTIA and TA regarding GMMP 3 before 26 August 2020; and  - Document 1 is a memorandum by TA to LXRP that accompanies the fourth version of GMMP and clarifies the status of the previous revision, 3. It is clarified that GMMP 3 was approved by DAWE on 26 August 2020, and GMMP 3 was implemented concurrently with the project commencement on 13 October 2020, within the audit period from October 2020 to October 2021.  Based on the above evidence, it is considered that the notification to the Department for version 3 of the GMMP did occur, however there was a breakdown in the documentation of compliance records resulting in this email not being made available during this audit. This criterion is considered compliant, and the compliance records emission which occurred has been documented as a 'non-compliant' finding against the criteria under condition 9.	COMPLIANT
		EPBC Approval Condition 2.				
		*If the approval holder must not commence the action unless the Minister has approved the Groundwater Monitoring and Management Plan in writing. The approval holder must implement the Groundwater Monitoring and Management Plan approved by the Minister.*				
2.1	Commencement of the Action	Comparison between the date of commencement of the action, and the date of the Minister's letter of approval for the GMMP	Document 1: Memorandum, dated 23 December 2021 by Team Member, GHD-AECOM Joint Venture (TA);  Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance;  Document 2: AWP2 - EDITHVALE, CHELSEA & BONBEACH DETAILED PROGRAM, dated 30 May 2022, checked by Team Member; and  Document 3: Referral of proposed action, August 2016, signed by Team Member on 14 March 2017.	Document 1: Memorandum, dated 23 December 2021 by Team Member, GHD-AECOM Joint Venture (TA);  - On page 2, it is stated that: "Revision 3 of the RAMP [GMMP 3] was approved by the Australian Minister for the Environment on 26 August 2020, and implemented concurrent with the construction of the Projects on 13 October 2020."  Document 2: AWP2 - EDITHVALE, CHELSEA & BONBEACH DETAILED PROGRAM, dated 30 May 2022, checked by Team Member;  - On page 42, the commencement of the action was documented to be on 13 October 2020 under the Program Schedule, excluding enabling works, relocation of entities and services and combined services route construction as per Document 3.  Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance;  - On page 5, condition reference number 2 of Table 2 provides more information on this criterion.  Document 3: Referral of proposed action, August 2016, signed by Team Member on 14/03/2017;  - On page 10, enabling works, relocation of entities and services and combined services route construction were outlined as not forming parts of the two actions that are being referred.	The action commencement was on 13 October 2020 (as per Documents 2 and 3), and the GMMP 3 was approved on 26 August 2020 (as per Document 1). As a result, the action commenced after the GMMP 3 was approved. This criterion is, therefore, deemed compliant by the Independent Auditor.	COMPLIANT
2.2	Implementation of the approved GMMP	Comparison of the version number of the GMMP approved by the Minister, and the version of the GMMP used in implementation during the audit period.	GMMP 3: Edithvale and Bonbeach Groundwater Monitoring and Management Plan, dated 21 August 2020 by Team Member, Level Crossing Removal Project;  Document 1: Memorandum, dated 23 December 2021 by Team Member, GHD-AECOM Joint Venture (TA);  Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance;  Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 08/02/2024 by KPMG Australian Services Pty Ltd (KPMG);  Document 2: AWP2 - EDITHVALE, CHELSEA & BONBEACH DETAILED PROGRAM, dated 30 May 2022, checked by Team Member; and  Document 3: Referral of proposed action, August 2016, signed by Team Member on 14 March 2017.	Document 1: Memorandum, dated 23 December 2021 by Team Member, GHD-AECOM Joint Venture (TA);  - On page 2, it is stated that: "Revision 3 of the RAMP [GMMP 3] was approved by the Australian Minister for the Environment on 26 August 2020, and implemented concurrent with the construction of the Projects on 13 October 2020."  Document 2: AWP2 - EDITHVALE, CHELSEA & BONBEACH DETAILED PROGRAM, dated 30 May 2022, checked by Team Member;  - On page 42, the commencement of the action was documented to be on 13 October 2020 under the Program Schedule, excluding enabling works, relocation of entities and services and combined services route construction as per Document 3.  Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance;  - On page 5, condition reference number 2 of Table 2 provides more information on this criterion.  Document 3: Referral of proposed action, August 2016, signed by Team Member on 14/03/2017;  - On page 10, enabling works, relocation of entities and services and combined services route construction were outlined as not forming parts of the two actions that are being referred.  Note: Other document(s) listed in the 'Document Sighted' column but not listed in this cell serve as supplementary information to support the determination process.	As per Document 1, "Revision 3 of the RAMP [GMMP 3] was approved by the Australian Minister for the Environment on 26 August 2020, and implemented concurrent with the construction of the Projects on 13 October 2020."  As a result, the GMMP 3 (version 3), as approved on 26 August 2020, is the version that was implemented after action commencement. Hence, the Independent Auditor considers this criterion to be compliant.	COMPLIANT
		EPBC Approval Condition 3.				
		*The Groundwater Monitoring and Management Plan must be consistent with the relevant Environmental Performance Requirement approved by the Victorian Minister, and must include:				
3.1	Consistency with approved Environmental Performance Requirements (EPR)	Comparison of the relevant EPR approved by the Victorian Minister in the applicable Environmental Management Framework (or equivalent) with the contents of the GMMP.	GMMP 3: Edithvale and Bonbeach Groundwater Monitoring and Management Plan, dated 21 August 2020 by Team Member, Level Crossing Removal Project;  Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance;  Document 4: Edithvale and Bonbeach Level Crossing Removal Projects Environmental Management Framework, dated December 2018 by Team Member, Level Crossing Removal Authority.	GMMP 3: Edithvale and Bonbeach Groundwater Monitoring and Management Plan, dated 21 August 2020 by Team Member, Level Crossing Removal Project;  - On pages 32 and 33, Table 12 outlines the requirements (and locations within the document to address them) of GW2, the main environmental performance requirement (EPR).  - On pages 34 and 35, relevant EPRs (CL5, FF7, GW1 and GW4) were also outlined.  Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance;  - On page 6, the condition reference number 3(a) of Table 2 provides more information on this criterion.  Document 4: Edithvale and Bonbeach Level Crossing Removal Projects Environmental Management Framework, dated December 2018 by Team Member, Level Crossing Removal Authority.  - On page 23, Table 6 outlines all EPRs, including GW2, CL5, FF7, GW1 and GW4.	The relevant EPRs (GW2, CL5, FF7, GW1 and GW4) approved by the Victorian Minister in the applicable Environmental Management Framework (Document 4) are the same as those within the contents of GMMP 3. However, it is noted that GW2, as addressed in Table 12 of GMMP 3, is the main EPR.  Hence, the Independent Auditor considers this criterion to be compliant.	COMPLIANT



3.2	Inclusion of environmental objectives within the GMMP	Sighting of environmental objectives within the GMMP.	<p>GMMP 3: <i>Edithvale and Bonbeach Groundwater Monitoring and Management Plan</i>, dated 21 August 2020 by Team Member, Level Crossing Removal Project; and</p> <p>Document 9: <i>Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1</i>, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance;</p>	<p>GMMP 3: <i>Edithvale and Bonbeach Groundwater Monitoring and Management Plan</i>, dated 21 August 2020 by Team Member, Level Crossing Removal Project:</p> <ul style="list-style-type: none"> <li>- On page 10, Table 1 outlines the environmental objectives within GMMP 3.</li> </ul> <p>Document 9: <i>Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1</i>, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance:</p> <ul style="list-style-type: none"> <li>- On page 6, the condition reference number 3(a) of Table 2 provides more information on this criterion.</li> </ul>	Environmental objectives are seen in Table 1 of GMMP 3. Hence, the Independent Auditor considers this criterion to be compliant.	COMPLIANT
3.3	Inclusion of relevant EPBC Act protected matter/s within the GMMP	Sighting of the EPBC Act protected matter/s included within the GMMP and assess for completeness.	<p>GMMP 3: <i>Edithvale and Bonbeach Groundwater Monitoring and Management Plan</i>, dated 21 August 2020 by Team Member, Level Crossing Removal Project; and</p> <p>Document 9: <i>Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1</i>, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance.</p>	<p>GMMP 3: <i>Edithvale and Bonbeach Groundwater Monitoring and Management Plan</i>, dated 21 August 2020 by Team Member, Level Crossing Removal Project:</p> <ul style="list-style-type: none"> <li>- On page 4, Edithvale Wetland is outlined as the only protected matter as defined by the EPBC Act. Figure 1 also provides further details.</li> </ul> <p>Document 9: <i>Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1</i>, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance:</p> <ul style="list-style-type: none"> <li>- On page 6, the condition reference number 3(a) of Table 2 provides more information on this criterion.</li> </ul>	The only EPBC Act protected matter, Edithvale Wetland is sighted within the GMMP 3, and the description, supported by Figure 1, is complete. Hence, the Independent Auditor considers this criterion to be compliant.	COMPLIANT
3.4	Inclusion of a table addressing applicable EPBC Act approval conditions within the GMMP	Sighting of a table within the GMMP addressing the applicable EPBC Act approval conditions and comparison of the project's EPBC Act approval conditions and those within the aforementioned table; and Assessment of the table within the GMMP addressing the applicable EPBC Act approval conditions for completeness.	<p>GMMP 3: <i>Edithvale and Bonbeach Groundwater Monitoring and Management Plan</i>, dated 21 August 2020 by Team Member, Level Crossing Removal Project;</p> <p>Document 9: <i>Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1</i>, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; and</p> <p>Document 5: <i>Edithvale and Bonbeach Level Crossing Removal, Edithvale and Bonbeach, Victoria (EPBC 2017/7906)</i>, dated 3 December 2018 by James Barker, Department of the Environment and Energy.</p>	<p>GMMP 3: <i>Edithvale and Bonbeach Groundwater Monitoring and Management Plan</i>, dated 21 August 2020 by Team Member, Level Crossing Removal Project:</p> <ul style="list-style-type: none"> <li>- On page 33, Table 13 addresses the applicable EPBC Act approval conditions.</li> </ul> <p>Document 5: <i>Edithvale and Bonbeach Level Crossing Removal, Edithvale and Bonbeach, Victoria (EPBC 2017/7906)</i>, dated 3 December 2018 by James Barker, Department of the Environment and Energy:</p> <ul style="list-style-type: none"> <li>- On page 3, non-administrative conditions specific to GMMP 3 (Conditions 1 to 4) are outlined.</li> </ul> <p>Document 9: <i>Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1</i>, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance:</p> <ul style="list-style-type: none"> <li>- On page 6, the condition reference number 3(a) of Table 2 provides more information on this criterion. Specifically, it states that: "Condition met through Table 13 of [GMMP 3]".</li> </ul>	Table 13 of GMMP 3 outlines the applicable EPBC Act approval conditions. These conditions were the same as the applicable conditions (Conditions 1 to 4) for the Edithvale Wetlands Monitoring and Mitigation Plan, as detailed in Document 5. Assessment of Table 13 in the GMMP 3 confirms that it has appropriately addressed the applicable conditions (Conditions 1 to 4) of the EPBC Act (Document 5). Hence, the Independent Auditor considers this criterion to be compliant.	COMPLIANT
3.5	Inclusion of a table outlining commitments made to achieve objectives within the GMMP	Sighting of a table within the GMMP outlining the commitments made to achieve the environmental objectives; Sighting of references of the aforementioned commitments within the GMMP and assess evidence of implementation; and, Completing stakeholder interviews and a site inspection (if applicable) to further understand how commitments made have been implemented.	<p>GMMP 3: <i>Edithvale and Bonbeach Groundwater Monitoring and Management Plan</i>, dated 21 August 2020 by Team Member, Level Crossing Removal Project;</p> <p>Document 6: <i>Groundwater Monitoring Program (13 October 2020 to 12 October 2021) - Edithvale (ID18) &amp; Bonbeach (ID46)</i>, dated December 2021, TA;</p> <p>Document 9: <i>Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1</i>, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; and</p> <p>Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).</p>	<p>GMMP 3: <i>Edithvale and Bonbeach Groundwater Monitoring and Management Plan</i>, dated 21 August 2020 by Team Member, Level Crossing Removal Project:</p> <ul style="list-style-type: none"> <li>- On page 10, Table 1 outlines the commitments to achieve objectives and relevant sections of the report describing them.</li> <li>- Some commitments are outlined in this document. For example, definitions of roles and responsibilities, as one of the commitments, are detailed in Section 7.</li> </ul> <p>Document 9: <i>Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1</i>, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance:</p> <ul style="list-style-type: none"> <li>- On page 6, the condition reference number 3(b) of Table 2 provides more information on this criterion. Specifically, it states that: "Condition met through Section 1.5 and Table 1 within the [GMMP 3] and the relevant sections of the [GMMP 3] referenced therein."</li> </ul> <p>Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG):</p> <ul style="list-style-type: none"> <li>- It was discussed that LXRP engaged TA and undertook a program of work to finalise the plan. Once finalised, TA implemented the plan with a contract with LXRP.</li> <li>- It was discussed that TA undertook monitoring at a set piece of time. TA worked with LXRP for things like site access, results if triggers were met and what was needed. There were also weekly meetings between LXRP and TA.</li> </ul> <p>Document 6: <i>Groundwater Monitoring Program (13 October 2020 to 12 October 2021) - Edithvale (ID18) &amp; Bonbeach (ID46)</i>, dated December 2021, TA:</p> <ul style="list-style-type: none"> <li>- Many commitments outlined in Table 1 of GMMP 3 were evidenced throughout Document 6. For example, defining methodology as one of the commitments is detailed in Section 3. Monitoring parameters can be seen in Tables 4 and 5.</li> </ul>	Table 1 within GMMP 3 was sighted outlining the commitments made to achieve the environmental objectives. References of the aforementioned commitments within GMMP 3 were also sighted in the same table. Interview 1 was conducted to understand how commitments were implemented. The Independent Auditor was satisfied with the evidence seen from GMMP 3 and Document 6 during Interview 1. Hence, the Independent Auditor considers this criterion to be compliant.	COMPLIANT
3.6	Inclusion of reporting mechanisms to demonstrate compliance within the GMMP	Sighting of reporting mechanisms within the GMMP and assess evidence of implementation; and, Completing stakeholder interviews to further understand how reporting mechanisms have been implemented.	<p>GMMP 3: <i>Edithvale and Bonbeach Groundwater Monitoring and Management Plan</i>, dated 21 August 2020 by Team Member, Level Crossing Removal Project;</p> <p>Document 6: <i>Groundwater Monitoring Program (13 October 2020 to 12 October 2021) - Edithvale (ID18) &amp; Bonbeach (ID46)</i>, dated December 2021, TA;</p> <p>Document 7: <i>Level Crossing Removal Project Status Report</i>, dated October 2020, Southern Program Alliance;</p> <p>Document 8: <i>Memorandum</i>, dated 24 December 2020, by Senior Hydrogeologist, TA;</p> <p>Document 9: <i>Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1</i>, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; and</p> <p>Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).</p>	<p>GMMP 3: <i>Edithvale and Bonbeach Groundwater Monitoring and Management Plan</i>, dated 21 August 2020 by Team Member, Level Crossing Removal Project:</p> <ul style="list-style-type: none"> <li>- On page 26, Section 6.1 outlines the reporting procedure.</li> </ul> <p>Document 6: <i>Groundwater Monitoring Program (13 October 2020 to 12 October 2021) - Edithvale (ID18) &amp; Bonbeach (ID46)</i>, dated December 2021, TA:</p> <ul style="list-style-type: none"> <li>- Appendix C outlines the tabulated results.</li> </ul> <p>Document 7: <i>Level Crossing Removal Project Status Report</i>, dated October 2020, Southern Program Alliance:</p> <ul style="list-style-type: none"> <li>- This is an internal monthly report by LXRP to the leadership team on the progress of the project. Pages 3 to 5 outline the data reported.</li> </ul> <p>Document 8: <i>Memorandum</i>, dated 24 December 2020, by Senior Hydrogeologist, TA:</p> <ul style="list-style-type: none"> <li>- This is an external quarterly report by TA to report on the project. Section 4 outlines the method.</li> </ul> <p>Document 9: <i>Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1</i>, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance:</p> <ul style="list-style-type: none"> <li>- On page 6, the condition reference number 3(c) of Table 2 provides more information on this criterion. Specifically, it states that: "Section 6 within the [GMMP 3] outlines reporting, notification and audit requirements. This Compliance Report forms the basis of demonstrating compliance with [reporting mechanism]."</li> </ul> <p>Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG):</p> <ul style="list-style-type: none"> <li>- It was discussed that the implementation of the reporting was done through various avenues such as internal monthly reporting, quarterly TA reporting, and annual compliance report.</li> </ul>	Reporting mechanisms were sighted in Section 6.1 within GMMP 3 and evidence of implementation can be sighted via various documents such as Document 6, Document 7, Document 8 and Document 9. Interview 1 was conducted to understand how reporting mechanisms have been implemented. It was discussed that the data report was done at least quarterly by TA through memos such as Document 8 and separately reported monthly by LXRP through documents such as Document 7. The data was also reported for compliance annually via documents like Document 9. Hence, the Independent Auditor considers this criterion to be compliant.	COMPLIANT
3.7	Inclusion of review mechanisms to demonstrate compliance within the GMMP	Sighting of review mechanisms within the GMMP and assess evidence of implementation; and, Completing stakeholder interviews to further understand how review mechanisms have been implemented.	<p>GMMP 3: <i>Edithvale and Bonbeach Groundwater Monitoring and Management Plan</i>, dated 21 August 2020 by Team Member, Level Crossing Removal Project;</p> <p>Document 6: <i>Groundwater Monitoring Program (13 October 2020 to 12 October 2021) - Edithvale (ID18) &amp; Bonbeach (ID46)</i>, dated December 2021, TA;</p> <p>Document 7: <i>Level Crossing Removal Project Status Report</i>, dated October 2020, Southern Program Alliance;</p> <p>Document 8: <i>Memorandum</i>, dated 24 December 2020, by Senior Hydrogeologist, TA;</p> <p>Document 9: <i>Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1</i>, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; and</p> <p>Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).</p>	<p>GMMP 3: <i>Edithvale and Bonbeach Groundwater Monitoring and Management Plan</i>, dated 21 August 2020 by Team Member, Level Crossing Removal Project:</p> <ul style="list-style-type: none"> <li>- On page 26, Section 6 discusses the review procedure.</li> </ul> <p>Document 6: <i>Groundwater Monitoring Program (13 October 2020 to 12 October 2021) - Edithvale (ID18) &amp; Bonbeach (ID46)</i>, dated December 2021, TA:</p> <ul style="list-style-type: none"> <li>- Section 6 discusses quality assurance and quality control.</li> </ul> <p>Document 7: <i>Level Crossing Removal Project Status Report</i>, dated October 2020, Southern Program Alliance:</p> <ul style="list-style-type: none"> <li>- This is an internal monthly report by LXRP to the leadership team on the progress of the project. Pages 3 to 5 outline the data reviewed.</li> </ul> <p>Document 8: <i>Memorandum</i>, dated 24 December 2020, by Senior Hydrogeologist, TA:</p> <ul style="list-style-type: none"> <li>- This is an external quarterly report by TA to report on the project. Section 5 outlines the review of results.</li> </ul> <p>Document 9: <i>Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1</i>, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance:</p> <ul style="list-style-type: none"> <li>- On page 6, the condition reference number 3(c) of Table 2 provides more information on this criterion. Specifically, it states that: "Section 6 within the [GMMP 3] outlines reporting, notification and audit requirements. This Compliance Report forms the basis of demonstrating compliance with [review mechanism]."</li> </ul> <p>Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG):</p> <ul style="list-style-type: none"> <li>- It was discussed that the review process was closely documented after the reporting process.</li> </ul>	Review mechanisms were sighted in Section 6 of GMMP 3 and assess evidence of implementation; and evidence of implementation can be sighted via various documents such as Document 6, Document 7, Document 8 and Document 9. Interview 1 was conducted to understand how review mechanisms have been implemented. It was discussed that the review of data was done at least quarterly by TA through memos such as Document 8 and separately reported monthly by LXRP through documents such as Document 7. The data was also reported for compliance annually via documents like Document 9. Hence, the Independent Auditor considers this criterion to be compliant.	COMPLIANT
3.8	Inclusion of documentation standards to demonstrate compliance within the GMMP	Sighting of documentation standards within the GMMP and assess evidence of implementation.	<p>GMMP 3: <i>Edithvale and Bonbeach Groundwater Monitoring and Management Plan</i>, dated 21 August 2020 by Team Member</p>	<p>GMMP 3: <i>Edithvale and Bonbeach Groundwater Monitoring and Management Plan</i>, dated 21 August 2020 by Team Member, Level Crossing Removal Project:</p> <ul style="list-style-type: none"> <li>- On page 2, document control is described.</li> </ul> <p>Document 9: <i>Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1</i>, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance:</p> <ul style="list-style-type: none"> <li>- On page 6, the condition reference number 3(c) of Table 2 provides more information on this criterion. Specifically, it states that: "Section 6 within the [GMMP 3] outlines reporting, notification and audit requirements. This Compliance Report forms the basis of demonstrating compliance with [documentation standards]."</li> </ul>	Page 2 of GMMP 3 outlines 'Document Control' section of the plan. It is noted that the correct date (21 August 2020) was recorded. It was also signed off by Team Member. It is also observed that the report is complete without any missing sections. Hence, the Independent Auditor considers this criterion to be compliant.	COMPLIANT
3.9	Inclusion of a risk assessment assessing the achievability of environmental objectives within the GMMP	Sighting of a risk assessment output within the GMMP and assess evidence of implementation; and, Completing stakeholder interviews to understand the risk assessment process undertaken.	<p>GMMP 3: <i>Edithvale and Bonbeach Groundwater Monitoring and Management Plan</i>, dated 21 August 2020 by Team Member, Level Crossing Removal Project;</p> <p>Email 3: Email from Senior Manager, Land Planning and Environment, MTIA, to Project Manager/Lead Environmental Auditor, KPMG Australian Services Pty Ltd (KPMG), dated 12 February 2024, titled: Email from TA re GMMP Version 3 lodgment.pdf;</p> <p>Document 6: <i>Groundwater Monitoring Program (13 October 2020 to 12 October 2021) - Edithvale (ID18) &amp; Bonbeach (ID46)</i>, dated December 2021, TA;</p> <p>Document 9: <i>Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1</i>, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; and</p> <p>Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).</p>	<p>GMMP 3: <i>Edithvale and Bonbeach Groundwater Monitoring and Management Plan</i>, dated 21 August 2020 by Team Member, Level Crossing Removal Project:</p> <ul style="list-style-type: none"> <li>- Table 11 outlines the risk assessment output.</li> </ul> <p>Email 3: Email from Senior Manager, Land Planning and Environment, MTIA, to Project Manager/Lead Environmental Auditor, KPMG Australian Services Pty Ltd (KPMG), dated 12 February 2024, titled: Email from TA re GMMP Version 3 lodgment.pdf;</p> <ul style="list-style-type: none"> <li>- It was confirmed that the risks were developed by LXRP based on TA's advice, and the potential risks were outlined.</li> </ul> <p>Document 9: <i>Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1</i>, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance:</p> <ul style="list-style-type: none"> <li>- On page 7, the condition reference number 3(d) of Table 2 provides more information on this criterion. Specifically, it states that: "Risks to implementation of the Plan are outlined in Section 8.3 within the [GMMP 3]. New environmental risks identified through implementation Plan environmental objectives."</li> </ul> <p>Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG):</p> <ul style="list-style-type: none"> <li>- Evidence of implementation, as well as the risk assessment process, was discussed.</li> </ul> <p>Note: Other document(s) listed in the 'Document Sighted' column but not listed in this cell serve as supplementary information to support the determination process.</p>	A risk assessment output was sighted within Table 11 of GMMP 3. Evidence of implementation was discussed in Interview 1. In addition, Document 6 also provides more details on the groundwater monitoring discussed in GMMP 3. Interview 1 was also undertaken to understand the risk assessment process. It was documented via Email 3 that the risk assessment output was developed by LXRP based on TA's advice, and in this case there wasn't need for a supporting, formal risk assessment register. This is appropriate. Hence, the Independent Auditor considers this criterion to be compliant.	COMPLIANT

3.10	Inclusion of risk management strategies to address the risk assessment within the GMMP	Sighting of the risk management strategies to address the risk assessment within the GMMP and assess evidence of implementation; and, Completing stakeholder interviews to understand the risk management strategies were developed following the risk assessment process undertaken.	GMMP 3: Edithvale and Bonbeach Groundwater Monitoring and Management Plan, dated 21 August 2020 by Team Member, Level Crossing Removal Project; Document 6: Groundwater Monitoring Program (13 October 2020 to 12 October 2021) - Edithvale (ID18) & Bonbeach (ID46), dated December 2021, TA; Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).	GMMP 3: Edithvale and Bonbeach Groundwater Monitoring and Management Plan, dated 21 August 2020 by Team Member, Level Crossing Removal Project: - Table 11 outlines the risk management strategies. Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; - On page 7, the condition reference number 3(d) of Table 2 provides more information on this criterion. Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG); - Evidence of implementation, as well as the risk management strategies such as climate change scenarios modelling were discussed. Note: Other document(s) listed in the "Document Sighted" column but not listed in this cell serve as supplementary information to support the determination process.	Risk management strategies were sighted in Table 11 of GMMP 3 to address the risks identified. Interview 1 was undertaken to understand risk management strategies such as climate change scenario modelling. Document 6 also provides more details on the groundwater monitoring discussed in GMMP 3. Hence, the Independent Auditor considers this criterion to be compliant.	COMPLIANT
3.11	Inclusion of impact avoidance measures and their timing within the GMMP	Sighting of the impact avoidance measures and the associated timing within the GMMP and assess evidence of implementation; and, Completing stakeholder interviews and a site inspection (if applicable) to further understand how impact avoidance measures have been implemented.	GMMP 3: Edithvale and Bonbeach Groundwater Monitoring and Management Plan, dated 21 August 2020 by Team Member, Level Crossing Removal Project; Document 6: Groundwater Monitoring Program (13 October 2020 to 12 October 2021) - Edithvale (ID18) & Bonbeach (ID46), dated December 2021, TA; Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG); and Site photos: Site visit conducted by KPMG on 8 February 2024.	GMMP 3: Edithvale and Bonbeach Groundwater Monitoring and Management Plan, dated 21 August 2020 by Team Member, Level Crossing Removal Project: - Sections 3, 4, and 5 discuss the impact avoidance measures and their associated timing. Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; - On page 7, the condition reference number 3(e) of Table 2 provides more information on this criterion. Specifically, it states that: "Sections 3, 4 and 5 within the [GMMP 3] outline monitoring to be undertaken to identify the need for impact avoidance and mitigation. Appendix B: Groundwater Monitoring Program Report [of Document 9] confirms that no applicable trigger values were reached during the reporting period. A Groundwater Quality Mitigation Plan (EPR_CL5) has been prepared (refer to Appendix C: Groundwater Quality Mitigation Plan [of Document 9]), to meet the requirements of EPR_CL5 and address impact mitigation measures and their timing, should they be required if a trigger is reached." Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG); - It was discussed that TA originally proposed drain as risk mitigation measure. However, SPA then proposed shortening/shallowing as parts of the design development. - A monitoring plan was also in place and the EWMP will get activated if the triggers were met. Note: Other document(s) listed in the "Document Sighted" column but not listed in this cell serve as supplementary information to support the determination process.	Impact avoidance measures and their associated timings were sighted within Sections 3, 4 and 5 of GMMP 3. Interview 1 was conducted to understand how impact avoidance measures were implemented. The main design change to help mitigate impact was revealed to be the shortening/shallowing. A site inspection was also conducted to further understand the design change (see site photos in Appendix 4). Hence, the Independent Auditor considers this criterion to be compliant.	COMPLIANT
3.12	Inclusion of mitigation and/or repair measures and their timings within the GMMP	Sighting of mitigation and/or repair measures and their timings within the GMMP and assess evidence of implementation; and, Completing stakeholder interviews and a site inspection (if applicable) to further understand how mitigation and/or repair measures made have been implemented.	GMMP 3: Edithvale and Bonbeach Groundwater Monitoring and Management Plan, dated 21 August 2020 by Team Member, Level Crossing Removal Project; Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).	GMMP 3: Edithvale and Bonbeach Groundwater Monitoring and Management Plan, dated 21 August 2020 by Team Member, Level Crossing Removal Project: - Sections 3, 4, and 5 discuss the mitigation and/or repair measures and their associated timing. Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; - On page 7, the condition reference number 3(e) of Table 2 provides more information on this criterion. Specifically, it states that: "Sections 3, 4 and 5 within the [GMMP 3] outline monitoring to be undertaken to identify the need for impact avoidance and mitigation. Appendix B: Groundwater Monitoring Program Report [of Document 9] confirms that no applicable trigger values were reached during the reporting period. A Groundwater Quality Mitigation Plan (EPR_CL5) has been prepared (refer to Appendix C: Groundwater Quality Mitigation Plan [of Document 9]), to meet the requirements of EPR_CL5 and address impact mitigation measures and their timing, should they be required if a trigger is reached." Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG); - It was discussed that triggers were not met, so implementation will not be discussed.	Mitigation and/or repair measures and their timings were sighted within Sections 3, 4 and 5 of GMMP 3. During Interview 1, it was discussed that the triggers were not activated, and hence, EWMP 2 was not implemented. EWMP 2 outlines the procedure that will occur if triggers are activated. As a result, sighting of evidence of implementation is not needed. Hence, the Independent Auditor considers this criterion to be compliant.	COMPLIANT
3.13	Inclusion of a monitoring program within the GMMP	Sighting of a monitoring program within the GMMP and assess evidence of implementation; and, Completing stakeholder interviews to understand how the monitoring program has been implemented.	GMMP 3: Edithvale and Bonbeach Groundwater Monitoring and Management Plan, dated 21 August 2020 by Team Member, Level Crossing Removal Project; Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; Document 6: Groundwater Monitoring Program (13 October 2020 to 12 October 2021) - Edithvale (ID18) & Bonbeach (ID46), dated December 2021, TA; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).	GMMP 3: Edithvale and Bonbeach Groundwater Monitoring and Management Plan, dated 21 August 2020 by Team Member, Level Crossing Removal Project: - The monitoring program is sighted in Section 2. Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; - On page 7, the condition reference number 3(e) of Table 2 provides more information on this criterion. Specifically, it states that: "Sections 3, 4 and 5 within the [GMMP 3] outline monitoring to be undertaken to identify the need for impact avoidance and mitigation. Appendix B: Groundwater Monitoring Program Report [of Document 9] confirms that no applicable trigger values were reached during the reporting period. A Groundwater Quality Mitigation Plan (EPR_CL5) has been prepared (refer to Appendix C: Groundwater Quality Mitigation Plan [of Document 9]), to meet the requirements of EPR_CL5 and address impact mitigation measures and their timing, should they be required if a trigger is reached." Document 6: Groundwater Monitoring Program (13 October 2020 to 12 October 2021) - Edithvale (ID18) & Bonbeach (ID46), dated December 2021, TA; - Evidence of the monitoring program can be sighted in Section 4. Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG); - The implementation of the monitoring program was discussed in details (such as the frequencies and the locations of monitoring bores, as well as sighting Nearmap images).	The monitoring program can be sighted in Section 2 of GMMP 3. Interview 1 was a further opportunity for the Independent Auditor to understand how the monitoring program was implemented (such as site access, the assessment of bore locations, frequency of data collection, storage of data, and bores' maintenance). As per Document 6, evidence of the monitoring program can be sighted in Section 4. The implementation of the monitoring program was discussed in detail at Interview 1 (such as the frequencies and the locations of monitoring bores, as well as sighting Nearmap images). Hence, the Independent Auditor considers this criterion to be compliant.	COMPLIANT
3.14	Inclusion of measurable performance indicators within the monitoring program in the GMMP	Sighting of measurable performance indicators within the monitoring program in the GMMP and assess evidence of implementation; and, Completing stakeholder interviews to understand how performance indicators have been measured	GMMP 3: Edithvale and Bonbeach Groundwater Monitoring and Management Plan, dated 21 August 2020 by Team Member, Level Crossing Removal Project; Document 6: Groundwater Monitoring Program (13 October 2020 to 12 October 2021) - Edithvale (ID18) & Bonbeach (ID46), dated December 2021, TA; Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).	GMMP 3: Edithvale and Bonbeach Groundwater Monitoring and Management Plan, dated 21 August 2020 by Team Member, Level Crossing Removal Project: - Measurable performance indicators can be sighted in Table 2. Document 6: Groundwater Monitoring Program (13 October 2020 to 12 October 2021) - Edithvale (ID18) & Bonbeach (ID46), dated December 2021, TA; - Table 1 details the environmental quality indicators. Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; - On page 7, the condition reference number 3(f) of Table 2 provides more information on this criterion. Specifically, it states that: "Sections 3, 4 and 5 within the [GMMP 3] outline monitoring to be undertaken to identify the need for impact avoidance and mitigation through measurable performance indicators (triggers). To demonstrate monitoring program implementation, an annual factual monitoring report is included in Appendix B: Groundwater Monitoring Program Report [of Document 9]. To demonstrate the monitoring of measurable performance indicators (triggers indicating potential impacts to groundwater as a result of the action), the quarterly review documentation is included in Appendix B: Groundwater Monitoring Program Report [of Document 9], which confirms that no applicable trigger values were reached during the reporting period." Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG); - The process of measuring performance indicators was discussed (such as automatic data collection, etc).	Measurable performance indicators were sighted in Table 2 of GMMP 3 and further detailed in Table 1 of Document 6. The implementation of measurable performance indicators can be seen in Appendix E of Document 6. Stakeholder interviews were conducted to understand how performance indicators have been measured (such as automatic data collection at the bores, sampling and laboratory analysis). No exceedances to groundwater levels were recorded. Hence, the Independent Auditor considers this criterion to be compliant.	COMPLIANT
3.15	Inclusion of timing and frequency for monitoring against the performance indicators within the monitoring program in the GMMP	Sighting of timing and frequency for monitoring against the performance indicators within the monitoring program in the GMMP and assess evidence of implementation; and, Completing stakeholder interviews to understand how the timing and frequency of performance indicators have been implemented.	GMMP 3: Edithvale and Bonbeach Groundwater Monitoring and Management Plan, dated 21 August 2020 by Team Member, Level Crossing Removal Project; Document 6: Groundwater Monitoring Program (13 October 2020 to 12 October 2021) - Edithvale (ID18) & Bonbeach (ID46), dated December 2021, TA; Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).	GMMP 3: Edithvale and Bonbeach Groundwater Monitoring and Management Plan, dated 21 August 2020 by Team Member, Level Crossing Removal Project: - Requirements are outlined in are outlined in Sections 3, 4 and 5. Document 6: Groundwater Monitoring Program (13 October 2020 to 12 October 2021) - Edithvale (ID18) & Bonbeach (ID46), dated December 2021, TA; - The timing of monitoring can be seen in Section 3. Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; - On page 8, the condition reference number 3(f) of Table 2 provides more information on this criterion. Specifically, it states that: "Requirements are outlined in Sections 3, 4 and 5 of the [GMMP 3]. To demonstrate the timing and frequency of monitoring of performance indicators, an annual factual monitoring report is included in Appendix B: Groundwater Monitoring Program Report [of Document 9], which confirms that no applicable trigger values were reached during the reporting period." Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG); - It was confirmed during the discussion that the groundwater level data was collected at least weekly via automatic monitoring. - It was confirmed during the discussion that groundwater quality collection for lab analysis is monthly.	Timing and frequency for monitoring against the performance indicators within the monitoring program were sighted in Appendix B of GMMP 3. Implementation is evident in Document 6. Stakeholder interviews were conducted to understand how the timing and frequency of performance indicators were implemented (such as where they were recorded and whether the data collection was from automatic collection or manual sampling). Hence, the Independent Auditor considers this criterion to be compliant.	COMPLIANT
3.16	Inclusion of trigger values for corrective actions within the monitoring program in the GMMP	Sighting of trigger values for corrective actions within the monitoring program in the GMMP and assess evidence of implementation.	GMMP 3: Edithvale and Bonbeach Groundwater Monitoring and Management Plan, dated 21 August 2020 by Team Member, Level Crossing Removal Project; Document 6: Groundwater Monitoring Program (13 October 2020 to 12 October 2021) - Edithvale (ID18) & Bonbeach (ID46), dated December 2021, TA; Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).	GMMP 3: Edithvale and Bonbeach Groundwater Monitoring and Management Plan, dated 21 August 2020 by Team Member, Level Crossing Removal Project: - Requirements are outlined in are outlined in Sections 3, 4 and 5. Document 6: Groundwater Monitoring Program (13 October 2020 to 12 October 2021) - Edithvale (ID18) & Bonbeach (ID46), dated December 2021, TA; - Adopted triggers can be seen implemented in Appendix D. Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; - On page 8, the condition reference number 3(f) of Table 2 provides more information on this criterion. Specifically, it states that: "Requirements are outlined in Sections 3, 4 and 5 of the [GMMP 3]. To demonstrate the monitoring of measurable performance indicators (triggers indicating potential impacts to groundwater as a result of the action), the quarterly review documentation is included in Appendix B: Groundwater Monitoring Program Report [of Document 9]." Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG); - It was confirmed that no trigger values were activated.	Trigger values for corrective actions were sighted in Section 4 of GMMP 3, and adopted triggers can be seen implemented in Appendix D of Document 6. Hence, the Independent Auditor considers this criterion to be compliant.	COMPLIANT

3.17	Inclusion of corrective actions, and commitments where trigger values are reached within the monitoring program in the GMMP	Sighting of corrective actions, and commitments where trigger values are reached within the monitoring program in the GMMP and assess evidence of implementation, and:  Completing stakeholder interviews to understand where trigger values were exceeded and what corrective actions were implemented.	GMMP 3: Edithvale and Bonbeach Groundwater Monitoring and Management Plan, dated 21 August 2020 by Team Member, Level Crossing Removal Project;  Document 6: Groundwater Monitoring Program (13 October 2020 to 12 October 2021) - Edithvale (ID16) & Bonbeach (ID46), dated December 2021, TA;  Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; and  Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).	GMMP 3: Edithvale and Bonbeach Groundwater Monitoring and Management Plan, dated 21 August 2020 by Team Member, Level Crossing Removal Project: - Corrective actions are described in Sections 3, 4 and 5.  Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance: - On page 8, the condition reference number 3(i)(v) of Table 2 provides more information on this criterion. Specifically, it states that: "Corrective actions are outlined in Sections 3, 4 and 5 of the [GMMP 3]. As referenced in the RAMP as a corrective action, a Groundwater Quality Mitigation Plan (EPR_CL5) has been prepared (refer to Appendix C: Groundwater Quality Mitigation Plan), to meet the requirements of EPR_CL5 and address impact mitigation measures and their timing, should they be required if a trigger is reached."  Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG): - It was confirmed that no trigger levels were met so no corrective actions were taken.  Note: Other document(s) listed in the 'Document Sighted' cell but not listed in this cell serve as supplementary information to support the determination process.	Corrective actions and commitments where trigger values are reached were sighted within Sections 3.4 and 5.4 of GMMP 3.  Interview 1 revealed that no corrective actions were action due to no trigger levels being met. As a result, no evidence of implementation is needed.  Hence, the Independent Auditor considers this criterion to be compliant.	COMPLIANT
<b>EPBC Approval Condition 4.</b>		<b>"The approval holder must submit an Edithvale Wetlands Monitoring and Mitigation Plan for the Minister's approval that ensures impacts to wetlands as a result of the action are monitored, and corrective actions implemented if applicable trigger values are reached."</b>		<b>Determination</b>		<b>Compliance Finding</b>
4.1	Minister approval of the Edithvale Wetlands Monitoring and Mitigation Plan (EWMP)	Sighting the Minister's letter of approval of the EWMP alongside the approved version of the EWMP that was in place during the audit period.	EWMP 2: Edithvale Wetland Monitoring and Mitigation Plan, dated 16 June 2020, by Team Member, Level Crossing Removal Project;  Document 0: Letter from Team Member, Environment Approvals Division, to Team Member, Level Crossing Removal Project, dated 2 December 2019, titled: EPBC 2017/7906, Edithvale and Bonbeach Level Crossing Removal Projects, Victoria: Groundwater Monitoring and Management Plan and Edithvale Wetland Monitoring and Mitigation Plan.  Email 1: Email from Team Member, Major Transport Infrastructure Authority (MTIA) to Post Approvals, The Australian Department of Agriculture, Water and the Environment (DAWE), dated 18 June 2020, titled: RE: EPBC Act Approval 2017/7906 - Edithvale and Bonbeach Level Crossing Removal Projects - RAMP documents;  Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG);  Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; and  Document 10: Website history of publications, provided by LXRP	Document 0: Letter from Team Member, Environment Approvals Division, to Team Member, Level Crossing Removal Project, dated 2 December 2019, titled: EPBC 2017/7906, Edithvale and Bonbeach Level Crossing Removal Projects, Victoria: Groundwater Monitoring and Management Plan and Edithvale Wetland Monitoring and Mitigation Plan: - This letter from DAWE states that the EWMP dated 31 October 2019 (the first version) was approved.  EWMP 2: Edithvale Wetland Monitoring and Mitigation Plan, dated 16 June 2020, by Team Member, Level Crossing Removal Project: - On page 2, it is outlined that the document is "Version 2". This is the second version of the EWMP, the version applicable to the audit period. The challenge for this criterion is that the Minister's approval for the second version of the EWMP was not sighted.  Note: Other document(s) listed in the 'Document Sighted' column but not listed in this cell serve as supplementary information to support the determination process.	As per Document 0, the first version of the EWMP was approved. The challenge is that the Independent Auditor has not sighted the Minister's approval letter for EWMP 2. This important piece of information might have been misplaced.  During the stakeholder interview, it was advised that DAWE might not have responded to MTIA's notification email regarding EWMP 2. Email 1 is the notification to DAWE regarding EWMP 2. As a result, the Independent Auditor determined it was appropriate to deem the date of approval of EWMP 2 to be the date of its notification to DAWE, which is 18 June 2020.  It was also discussed during the interview that monitoring data relevant to this audit period did not activate any trigger, so the EWMP 2 was not implemented. Even though GMMP 3 refer to EWMP 2 being implemented if monitoring data relevant to this audit period activated any trigger, there is no absolute evidence to show that EWMP 2 was planned to be used instead of the first version of EWMP in the event of activated triggers. However, a closely related piece of evidence is Document 10, which shows that EWMP 2 was published on 7 August 2020, and it has been on the website up until now. This means that the publication period of EWMP 2 will cover the audit period from October 2020 to October 2021. The Independent Auditor determined that it was appropriate to deem the date of implementation (if necessary) of EWMP 2 to be from 7 August 2020, in summary: - EWMP 2 (version 2 of the EWMP) was approved on 18 June 2020; and - EWMP 2 (version 2 of the EWMP) was implemented from 7 August 2020, which covers the audit period.  Hence, the Independent Auditor considers this criterion to be compliant.	COMPLIANT
<b>EPBC Approval Condition 5.</b>		<b>"The approval holder must not commence the action unless the Minister has approved the Edithvale Wetlands Monitoring and Mitigation Plan in writing. The Edithvale Wetlands Monitoring and Mitigation Plan approved by the Minister must be implemented."</b>		<b>Determination</b>		<b>Compliance Finding</b>
5.1	Commencement of the Action	Comparison between the date of the action commencement, and the date of the Minister's letter of approval for the EWMP.	EWMP 2: Edithvale Wetland Monitoring and Mitigation Plan, dated 16 June 2020, by Team Member, Level Crossing Removal Project;  Document 0: Letter from Team Member, Environment Approvals Division, to Team Member, Level Crossing Removal Project, dated 2 December 2019, titled: EPBC 2017/7906, Edithvale and Bonbeach Level Crossing Removal Projects, Victoria: Groundwater Monitoring and Management Plan and Edithvale Wetland Monitoring and Mitigation Plan.  Email 1: Email from Team Member, Major Transport Infrastructure Authority (MTIA) to Post Approvals, The Australian Department of Agriculture, Water and the Environment (DAWE), dated 18 June 2020, titled: RE: EPBC Act Approval 2017/7906 - Edithvale and Bonbeach Level Crossing Removal Projects - RAMP documents;  Document 2: AWP2 - EDITHVALE, CHELSEA & BONBEACH DETAILED PROGRAM, dated 30 May 2022, checked by Team Member;  Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; and  Document 3: Referral of proposed action, August 2016, signed by Team Member on 14 March 2017.	EWMP 2: Edithvale Wetland Monitoring and Mitigation Plan, dated 16 June 2020, by Team Member, Level Crossing Removal Project: - On page 2, it is outlined that the document is "Version 2".  Document 0: Letter from Team Member, Environment Approvals Division, to Team Member, Level Crossing Removal Project, dated 2 December 2019, titled: EPBC 2017/7906, Edithvale and Bonbeach Level Crossing Removal Projects, Victoria: Groundwater Monitoring and Management Plan and Edithvale Wetland Monitoring and Mitigation Plan: - This letter from DAWE states that the EWMP dated 31 October 2019 (the first version) was approved.  Email 1: Email from Team Member, Major Transport Infrastructure Authority (MTIA) to Post Approvals, The Australian Department of Agriculture, Water and the Environment (DAWE), dated 18 June 2020, titled: RE: EPBC Act Approval 2017/7906 - Edithvale and Bonbeach Level Crossing Removal Projects - RAMP documents: - This email to DAWE states that the EWMP dated 31 October 2019 (the first version) was modified (implying version 2 had been created).  Document 2: AWP2 - EDITHVALE, CHELSEA & BONBEACH DETAILED PROGRAM, dated 30 May 2022, checked by Team Member: - On page 42, the commencement of the action was documented to be on 13 October 2020 under the Program Schedule, excluding enabling works, relocation of entities and services and combined services route construction as per Document 3.  Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance: - On page 9, condition reference number 5 of Table 2 provides more information on this criterion. Specifically, it is stated that: "Commencement of action occurred subsequently on 13 October 2020 in accordance with condition 7 of the EPBC Act approval EPBC 2017/7906."  Document 3: Referral of proposed action, August 2016, signed by Team Member on 14/03/2017: - On page 10, enabling works, relocation of entities and services and combined services route construction were outlined as not forming parts of the two actions that are being referred to.	As detailed in the evidence section, the action commencement was on 13 October 2020 (as per Documents 2 and 3), and the EWMP 2 was approved on 18 June 2020 (as reasoned in the determination process of EPBC Approval Condition Ref. 4.1). As a result, the action commenced after the EWMP 2 was approved. This criterion is, therefore, deemed compliant by the Independent Auditor.	COMPLIANT
5.2	Implementation of the approved EWMP	Comparison of the version number of the EWMP approved by the Minister, and the version of the EWMP used in implementation during the audit period.	EWMP 2: Edithvale Wetland Monitoring and Mitigation Plan, dated 16 June 2020, by Team Member, Level Crossing Removal Project;  Document 0: Letter from Team Member, Environment Approvals Division, to Team Member, Level Crossing Removal Project, dated 2 December 2019, titled: EPBC 2017/7906, Edithvale and Bonbeach Level Crossing Removal Projects, Victoria: Groundwater Monitoring and Management Plan and Edithvale Wetland Monitoring and Mitigation Plan.  Email 1: Email from Team Member, Major Transport Infrastructure Authority (MTIA) to Post Approvals, The Australian Department of Agriculture, Water and the Environment (DAWE), dated 18 June 2020, titled: RE: EPBC Act Approval 2017/7906 - Edithvale and Bonbeach Level Crossing Removal Projects - RAMP documents;  Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG);  Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; and  Document 10: Website history of publications, provided by LXRP	EWMP 2: Edithvale Wetland Monitoring and Mitigation Plan, dated 16 June 2020, by Team Member, Level Crossing Removal Project: - On page 2, it is outlined that the document is "Version 2".  Document 0: Letter from Team Member, Environment Approvals Division, to Team Member, Level Crossing Removal Project, dated 2 December 2019, titled: EPBC 2017/7906, Edithvale and Bonbeach Level Crossing Removal Projects, Victoria: Groundwater Monitoring and Management Plan and Edithvale Wetland Monitoring and Mitigation Plan: - This letter from DAWE states that the EWMP dated 31 October 2019 (the first version) was approved.  Email 1: Email from Team Member, Major Transport Infrastructure Authority (MTIA) to Post Approvals, The Australian Department of Agriculture, Water and the Environment (DAWE), dated 18 June 2020, titled: RE: EPBC Act Approval 2017/7906 - Edithvale and Bonbeach Level Crossing Removal Projects - RAMP documents: - This email to DAWE states that the EWMP dated 31 October 2019 (the first version) was modified (implying version 2 had been created).  Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG): - It was noted in this interview that the Minister's letter of approval for EWMP 2 was not documented. The EWMP 2 is the version currently published on the website (as discussed later in this table) - The first version of the EWMP doesn't apply to this audit but was the version that the Minister officially approved. The next version of the EWMP (EWMP 2) received no reply from DAWE. - Email notification to DAWE regarding EWMP 2 was sighted. - EWMP 2 was not implemented during the audit period (as evidenced later).  Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance: - On page 9, condition reference number 5 of Table 2 provides more information on this criterion. Specifically, it states that: "The [EWMP 2] was approved by the Commonwealth Minister for the Environment on 2 December 2019. Commencement of action occurred subsequently on 13 October 2020 in accordance with condition 7 of the EPBC Act approval EPBC 2017/7906."  Document 10: Website history of publications, provided by LXRP - It is outlined in this history of publication by the Corporate Communication Team at LXRP that on 7 August 2020 - 'revised pdfs' added - Version 2 of EWMP added to website.	As reasoned in the determination process of EPBC Approval Condition Ref. 4.1: - EWMP 2 was approved on 18 June 2020; and - EWMP 2 was implemented from 7 August 2020, which covers the audit period.  Hence, the Independent Auditor considers this criterion to be compliant.	COMPLIANT
<b>EPBC Approval Condition 6.</b>		<b>"The Edithvale Wetlands Monitoring and Mitigation Plan must be consistent with the relevant Environmental Performance Requirement as approved the Victorian Minister, and must include:</b>  <b>a. The Edithvale Wetlands Monitoring and Mitigation Plan environmental objectives, relevant EPBC Act protected matters and a table setting out where it addresses the EPBC Act approval conditions applicable to the Edithvale Wetlands Monitoring and Mitigation Plan;</b> <b>b. A table of commitments made in the Edithvale Wetlands Monitoring and Mitigation Plan to achieve the objectives, and reference to where each commitment is detailed in the Edithvale Wetlands Monitoring and Mitigation Plan;</b> <b>c. Reporting and review mechanisms, and documentation standards to demonstrate compliance with the Edithvale Wetlands Monitoring and Mitigation Plan;</b> <b>d. An assessment of risks to achieving Edithvale Wetlands Monitoring and Mitigation Plan environmental objectives and risk management strategies that will be applied;</b> <b>e. Impact avoidance, mitigation and/or repair measures, and their timing; and</b> <b>f. A monitoring program, which must include:</b> <b>i. measurable performance indicators;</b> <b>ii. the timing and frequency of monitoring to detect changes in the performance indicators;</b> <b>iii. trigger values for corrective actions; and</b> <b>iv. corrective actions, and commitments to implement these actions if trigger values are reached."</b>		<b>Determination</b>		<b>Compliance Finding</b>
6.1	Consistency with approved Environmental Performance Requirements (EPR)	Comparison of the relevant EPR approved by the Victorian Minister in the applicable Environmental Management Framework (or equivalent) with contents of the EWMP.	EWMP 2: Edithvale Wetland Monitoring and Mitigation Plan, dated 16 June 2020, by Team Member, Level Crossing Removal Project;  Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; and  Document 4: Edithvale and Bonbeach Level Crossing Removal Projects Environmental Management Framework, dated December 2018 by Team Member, Level Crossing Removal Authority.	EWMP 2: Edithvale Wetland Monitoring and Mitigation Plan, dated 16 June 2020, by Team Member, Level Crossing Removal Project: - On page 29, Table 6 outlines the conditions of the relevant EPR requirement FF7.  Document 4: Edithvale and Bonbeach Level Crossing Removal Projects Environmental Management Framework, dated December 2018 by Team Member, Level Crossing Removal Authority: - On page 27, environmental performance conditions under FF7 are outlined.  Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance: - On page 9, condition reference number 6 of Table 2 provides more information on this criterion.	The relevant EPR (FF7) approved by the Victorian Minister in the applicable Environmental Management Framework (Document 4) is the same as those within the contents of EWMP 2.  Hence, the Independent Auditor considers this criterion to be compliant.	COMPLIANT

6.2	Inclusion of environmental objectives within the EWMP	Sighting of environmental objectives within the EWMP and assess evidence of implementation.	EWMP 2: Edithvale Wetland Monitoring and Mitigation Plan, dated 16 June 2020, by Team Member, Level Crossing Removal Project. GMP 3: Edithvale and Bonbeach Groundwater Monitoring and Management Plan, dated 21 August 2020 by Team Member, Level Crossing Removal Project. Document 6: Groundwater Monitoring Program (13 October 2020 to 12 October 2021) - Edithvale (ID18) & Bonbeach (ID46), dated December 2021, TA. Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).	EWMP 2: Edithvale Wetland Monitoring and Mitigation Plan, dated 16 June 2020, by Team Member, Level Crossing Removal Project: - On page 11, Table 1 outlines the environmental objectives. Document 6: Groundwater Monitoring Program (13 October 2020 to 12 October 2021) - Edithvale (ID18) & Bonbeach (ID46), dated December 2021, TA: - Appendices F and G outline summaries of trigger reviews. Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance: - On page 9, condition reference number 6(a) of Table 2 provides more information on this criterion. Specifically, it states that: "The [EWMP 2] has been prepared to address the requirements of EPR FF7 and Conditions 4-6 of the EPBC Approval 2017/7906 (Appendix A). DAWE, the Victorian Government Department of Environment, Land, Water and Planning (DELWP) and Melbourne Water were consulted during the preparation of this Plan. Section 3 of the [EWMP 2] outlines the relevant environmental objectives. ... in accordance with Section 1.3.1 of the [GMP 3], the [EWMP 2] represents a contingency measure that would be implemented in the event that mounding and/or drawdown of groundwater occurs as a result of the construction and/or operation phases of the projects, as defined within Section 4 of the RAMP. None of the triggers defined in Section 4 of the [GMP 3] and relating to Edithvale Wetland were met during the reporting period. As such, the [EWMP 2] has not been implemented." Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG): - It was discussed that monitoring was done at the project area, between the trench and wetland, and at the wetland. - It was also discussed during the interview that EWMP 2 was not implemented during the audit period due to triggers not being activated.	Environmental objectives were sighted within Table 1 of EWMP 2. Monitoring data relevant to this audit period did not activate any trigger, so EWMP 2 did not need to be implemented, as confirmed during the interview, and thus, implementation is considered not applicable. Hence, the Independent Auditor considers this criterion to be compliant.	COMPLIANT
6.3	Inclusion of relevant EPBC Act protected matters within the EWMP	Sighting of the EPBC Act protected matters included within the EWMP and assess for completeness.	EWMP 2: Edithvale Wetland Monitoring and Mitigation Plan, dated 16 June 2020, by Team Member, Level Crossing Removal Project. Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).	EWMP 2: Edithvale Wetland Monitoring and Mitigation Plan, dated 16 June 2020, by Team Member, Level Crossing Removal Project: - Table 7 outlines the EPBC Act-protected matter. Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance: - On page 9, condition reference number 6(a) of Table 2 provides more information on this criterion. Specifically, it states that: "The [EWMP 2] has been prepared to address the requirements of EPR FF7 and Conditions 4-6 of the EPBC Approval 2017/7906 (Appendix A). DAWE, the Victorian Government Department of Environment, Land, Water and Planning (DELWP) and Melbourne Water were consulted during the preparation of this Plan. Section 3 of the [EWMP 2] outlines the relevant ... EPBC Act protected matters ... are outlined in Table 6. In accordance with Section 1.3.1 of the [GMP 3], the [EWMP 2] represents a contingency measure that would be implemented in the event that mounding and/or drawdown of groundwater occurs as a result of the construction and/or operation phases of the projects, as defined within Section 4 of the [GMP 3]. None of the triggers defined in Section 4 of the [GMP 3] and relating to Edithvale Wetland were met during the reporting period. As such, the [EWMP 2] has not been implemented." Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG): - It was also confirmed during the interview that Edithvale Wetland is the only EPBC Act-protected matter.	The only EPBC Act protected matter, Edithvale Wetland is sighted within EWMP 2, and the Figure 1 outlines the monitoring points at the wetland. During Interview 1, Edithvale Wetland was also confirmed to be the only EPBC Act-protected matter. Hence, the Independent Auditor considers this criterion to be compliant.	COMPLIANT
6.4	Inclusion of a table addressing applicable EPBC Act approval conditions within the EWMP	Sighting of a table within the EWMP addressing the applicable EPBC Act approval conditions and comparison of the project's EPBC Act approval conditions and those within the aforementioned table; and, Assessment of the table within the EWMP addressing the applicable EPBC Act approval conditions for completeness.	EWMP 2: Edithvale Wetland Monitoring and Mitigation Plan, dated 16 June 2020, by Team Member, Level Crossing Removal Project. Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; and Document 6: Edithvale and Bonbeach Level Crossing Removal, Edithvale and Bonbeach, Victoria (EPBC 2017/7906), dated 3 December 2018 by James Barker, Department of the Environment and Energy.	EWMP 2: Edithvale Wetland Monitoring and Mitigation Plan, dated 16 June 2020, by Team Member, Level Crossing Removal Project: - On page 30, Table 7 addresses the EPBC Act approval conditions. Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance: - On page 9, condition reference number 6(a) of Table 2 provides more information on this criterion. Specifically, it states that: "The [EWMP 2] has been prepared to address the requirements of EPR FF7 and Conditions 4-6 of the EPBC Approval 2017/7906 (Appendix A). DAWE, the Victorian Government Department of Environment, Land, Water and Planning (DELWP) and Melbourne Water were consulted during the preparation of this Plan. Section 3 of the [EWMP 2] outlines the relevant ... applicable EPBC Act Approval Conditions are outlined in Table 6. In accordance with Section 1.3.1 of the [GMP 3], the [EWMP 2] represents a contingency measure that would be implemented in the event that mounding and/or drawdown of groundwater occurs as a result of the construction and/or operation phases of the projects, as defined within Section 4 of the [GMP 3]. None of the triggers defined in Section 4 of the [GMP 3] and relating to Edithvale Wetland were met during the reporting period. As such, the [EWMP 2] has not been implemented." Document 6: Edithvale and Bonbeach Level Crossing Removal, Edithvale and Bonbeach, Victoria (EPBC 2017/7906), dated 3 December 2018 by James Barker, Department of the Environment and Energy: - On pages 3 and 4, non-administrative conditions are outlined.	Table 7 of EWMP 2 outlines the EPBC Act approval conditions. These conditions were the same as those (Conditions 1 to 6), as detailed in Document 5. As outlined in Table 7, conditions 4 to 6 are specific to EWMP 2. Assessment of Table 7 in the EWMP 2 confirms that it has appropriately addressed the applicable conditions (Conditions 1 to 6) of the EPBC Act (Document 5). Hence, the Independent Auditor considers this criterion to be compliant.	COMPLIANT
6.5	Inclusion of a table outlining commitments made to achieve objectives within the EWMP	Sighting of a table within the EWMP outlining the commitments to achieve the environmental objectives and assess evidence of implementation; Sighting of references of the aforementioned commitments within the EWMP and review their details for completeness; and, Completing stakeholder interviews and a site inspection (if applicable) to further understand how commitments made have been implemented.	EWMP 2: Edithvale Wetland Monitoring and Mitigation Plan, dated 16 June 2020, by Team Member, Level Crossing Removal Project. Document 6: Groundwater Monitoring Program (13 October 2020 to 12 October 2021) - Edithvale (ID18) & Bonbeach (ID46), dated December 2021, TA; Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).	EWMP 2: Edithvale Wetland Monitoring and Mitigation Plan, dated 16 June 2020, by Team Member, Level Crossing Removal Project: - On page 11, Table 1 outlines the commitments to achieve the objectives and relevant sections of the report describing them or evidencing their implementation (such as Sections 5.2, 5.4 and 6). Document 6: Groundwater Monitoring Program (13 October 2020 to 12 October 2021) - Edithvale (ID18) & Bonbeach (ID46), dated December 2021, TA: - Commitments to achieve objectives outlined in EWMP 2 can be seen throughout the document. One example is Section 3, which describes the investigation methodology. Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance: - On page 10, condition reference number 6(b) of Table 2 provides more information on this criterion. Specifically, it states that: "Table 1 of the [EWMP 2] presents a table of commitments to achieve its objectives, with reference to where each commitment is detailed in the [EWMP 2]. Compliance with each of the three objectives during this reporting period is summarised below: Objective 1 (Establish a process to assess if groundwater mounding at the trench extends to the Edithvale Wetland): will commence if the trigger outlined in [GMP 3] relating to potential impacts on Edithvale Wetland is met. None of the triggers defined in Section 4 of the [GMP 3] relating to Edithvale Wetland were met during the reporting period. Specific reporting and review documentation demonstrating such are included in Appendix B: Groundwater Monitoring Program Report. Objective 2 (Define an approach to review and analyse existing monitoring data to determine if the habitat suitability of Edithvale Wetland is at risk and determine thresholds (triggers) for mitigation): is being undertaken through data collected monthly by Melbourne Water as an ongoing requirement of the Edithvale-Seaford Wetland Ramsar Site Management Plan (Ecology Australia 2016). There is no requirement in the [GMP 3] for this data to be reviewed unless the [EWMP 2] is implemented. Objective 3 (Identify mitigation measures to be implemented if monitoring determines habitat suitability of Edithvale Wetland is at risk): is outlined in Section 6 of the [EWMP 2]. Since no applicable trigger values were reached during the reporting period, the [EWMP 2] did not come into effect during this reporting period." Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG). - It was confirmed during the interview that the EWMP 2 was not implemented.	Table 1 within EWMP 2 outlines the commitments to achieve the environmental objectives. Monitoring data relevant to this audit period did not activate any trigger so EWMP 2 did not need to be implemented, as confirmed during the interview, and thus, implementation is considered not applicable. References of the aforementioned commitments within EWMP 2 are outlined in its Sections 5.1, 5.2-5.4 and 6, and their details are complete. Interview 1 was planned to further understand how commitments made have been implemented. However, it was not possible since the EWMP 2 was not activated. Hence, the Independent Auditor considers this criterion to be compliant.	COMPLIANT
6.6	Inclusion of reporting mechanisms to demonstrate compliance within the EWMP	Sighting of reporting mechanisms within the EWMP and assess evidence of implementation; and, Completing stakeholder interviews to further understand how reporting mechanisms have been implemented.	EWMP 2: Edithvale Wetland Monitoring and Mitigation Plan, dated 16 June 2020, by Team Member, Level Crossing Removal Project. Document 6: Groundwater Monitoring Program (13 October 2020 to 12 October 2021) - Edithvale (ID18) & Bonbeach (ID46), dated December 2021, TA; Document 7: Level Crossing Removal Project Status Report, dated October 2020, Southern Program Alliance; Document 8: Memorandum, dated 24 December 2020, by Senior Hydrogeologist, TA; Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).	EWMP 2: Edithvale Wetland Monitoring and Mitigation Plan, dated 16 June 2020, by Team Member, Level Crossing Removal Project: - On page 8, the reporting process was outlined. Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance: - On pages 10 and 11, condition reference number 6(c) of Table 2 provides more information on this criterion. Specifically, it states that: "Compliance with the [EWMP 2] is measured through the trigger outlined in Section 4 of the [GMP 3]. None of the triggers defined in the [GMP 3] relating to Edithvale Wetland were met during the reporting period. [Reporting mechanisms] ... are included in Appendix B: Groundwater Monitoring Program Report [of Document 9]." Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG): - It was discussed that the implementation of the reporting was done through various avenues, such as the annual compliance report.	Reporting mechanisms were sighted within EWMP 2 on page 8. Evidence of implementation was sufficient in Appendix B of Document 9. Interview 1 was conducted to further understand how reporting mechanisms have been implemented. Appendix B of Document 9 was sighted during the interview discussion. Hence, the Independent Auditor considers this criterion to be compliant.	COMPLIANT
6.7	Inclusion of review mechanisms to demonstrate compliance within the EWMP	Sighting of review mechanisms within the EWMP and assess evidence of implementation; and, Completing stakeholder interviews to further understand how review mechanisms have been implemented	EWMP 2: Edithvale Wetland Monitoring and Mitigation Plan, dated 16 June 2020, by Team Member, Level Crossing Removal Project. Document 6: Groundwater Monitoring Program (13 October 2020 to 12 October 2021) - Edithvale (ID18) & Bonbeach (ID46), dated December 2021, TA; Document 7: Level Crossing Removal Project Status Report, dated October 2020, Southern Program Alliance; Document 8: Memorandum, dated 24 December 2020, by Senior Hydrogeologist, TA; Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).	EWMP 2: Edithvale Wetland Monitoring and Mitigation Plan, dated 16 June 2020, by Team Member, Level Crossing Removal Project: - In Section 10, the review process was outlined. Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance: - On pages 10 and 11, condition reference number 6(c) of Table 2 provides more information on this criterion. Specifically, it states that: "Compliance with the [EWMP 2] is measured through the trigger outlined in Section 4 of the [GMP 3]. None of the triggers defined in the [GMP 3] relating to Edithvale Wetland were met during the reporting period. [Review mechanisms] ... are included in Appendix B: Groundwater Monitoring Program Report [of Document 9]." Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG): - It was discussed that the review process was planned to be kept active throughout the audit period.	The review process was sighted within EWMP 2 in section 10. Evidence of implementation was sufficient in Appendix B of Document 9. Interview 1 was conducted to further understand how review mechanisms have been implemented. Appendix B of Document 9 was sighted during the interview discussion. Hence, the Independent Auditor considers this criterion to be compliant.	COMPLIANT
6.8	Inclusion of documentation standards to demonstrate compliance within the EWMP	Sighting of documentation standards within the EWMP and assess evidence of implementation.	EWMP 2: Edithvale Wetland Monitoring and Mitigation Plan, dated 16 June 2020, by Team Member, Level Crossing Removal Project. Document 6: Groundwater Monitoring Program (13 October 2020 to 12 October 2021) - Edithvale (ID18) & Bonbeach (ID46), dated December 2021, TA; Document 7: Level Crossing Removal Project Status Report, dated October 2020, Southern Program Alliance; Document 8: Memorandum, dated 24 December 2020, by Senior Hydrogeologist, TA; Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).	EWMP 2: Edithvale Wetland Monitoring and Mitigation Plan, dated 16 June 2020, by Team Member, Level Crossing Removal Project: - On page 8, the documentation process was outlined. Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance: - On pages 10 and 11, condition reference number 6(c) of Table 2 provides more information on this criterion. Specifically, it states that: "Compliance with the [EWMP 2] is measured through the trigger outlined in Section 4 of the [GMP 3]. None of the triggers defined in the [GMP 3] relating to Edithvale Wetland were met during the reporting period. [Documentation standards] ... are included in Appendix B: Groundwater Monitoring Program Report [of Document 9]." Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG): - It was discussed that the documentation standards were planned to be maintained throughout the audit period.	Documentation standards were sighted within EWMP 2 on page 8. Evidence of implementation was sufficient in Appendix B of Document 9. Interview 1 was conducted to further understand how documentation standards have been implemented. Appendix B of Document 9 was sighted during the interview discussion. Hence, the Independent Auditor considers this criterion to be compliant.	COMPLIANT



7.1	Notification notice of the commencement of action to the Department	Comparison between the date of notification notice of action commencement to the Department, and the date of the action commencement and consideration if notification occurred within 10 business days	<p>Document 2: AWP2 - EDITHVALE, CHELSEA &amp; BONBEACH DETAILED PROGRAM, dated 30 May 2022.</p> <p>Document 3: Referral of proposed action, August 2016, signed by Team Member on 14 March 2017; and</p> <p>Document 10: Letter from Environmental Audit Section, to Team Member, Level Crossing Removal Project, dated 20 October 2020, titled: Commencement of Action - Edithvale and Bonbeach Level Crossing Removal Edithvale and Bonbeach, Victoria (EPBC 2017/7906).</p>	<p>Document 2: AWP2 - EDITHVALE, CHELSEA &amp; BONBEACH DETAILED PROGRAM, dated 30 May 2022, checked by Team Member:</p> <ul style="list-style-type: none"> <li>- On page 42, the commencement of the action was documented to be on 13 October 2020 under the Program Schedule, excluding enabling works, relocation of entities and services and combined services route construction as per Document 3.</li> </ul> <p>Document 3: Referral of proposed action, August 2016, signed by Team Member on 14/03/2017:</p> <ul style="list-style-type: none"> <li>- On page 10, enabling works, relocation of entities and services and combined services route construction were outlined as not forming parts of the two actions that are being referred.</li> </ul> <p>Document 10: Letter from Thomas Long, Environmental Audit Section, to Team Member, Level Crossing Removal Project, dated 20 October 2020, titled: Commencement of Action - Edithvale and Bonbeach Level Crossing Removal Edithvale and Bonbeach, Victoria (EPBC 2017/7906).</p> <ul style="list-style-type: none"> <li>- On the first page, a representative from the Environment Audit Section stated that the action commencement was notified on 14 October 2020.</li> </ul>	<p>As per Document 2, the action commenced on 13 October 2020. The action notification date was noted to be 14 October 2020, which is within 10 days from 13 October 2020, as per Document 10.</p> <p>Hence, the Independent Auditor considers this criterion to be compliant.</p>	COMPLIANT
<b>EPBC Approval Condition 8</b>						
<i>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.*</i>						
<b>Verification Method</b>		<b>Documents Sighted</b>		<b>Evidence</b>		<b>Determination</b>
8.1	Minister approval of action commencement where 5 years after the date of the approval	<p>Sighting the Minister's letter of approval of action commencement and consideration if commencement of the action occurred within 5 years from the date of the approval.</p> <p>Consideration if written agreement from the Minister was required if commencement of the action occurred after 5 years from the date of the approval (if applicable).</p>	<p>Document 2: AWP2 - EDITHVALE, CHELSEA &amp; BONBEACH DETAILED PROGRAM, dated 30 May 2022</p> <p>Document 3: Referral of proposed action, August 2016, signed by Team Member on 14 March 2017; and</p> <p>Document 11: Letter from Environmental Audit Section, to Team Member, Level Crossing Removal Project, dated 20 October 2020, titled: Commencement of Action - Edithvale and Bonbeach Level Crossing Removal Edithvale and Bonbeach, Victoria (EPBC 2017/7906).</p>	<p>Document 2: AWP2 - EDITHVALE, CHELSEA &amp; BONBEACH DETAILED PROGRAM, dated 30 May 2022, checked by Team Member:</p> <ul style="list-style-type: none"> <li>- On page 42, the commencement of the action was documented to be on 13 October 2020 under the Program Schedule, excluding enabling works, relocation of entities and services and combined services route construction as per Document 3.</li> </ul> <p>Document 3: Referral of proposed action, August 2016, signed by Team Member on 14/03/2017:</p> <ul style="list-style-type: none"> <li>- On page 10, enabling works, relocation of entities and services and combined services route construction were outlined as not forming parts of the two actions that are being referred.</li> </ul> <p>Document 11: Letter from Environmental Audit Section, to Team Member, Level Crossing Removal Project, dated 20 October 2020, titled: Commencement of Action - Edithvale and Bonbeach Level Crossing Removal Edithvale and Bonbeach, Victoria (EPBC 2017/7906).</p> <ul style="list-style-type: none"> <li>- On the second page, a representative from the Environment Audit Section approved the action commencement on 20 October 2020.</li> </ul>	<p>The action commencement approval date was dated 20 October 2020, as per Document 11. As per Document 2, the action commenced on 13 October 2020, which is also noted in Document 11. As a result, the 5-year requirement for action commencement is waived.</p> <p>Hence, the Independent Auditor considers this criterion to be compliant.</p>	COMPLIANT
<b>EPBC Approval Condition 9</b>						
<i>The approval holder must maintain accurate and complete compliance records.</i>						
<i>Note: Compliance records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, and or used to verify compliance with the conditions. Summaries of the result of an audit may be published on the Department's website or through the general media.*</i>						
<b>Verification Method</b>		<b>Documents Sighted</b>		<b>Evidence</b>		<b>Determination</b>
9.1	Maintenance of compliance records	<p>Sighting compliance records (i.e., records associated with the GMMP and EWMMP as described above and other records as applicable) and assess evidence of implementation.</p>	<p>GMMP 3: Edithvale and Bonbeach Groundwater Monitoring and Management Plan, dated 21 August 2020 by Team Member, Level Crossing Removal Project.</p> <p>Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance.</p> <p>Document 6: Groundwater Monitoring Program (13 October 2020 to 12 October 2021) - Edithvale (ID18) &amp; Bonbeach (ID46), dated December 2021, TA; and</p> <p>EWMMP 2: Edithvale Wetland Monitoring and Mitigation Plan, dated 16 June 2020, by Team Member, Level Crossing Removal Project.</p>	<p>GMMP 3: Edithvale and Bonbeach Groundwater Monitoring and Management Plan, dated 21 August 2020 by Team Member, Level Crossing Removal Project:</p> <ul style="list-style-type: none"> <li>- Records of compliance can be seen in the appendices.</li> </ul> <p>Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance.</p> <ul style="list-style-type: none"> <li>- Records of compliance can be seen in the appendices.</li> </ul> <p>Document 6: Groundwater Monitoring Program (13 October 2020 to 12 October 2021) - Edithvale (ID18) &amp; Bonbeach (ID46), dated December 2021, TA:</p> <ul style="list-style-type: none"> <li>- Records of compliance can be seen in the appendices.</li> </ul> <p>EWMMP 2: Edithvale Wetland Monitoring and Mitigation Plan, dated 16 June 2020, by Team Member, Level Crossing Removal Project:</p> <ul style="list-style-type: none"> <li>- Records of compliance can be seen in the appendices.</li> </ul>	<p>Condition 9 of the Approval requires the approval holder to maintain accurate and complete compliance records and is assessed under Criteria 9.1 Maintenance of compliance records.</p> <p>During the course of the audit, a broad range of documentation was requested from the approval holder, including the documents listed in Appendix 3 - Document List and as noted in the 'Documents sighted' column of the completed detailed audit findings table (Appendix 5). Additionally, during the stakeholder interview, the approval holder provided a demonstration of the document management system utilised, and demonstrated how files material to the approval are recorded for future reference.</p> <p>There was a missing compliance record identified when determining compliance against Approval Condition 1, criteria 1.1 'Minister approval of Groundwater Monitoring and Management Plan', namely a record of the email notification sent from LXP to the Department to advise of an update to the GMMP (from version 2 to 3) as discussed in the determination against criteria 1.1. Documentation records were otherwise found to be complete when considered against the remaining conditions of the Approval and their associated criteria.</p> <p>Given there was an instance of a missing record, and this record was material in considering compliance against Approval Condition 1, criteria 1.1 Minister approval of Groundwater Monitoring and Management Plan (GMMP), it was found that complete compliance records were not maintained for the audit period resulting in this criterion being considered as non-compliant.</p>	NON-COMPLIANT
<b>EPBC Approval Condition 10</b>						
<i>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.</i>						
<i>Note: Compliance records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, and or used to verify compliance with the conditions. Summaries of the result of an audit may be published on the Department's website or through the general media.*</i>						
<b>Verification Method</b>		<b>Documents Sighted</b>		<b>Evidence</b>		<b>Determination</b>
10.1	Submission details where requested by the Department	<p>Comparison between the Department's written requests (in terms of timeframe and documents requested) and the approval holder's submitted electronic copies of records and the date those were provided (if applicable).</p>	<p>Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG)</p>	<p>Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG)</p> <ul style="list-style-type: none"> <li>- It was discussed that the Department did not make any written requests for copies of compliance records during the audit period.</li> </ul>	<p>Not applicable to the audit period.</p>	NOT APPLICABLE
<b>EPBC Approval Condition 11</b>						
<i>If the approval holder must:</i>						
<i>a. submit plans electronically to the Department for approval by the Minister;</i>						
<i>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;</i>						
<i>c. exclude or redact sensitive ecological data from plans published on the website or provided to a member of the public; and</i>						
<i>d. keep plans published on the website until the end date of this approval.*</i>						
<b>Verification Method</b>		<b>Documents Sighted</b>		<b>Evidence</b>		<b>Determination</b>
11.1	Electronic submission of plans for Minister's approval	<p>Sighting of electronic submission details of plans to the Department for Minister's approval.</p>	<p>Email 1: Email from Team Member, Major Transport Infrastructure Authority (MTIA) to Post Approvals, The Australian Department of Agriculture, Water and the Environment (DAWE), dated 18 June 2020, titled: RE: EPBC Act Approval 2017/7906 - Edithvale and Bonbeach Level Crossing Removal Projects - RAMP documents;</p> <p>Document 1: Memorandum, dated 23 December 2021 by Team Member, GHD-AECOM Joint Venture (TA);</p> <p>Email 2: Email from MTIA to GHD-AECOM Joint Venture (TA), dated 12 August 2020, titled: [EXTERNAL] GW2 Revision 3 and Finalisation.</p>	<p>Email 1: Email from Team Member, Major Transport Infrastructure Authority (MTIA) to Post Approvals, The Australian Department of Agriculture, Water and the Environment (DAWE), dated 18 June 2020, titled: RE: EPBC Act Approval 2017/7906 - Edithvale and Bonbeach Level Crossing Removal Projects - RAMP documents;</p> <ul style="list-style-type: none"> <li>- Email 1 is a notification to DAWE regarding EWMMP 2.</li> </ul> <p>Email 2: Email from MTIA to GHD-AECOM Joint Venture (TA), dated 12 August 2020, titled: [EXTERNAL] GW2 Revision 3 and Finalisation.</p> <p>Document 1: Memorandum, dated 23 December 2021 by Team Member, GHD-AECOM Joint Venture (TA);</p> <ul style="list-style-type: none"> <li>- On page 2, it is stated that: "Revision 3 of the RAMP [GMMP 3] was approved by the Australian Minister for the Environment on 26 August 2020, and implemented concurrent with the construction of the Projects on 13 October 2020."</li> </ul> <p>Document 2: Edithvale Wetland Monitoring and Mitigation Plan, dated 16 June 2020, by Team Member, Level Crossing Removal Project:</p> <ul style="list-style-type: none"> <li>- On page 2, it is outlined that the document is "Version 2".</li> </ul> <p>Document 0: Letter from Team Member, Environment Approvals Division, to Team Member, Level Crossing Removal Project, dated 2 December 2019, titled: EPBC 2017/7906, Edithvale and Bonbeach Level Crossing Removal Projects, Victoria: Groundwater Monitoring and Management Plan and Edithvale Wetland Monitoring and Mitigation Plan;</p> <ul style="list-style-type: none"> <li>- This letter from DAWE states that the EWMMP dated 31 October 2019 (the first version) was approved.</li> </ul> <p>Email 1: Email from Team Member, Major Transport Infrastructure Authority (MTIA) to Post Approvals, The Australian Department of Agriculture, Water and the Environment (DAWE), dated 18 June 2020, titled: RE: EPBC Act Approval 2017/7906 - Edithvale and Bonbeach Level Crossing Removal Projects - RAMP documents;</p> <ul style="list-style-type: none"> <li>- This email to DAWE states that the EWMMP dated 31 October 2019 (the first version) was modified (implying version 2 had been created).</li> </ul> <p>Document 10: Website history of publications, provided by LXRP:</p> <ul style="list-style-type: none"> <li>- Webpage created 30 December 2019.</li> <li>- Plans added on 7 January 2020.</li> <li>- 7 August 2020 - 'revised pdfs' added - Version 2 of GMMP and EWMMP added to the website.</li> <li>- 31 August 2020 - Revised GMMP added - version 3 added to the website.</li> </ul>	<p>Email 1 is submitted electronically to DAWE regarding EWMMP 2 (and the second version of the GMMP). However, an electronic submission to DAWE regarding GMMP 3 could not be located. Email 2, an electronic submission between MTIA and TA regarding GMMP 3 before 26 August 2020, was sighted. The Independent Auditor, hence, determined that Document 1 is reliable evidence to support that electronic submission to DAWE was submitted, which was why it was approved.</p> <p>Hence, the Independent Auditor considers this criterion to be compliant.</p>	COMPLIANT
11.2	Publication of plans within the approved timeframe	<p>Comparison between the publication date of an approved plan on the website and the Minister's approval date of that plan (or the date of revised action management plan submission or another date agreed with the Minister).</p>	<p>GMMP 3: Edithvale and Bonbeach Groundwater Monitoring and Management Plan, dated 21 August 2020 by Team Member, Level Crossing Removal Project.</p> <p>Document 1: Memorandum, dated 23 December 2021 by Team Member, GHD-AECOM Joint Venture (TA);</p> <p>EWMMP 2: Edithvale Wetland Monitoring and Mitigation Plan, dated 16 June 2020, by Team Member, Level Crossing Removal Project.</p> <p>Email 1: Email from Team Member, Major Transport Infrastructure Authority (MTIA) to Post Approvals, The Australian Department of Agriculture, Water and the Environment (DAWE), dated 18 June 2020, titled: RE: EPBC Act Approval 2017/7906 - Edithvale and Bonbeach Level Crossing Removal Projects - RAMP documents;</p> <p>Document 10: Website history of publications, provided by LXRP; and</p> <p>Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).</p>	<p>GMMP 3: Edithvale and Bonbeach Groundwater Monitoring and Management Plan, dated 21 August 2020 by Team Member, Level Crossing Removal Project:</p> <ul style="list-style-type: none"> <li>- On page 2, it is outlined that the document is "Version 3".</li> </ul> <p>Document 1: Memorandum, dated 23 December 2021 by Team Member, GHD-AECOM Joint Venture (TA);</p> <ul style="list-style-type: none"> <li>- On page 2, it is stated that: "Revision 3 of the RAMP [GMMP 3] was approved by the Australian Minister for the Environment on 26 August 2020, and implemented concurrent with the construction of the Projects on 13 October 2020."</li> </ul> <p>EWMMP 2: Edithvale Wetland Monitoring and Mitigation Plan, dated 16 June 2020, by Team Member, Level Crossing Removal Project:</p> <ul style="list-style-type: none"> <li>- On page 2, it is outlined that the document is "Version 2".</li> </ul> <p>Document 0: Letter from Team Member, Environment Approvals Division, to Team Member, Level Crossing Removal Project, dated 2 December 2019, titled: EPBC 2017/7906, Edithvale and Bonbeach Level Crossing Removal Projects, Victoria: Groundwater Monitoring and Management Plan and Edithvale Wetland Monitoring and Mitigation Plan;</p> <ul style="list-style-type: none"> <li>- This letter from DAWE states that the EWMMP dated 31 October 2019 (the first version) was approved.</li> </ul> <p>Email 1: Email from Team Member, Major Transport Infrastructure Authority (MTIA) to Post Approvals, The Australian Department of Agriculture, Water and the Environment (DAWE), dated 18 June 2020, titled: RE: EPBC Act Approval 2017/7906 - Edithvale and Bonbeach Level Crossing Removal Projects - RAMP documents;</p> <ul style="list-style-type: none"> <li>- This email to DAWE states that the EWMMP dated 31 October 2019 (the first version) was modified (implying version 2 had been created).</li> </ul> <p>Document 10: Website history of publications, provided by LXRP:</p> <ul style="list-style-type: none"> <li>- Webpage created 30 December 2019.</li> <li>- Plans added on 7 January 2020.</li> <li>- 7 August 2020 - 'revised pdfs' added - Version 2 of GMMP and EWMMP added to the website.</li> <li>- 31 August 2020 - Revised GMMP added - version 3 added to the website.</li> </ul>	<p>Condition 11 of the Approval requires that plans must be published within 20 business days of the date the plan is approved by the Minister, or the date a revised action management plan is submitted to the Minister.</p> <p>The GMMP version 3 (GMMP 3) was submitted to the Minister on 26 August 2020, and was published on 31 August 2020 (email 1, document 1, document 10). This plan was noted to have been published with the required timeframe.</p> <p>The EWMMP version 2 (EWMMP 2) was submitted to the Minister on 18 June 2020 and published on 7 August 2020 (email 1, document 1, document 10). This plan was noted to have been published outside of the required timeframe.</p> <p>Given that the EWMMP version 2 was not published within 20 days of submission to the Minister, and that EWMMP version 2 was adopted within this audit period, this was considered an instance of non-compliance to the approval condition.</p>	NON-COMPLIANT
11.3	Exclusion or redaction details of sensitive ecological data	<p>Sighting of exclusion or redaction details of sensitive ecological data from published or public plans.</p>	<p>Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).</p>	<p>Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).</p> <ul style="list-style-type: none"> <li>- It was discussed that this criterion is not applicable to the audit.</li> </ul>	<p>Not applicable to the audit period.</p>	NOT APPLICABLE
11.4	Maintaining publication of approved plans	<p>Sight Minister approved plans on the website (i.e., plans must be kept on website until 1 November 2033).</p>	<p>Document 10: Website history of publications, provided by LXRP</p>	<p>Document 10: Website history of publications, provided by LXRP:</p> <ul style="list-style-type: none"> <li>- Webpage created 30 December 2019.</li> <li>- Plans added on 7 January 2020.</li> <li>- 7 August 2020 - 'revised pdfs' added - Version 2 of GMMP and EWMMP added to the website.</li> <li>- 31 August 2020 - Revised GMMP added - version 3 added to the website.</li> </ul>	<p>It was found that approval plans were kept on the website until the next approved versions were available.</p> <p>Hence, the Independent Auditor considers this criterion to be compliant.</p>	COMPLIANT
<b>EPBC Approval Condition 12</b>						
<i>The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and meta data required under a plan is prepared in accordance with the Department's Guidelines for biological survey and mapped data (2018) and submitted electronically to the Department in accordance with the requirements of the plan.*</i>						
<b>Verification Method</b>		<b>Documents Sighted</b>		<b>Evidence</b>		<b>Determination</b>
12.1	Preparation of relevant data in accordance with the Department's Guidelines	<p>Comparison between prepared monitoring data (including sensitive ecological data), surveys, maps, and other spatial and meta data required under a plan and the Department's Guidelines for biological survey and mapped data (2018).</p>	<p>GMMP 3: Edithvale and Bonbeach Groundwater Monitoring and Management Plan, dated 21 August 2020 by Team Member, Level Crossing Removal Project;</p> <p>EWMMP 2: Edithvale Wetland Monitoring and Mitigation Plan, dated 16 June 2020, by Team Member, Level Crossing Removal Project; and</p> <p>Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).</p>	<p>GMMP 3: Edithvale and Bonbeach Groundwater Monitoring and Management Plan, dated 21 August 2020 by Team Member, Level Crossing Removal Project:</p> <ul style="list-style-type: none"> <li>- Department's Guidelines for biological survey and mapped data (2018) was not referenced.</li> </ul> <p>EWMMP 2: Edithvale Wetland Monitoring and Mitigation Plan, dated 16 June 2020, by Team Member, Level Crossing Removal Project:</p> <ul style="list-style-type: none"> <li>- On page 27, Department's Guidelines for biological survey and mapped data (2018) was referenced as a guideline to prepare this plan.</li> </ul> <p>Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG):</p> <ul style="list-style-type: none"> <li>- It was discussed during the interview and sighted as a group that the graphs, tables, etc. within GMMP 3 followed Department's Guidelines for biological survey and mapped data (2018), even though it was not referenced by error. This could be because GMMP 3 is missing a 'Reference' section, unlike EWMMP 2.</li> </ul>	<p>It is found that there is sufficient evidence to deem this criterion compliant since GMMP 3 and EWMMP 2 both reference the Department's Guidelines for biological survey and mapped data (2018), and the guidelines were noted during the stakeholder interviews as being not directly relevant to the type of data being collected on this project.</p> <p>Hence, the Independent Auditor considered this criterion to be compliant.</p>	COMPLIANT

12.2	Submission of data in accordance with the requirements of the plan	Comparison between submission details of monitoring data (including sensitive ecological data), surveys, maps and other spatial and meta data required under a plan and submission requirements of the plan	Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).	Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; - All monitoring data was provided as part of the submission of the Year 1 Annual Compliance Report and Ground Water Management report. Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG). - It was discussed during the interview that this criterion is not applicable.	Not applicable to the audit period.	NOT APPLICABLE
<b>EPBC Approval Condition 13</b>						
		<p><i>13. The approval holder must prepare a compliance report for each 12-month period following the date of commencement of the action, or as otherwise agreed to in writing by the Minister. The approval holder must:</i></p> <p><i>a. publish each compliance report on the website within 60 business days following the relevant 12-month period;</i>  <i>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;</i>  <i>c. keep all compliance reports publicly available on the website until this approval expires;</i>  <i>d. exclude or redact sensitive ecological data from compliance reports published on the website; and</i>  <i>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.</i></p> <p>Note: Compliance reports may be published on the Department's website.</p>				
		<b>Verification Method</b>	<b>Documents Sighted</b>	<b>Evidence</b>	<b>Determination</b>	<b>Compliance Finding</b>
13.1	Preparation of a compliance report every 12-month period following action commencement date	Comparison of the date of action commencement or that agreed in writing by the Minister and the dates of subsequent compliance reports.	Document 2: AWP2 - EDITHVALE, CHELSEA & BONBEACH DETAILED PROGRAM, dated 30 May 2022, checked by Team Member; Document 3: Referral of proposed action, August 2016, signed by Team Member on 14 March 2017; Document 12: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; Document 12: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 2, dated 9 March 2023, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; and Document 13: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 3, dated January 2024, by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance.	Document 2: AWP2 - EDITHVALE, CHELSEA & BONBEACH DETAILED PROGRAM, dated 30 May 2022, checked by Team Member: - On page 42, the commencement of the action was documented to be on 13 October 2020 under the Program Schedule, excluding enabling works, relocation of entities and services and combined services route construction as per Document 3. Document 3: Referral of proposed action, August 2016, signed by Team Member on 14/03/2017: - On page 10, enabling works, relocation of entities and services and combined services route construction were outlined as not forming parts of the two actions that are being referred. Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance: - Dates for the reporting period is from 13 October 2020 to 12 October 2021 (page 4) Document 12: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 2, dated 9 March 2023, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance: - Dates for the reporting period is from 13 October 2021 to 12 October 2022 (page 4) Document 13: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 3, dated January 2024, by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance: - Dates for the reporting period is from 13 October 2022 to 12 October 2023 (page 2)	As per Document 2, the action commenced on 13 October 2020. The subsequent 12-month periods for the three annual compliance reports consecutively are from 13 October 2020 to 12 October 2021, 13 October 2021 to 12 October 2022, and 13 October 2022 to 12 October 2023. The Independent Auditor is satisfied that this criterion is compliant.	COMPLIANT
13.2	Publication of prepared compliance reports within 60 business days following the relevant 12-month period	Sight the publication date of the compliance report for the audit period.	Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance; and Email 4: Email from Corporate Comms Service Desk, LXRP to MTIA, dated 23 December 2021, titled: CCSD-3195 Annual Compliance Reporting: EPBC 2017/7906, EDITHVALE AND BONBEACH LEVEL CROSSING REMOVAL PROJECTS - GROUNDWATER MONITORING AND MANAGEMENT PLAN EDITHVALE WETLAND MONITORING & MITIGATION PLAN	Document 9: Edithvale and Bonbeach Level Crossing Removal Project: Annual Compliance Report No. 1, dated 22 December 2021, signed by Senior Manager, Land Planning and Environment, Land, Planning and Environment, Southern Program Alliance: - Dates for the reporting period is from 13 October 2020 to 12 October 2021 (page 4) Email 4: Email from Corporate Comms Service Desk, LXRP to MTIA, dated 23 December 2021, titled: CCSD-3195 Annual Compliance Reporting: EPBC 2017/7906, EDITHVALE AND BONBEACH LEVEL CROSSING REMOVAL PROJECTS - GROUNDWATER MONITORING AND MANAGEMENT PLAN EDITHVALE WETLAND MONITORING & MITIGATION PLAN - The website link within the mail has "annual compliance report 1" and it is dated 23 December 2021 as a date of publication.	It is noted that 60 business days after 13 October 2021 is 5 January 2022. The first annual compliance report was published on 23 December 2021. As a result, the Independent Auditor deems this criterion compliant.	COMPLIANT
13.3	Email notification to the Department of compliance report publication within five (5) business days of the date of publication	Comparison between publication date of compliance report for the audit period and email notification to the Department of that publication.	Email 4: Email from Corporate Comms Service Desk, LXRP to MTIA, dated 23 December 2021, titled: CCSD-3195 Annual Compliance Reporting: EPBC 2017/7906, EDITHVALE AND BONBEACH LEVEL CROSSING REMOVAL PROJECTS - GROUNDWATER MONITORING AND MANAGEMENT PLAN EDITHVALE WETLAND MONITORING & MITIGATION PLAN; and Email 5: Email from Team Member, MTIA, to Post Approval, DAWF, dated 23 December 2021, titled: Annual Compliance Reporting: EPBC 2017/7906, EDITHVALE AND BONBEACH LEVEL CROSSING REMOVAL PROJECTS - GROUNDWATER MONITORING AND MANAGEMENT PLAN EDITHVALE WETLAND MONITORING & MITIGATION PLAN	Email 4: Email from Corporate Comms Service Desk, LXRP to MTIA, dated 23 December 2021, titled: CCSD-3195 Annual Compliance Reporting: EPBC 2017/7906, EDITHVALE AND BONBEACH LEVEL CROSSING REMOVAL PROJECTS - GROUNDWATER MONITORING AND MANAGEMENT PLAN EDITHVALE WETLAND MONITORING & MITIGATION PLAN; - The website link within the mail has "annual compliance report 1" and it is dated 23 December 2021 as a date of publication. Email 5: Email from Team Member, MTIA, to Post Approval, DAWF, dated 23 December 2021, titled: Annual Compliance Reporting: EPBC 2017/7906, EDITHVALE AND BONBEACH LEVEL CROSSING REMOVAL PROJECTS - GROUNDWATER MONITORING AND MANAGEMENT PLAN EDITHVALE WETLAND MONITORING & MITIGATION PLAN; - The email of notification is dated 23 December 2021	It is noted that the first annual compliance report within the audit period was published on the same day as when it was notified to DAWF. As a result, the Independent Auditor deems this criterion compliant.	COMPLIANT
13.4	Maintaining publication of compliance reports on website until 1 November 2023	Confirm that compliance report for the audit period remains on the website (i.e., reports must be kept on website until 1 November 2023).	Website: Accessible via https://bigbuild.vic.gov.au/library/level-crossing-removal-project/frankston/edithvale-and-bonbeach-groundwater-monitoring-and-management-plan; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).	Website: Accessible via https://bigbuild.vic.gov.au/library/level-crossing-removal-project/frankston/edithvale-and-bonbeach-groundwater-monitoring-and-management-plan - It was confirmed that all three compliance reports are still currently on the website. Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG). - It was confirmed by LXRP that the reports will be kept until at least 1 November 2023.	As all three compliance reports are currently on the website and reassurances from LXRP that they will be there until 1 November 2023, the Independent Auditor deems this criterion compliant.	COMPLIANT
13.5	Exclusion or redaction details of sensitive ecological data	Sighting of exclusion or redaction details of sensitive ecological data from compliance report for the audit period.	Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).	Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG). - It was discussed that this criterion is not applicable to the audit.	Not applicable to the audit period.	NOT APPLICABLE
13.6	Submission of full compliance report to the Department within five (5) business days of the date of publication, where data was excluded from published version.	Comparison between publication dates of compliance report for the audit period where sensitive ecological data was excluded and the dates of full compliance report submissions to the Department	Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).	Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG). - It was discussed that this criterion is not applicable to the audit.	Not applicable to the audit period.	NOT APPLICABLE
<b>EPBC Approval Condition 14</b>						
		<p><i>14. 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 two business days after becoming aware of the incident or non-compliance. The notification must specify:</i></p>				
		<b>Verification Method</b>	<b>Documents Sighted</b>	<b>Evidence</b>	<b>Determination</b>	<b>Compliance Finding</b>
14.1	Timely notification of incidents or non-compliances with conditions or commitments made in plans	Sight details of any incidents or non-compliances that occurred within the audit period and sight notifications submitted to the Department to assess if they were made within two (2) business days.	Document 14: Incident Register; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).	Document 14: Incident Register; - Incidents were mostly oil leaks and did not have an impact on the protected area. Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG). - It was discussed that there are no incidents that have the potential to, or do, impact on protected matter(s). As a result, they were not reported to DAWF.	As per the EPBC Approval letter, incident means any event that has the potential to, or does, impact on protected matter(s). Since there is no reportable incident (as incidents that occurred did not have a potential to or impact the protected matter), there is no need to report to DAWF within 2 business days. Hence, the Independent Auditor deems this criterion not applicable to the audit period.	NOT APPLICABLE
14.2	Inclusion of condition breached in the notification	Sight notifications associated with any incidents or non-compliances across the audit period and assess if details of the condition breached were included.	Document 14: Incident Register; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).	Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG). - Since there are no incidents reported, this criterion is not applicable.	Not applicable to the audit period.	NOT APPLICABLE
14.3	Inclusion of description of incident and/or non-compliance in the notification	Sight notifications associated with any incidents or non-compliances across the audit period and assess if details of the incidents or non-compliance were included.	Document 14: Incident Register; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).	Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG). - Since there are no incidents reported, this criterion is not applicable.	Not applicable to the audit period.	NOT APPLICABLE
<b>EPBC Approval Condition 15</b>						
		<p><i>15. 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 10 business days after becoming aware of the incident or non-compliance, specifying:</i></p>				
		<b>Verification Method</b>	<b>Documents Sighted</b>	<b>Evidence</b>	<b>Determination</b>	<b>Compliance Finding</b>
15.1	Timely notification of full details of incidents or non-compliances with conditions or commitments made in plans	Sight details of any incidents or non-compliances that occurred within the audit period and sight notifications submitted to the Department to assess if full details of incident or non-compliance were made within 10 business days.	Document 14: Incident Register; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).	Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG). - Since there are no incidents reported, this criterion is not applicable.	Not applicable to the audit period.	NOT APPLICABLE
15.2	Detailed inclusion of corrective action or investigation taken or planned in the notification	Sight detailed notifications associated with any incidents or non-compliances across the audit period and assess if details of the corrective action or investigation taken or planned were included.	Document 14: Incident Register; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).	Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG). - Since there are no incidents reported, this criterion is not applicable.	Not applicable to the audit period.	NOT APPLICABLE
15.3	Detailed inclusion of the potential impacts of incident or non-compliance in the notification	Sight detailed notifications associated with any incidents or non-compliances across the audit period and assess if details of the potential impacts of incident or non-compliance were included.	Document 14: Incident Register; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).	Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG). - Since there are no incidents reported, this criterion is not applicable.	Not applicable to the audit period.	NOT APPLICABLE
15.4	Detailed inclusion of method and timing of remedial action to be undertaken in the notification	Sight detailed notifications associated with any incidents or non-compliances across the audit period and assess if details of the method and timing of remedial action to be undertaken were included.	Document 14: Incident Register; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG).	Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG). - Since there are no incidents reported, this criterion is not applicable.	Not applicable to the audit period.	NOT APPLICABLE
<b>EPBC Approval Condition 16</b>						
		<p><i>16. The approval holder must ensure that independent audits of compliance with the conditions are conducted for the 12-month period from commencement of the action and for every subsequent 24-month period until this approval expires, or as requested in writing by the Minister.</i></p>				
		<b>Verification Method</b>	<b>Documents Sighted</b>	<b>Evidence</b>	<b>Determination</b>	<b>Compliance Finding</b>
16.1	Independent Audits undertaken for compliance with the conditions	Comparison between the action commencement date, Minister's approval end date and the dates of independent audits of compliance conducted.	Document 2: AWP2 - EDITHVALE, CHELSEA & BONBEACH DETAILED PROGRAM, dated 30 May 2022, checked by Team Member; Document 3: Referral of proposed action, August 2016, signed by Team Member on 14 March 2017; Email 6: Email from Department of Climate Change, Energy, the Environment and Water, to Senior Manager, Land Planning and Environment, LXRP, dated 1 February 2024, titled: Re: Edithvale and Bonbeach Level Crossing Removal, Edithvale and Bonbeach, Victoria (EPBC 2017/7906)	Document 2: AWP2 - EDITHVALE, CHELSEA & BONBEACH DETAILED PROGRAM, dated 30 May 2022, checked by Team Member: - On page 42, the commencement of the action was documented to be on 13 October 2020 under the Program Schedule, excluding enabling works, relocation of entities and services and combined services route construction as per Document 3. Document 3: Referral of proposed action, August 2016, signed by Team Member on 14/03/2017: - On page 10, enabling works, relocation of entities and services and combined services route construction were outlined as not forming parts of the two actions that are being referred. Email 6: Email from Department of Climate Change, Energy, the Environment and Water, to Senior Manager, Land Planning and Environment, LXRP, dated 1 February 2024, titled: Re: Edithvale and Bonbeach Level Crossing Removal, Edithvale and Bonbeach, Victoria (EPBC 2017/7906) - It is stated in the email that the deadline for the audit report is 30 April 2024. As a result, the audit for the October 2020 to October 2021 period started from 1 February 2024 to 30 April 2024 at the latest.	It is noted that LXRP passed the deadline to audit the October 2020 to October 2021. However, as allowed in writing by the Minister via Email 6, the requirement to do the independent audit 12 months after the action commencement date of 13 October 2020 is no longer valid. The audit was started on 5 February 2024 and completed on 26 February 2024. The Minister's approval end date is 30 April 2024, as stated in Email 6. The Independent Auditor considers this criterion to be compliant.	COMPLIANT
<b>EPBC Approval Condition 17</b>						
		<p><i>17. For each independent audit, the approval holder must:</i></p> <p><i>a. provide the name and qualifications of the independent auditor and the draft audit criteria to the Department;</i>  <i>b. only commence the independent audit once the audit criteria have been approved in writing by the Department; and</i>  <i>c. submit an audit report to the Department within the timeframe specified in the approved audit criteria.</i></p>				
		<b>Verification Method</b>	<b>Documents Sighted</b>	<b>Evidence</b>	<b>Determination</b>	<b>Compliance Finding</b>
17.1	Notification of the independent auditor to the Department	Sighting notification details of independent auditor (name and qualifications) notification to the Department.	Document 15: EPBC Act Approval Independent Audit - Level Crossing Removal Project (LXRP) Edithvale and Bonbeach Level Crossing Removal, Auditor Competence and Audit Criteria/Methodology Package, dated 22 January 2024 by the IEA.	Document 15: EPBC Act Approval Independent Audit - Level Crossing Removal Project (LXRP) Edithvale and Bonbeach Level Crossing Removal, Auditor Competence and Audit Criteria/Methodology Package, dated 22 January 2024 by the IEA. - Independent Auditor: (EPA-appointed Environmental Auditor under Environment Protection Act 2017 - Appointment ID: EXT001230) - Auditor's CV and the support team's information can be found in Appendix 3.	Notification details of the independent auditor (name and qualifications), as outlined in the Document 15, to the Department were sighted. The Independent Auditor deems this criterion compliant.	COMPLIANT
17.2	Notification of the draft audit criteria to the Department	Sighting notification details of draft audit criteria notification to the Department.	Document 15: EPBC Act Approval Independent Audit - Level Crossing Removal Project (LXRP) Edithvale and Bonbeach Level Crossing Removal, Auditor Competence and Audit Criteria/Methodology Package, dated 22 January 2024 by the IEA.	Document 15: EPBC Act Approval Independent Audit - Level Crossing Removal Project (LXRP) Edithvale and Bonbeach Level Crossing Removal, Auditor Competence and Audit Criteria/Methodology Package, dated 22 January 2024 by IEA. - The draft audit criteria and methodology can be found in Appendix 4.	Notification details of draft audit criteria were sighted in Appendix 4 of Document 15. The Independent Auditor deems this criterion compliant.	COMPLIANT
17.3	Commencement of the audit within the approved timeframe	Comparison between the independent audit commencement date and the date of audit criteria approval by the Department.	Email 6: Email from Department of Climate Change, Energy, the Environment and Water, to Senior Manager, Land Planning and Environment, LXRP, dated 1 February 2024, titled: Re: Edithvale and Bonbeach Level Crossing Removal, Edithvale and Bonbeach, Victoria (EPBC 2017/7906); and Email 7: Email from Project Manager/Lead Environmental Auditor, KPMG, to Senior Manager, Land Planning and Environment, MTIA, dated 5 February 2024, titled: RE: Audit Execution Planning Meeting - EPBC Act Approval Independent Audit.	Email 6: Email from Department of Climate Change, Energy, the Environment and Water, to Senior Manager, Land Planning and Environment, LXRP, dated 1 February 2024, titled: Re: Edithvale and Bonbeach Level Crossing Removal, Edithvale and Bonbeach, Victoria (EPBC 2017/7906) - The draft audit criteria approval date is 1 February 2024 Email 7: Email from Project Manager/Lead Environmental Auditor, KPMG, to Senior Manager, Land Planning and Environment, MTIA, dated 5 February 2024, titled: RE: Audit Execution Planning Meeting - EPBC Act Approval Independent Audit. - This email is after the inception meeting on 5 February 2024, which was officially when the audit began.	The draft audit criteria and methodology was approved on 1 February 2024 and the audit started on 5 February 2024 using the approved criteria and methodology. Hence, the Independent Auditor considers this criterion to be compliant.	COMPLIANT

17.4	Submission of the audit report within the approved timeframe	Comparison of the audit report's submission date and the timeframe specified in the audit criteria approval by the Department.	Document 2: AWP2 - EDITHVALE, CHELSEA & BONBEACH DETAILED PROGRAM, dated 30 May 2022, checked by Team Member; Document 3: Referral of proposed action, August 2016, signed by Team Member on 14 March 2017; Email 6: Email from Department of Climate Change, Energy, the Environment and Water, to Senior Manager, Land Planning and Environment, LXRP, dated 1 February 2024, titled: Re: Edithvale and Bonbeach Level Crossing Removal, Edithvale and Bonbeach, Victoria (EPBC 2017/7906)	Document 2: AWP2 - EDITHVALE, CHELSEA & BONBEACH DETAILED PROGRAM, dated 30 May 2022, checked by Team Member: - On page 42, the commencement of the action was documented to be on 13 October 2020 under the Program Schedule, excluding enabling works, relocation of entities and services and combined services route construction as per Document 3. Document 3: Referral of proposed action, August 2016, signed by Team Member on 14/03/2017: - On page 10, enabling works, relocation of entities and services and combined services route construction were outlined as not forming parts of the two actions that are being referred. Email 6: Email from Department of Climate Change, Energy, the Environment and Water, to Senior Manager, Land Planning and Environment, LXRP, dated 1 February 2024, titled: Re: Edithvale and Bonbeach Level Crossing Removal, Edithvale and Bonbeach, Victoria (EPBC 2017/7906) - It is stated in the email that the deadline for the audit report is 30 April 2024. As a result, the audit for the October 2020 to October 2021 period started from 1 February 2024 to 30 April 2024 at the latest. Note: the evidence of submission of this document can't be referenced prior to its submission date.	The audit report associated with this independent audit (this document) will be submitted to the Department by the approval holder following finalisation of the audit report prepared by the Independent Auditor.	TO BE DETERMINED
<b>EPBC Approval Condition 18</b>						
<i>"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."</i>						
		<b>Verification Method</b>	<b>Documents Sighted</b>	<b>Evidence</b>	<b>Determination</b>	<b>Compliance Finding</b>
18.1	Publication of the approved audit report within the specified timeframe by the Department	Sight the published audit report on the website, assessing if it was published within 10 business days of the Department's approval of the audit report and confirm it remains on the website (i.e., reports must be kept on website until 1 November 2033).	TO BE DETERMINED	TO BE DETERMINED	The audit report associated with this independent audit (this document) will be published on the approval holder website following receipt of the Department's approval of the submitted audit report, which precedes the finalisation of the audit report prepared by the Independent Auditor.	TO BE DETERMINED
<b>EPBC Approval Condition 19</b>						
<i>"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 one or four, 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. 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."</i>						
		<b>Verification Method</b>	<b>Documents Sighted</b>	<b>Evidence</b>	<b>Determination</b>	<b>Compliance Finding</b>
19.1	Submission of Section 143A of the EPBC Act application for a variation of the action management plan for Minister's approval	Sight Minister approval of Section 143A of the EPBC Act application for any variations to the GMMP and EWMP made during the audit period together with the approved, revised GMMP and/or EWMP.	Not applicable to the audit period.	Not applicable to the audit period.	Not applicable to the audit period.	NOT APPLICABLE
19.2	Implementation of the revised action management plan approved by the Minister	Sight details of implementation of the revised GMMP and/or EWMP during the audit period.	Not applicable to the audit period.	Not applicable to the audit period.	Not applicable to the audit period.	NOT APPLICABLE
<b>EPBC Approval Condition 20</b>						
<i>"The approval holder may choose to revise an action management plan approved by the Minister under condition one or four, 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."</i>						
		<b>Verification Method</b>	<b>Documents Sighted</b>	<b>Evidence</b>	<b>Determination</b>	<b>Compliance Finding</b>
20.1	Performing an impact assessment of the revised action management plan and/or notification to the Department (EPBC Approval Condition 19)	For any GMMP or EWMP revised during the audit period and not submitted for approval under section 143A of the EPBC Act, sight documentary evidence that the revised GMMP and/or EWMP would not have resulted in a new or increased impact.	Not applicable to the audit period.	Not applicable to the audit period.	Not applicable to the audit period.	NOT APPLICABLE
<b>EPBC Approval Condition 21</b>						
<i>"21. If the approval holder makes the choice under condition 20 to revise an action management plan without submitting it for approval, the approval holder must: a. notify the Department in writing that the approved action management plan has been revised and provide the Department with: 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. b. subject to condition 23, implement the RAMP from the RAMP implementation date."</i>						
		<b>Verification Method</b>	<b>Documents Sighted</b>	<b>Evidence</b>	<b>Determination</b>	<b>Compliance Finding</b>
21.1	Notification of revision to the action management plan	Sight notification details to the Department of revisions to the approved action management plan, where applicable.	Document 10: Website history of publications, provided by LXRP; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG); and	Document 10: Website history of publications, provided by LXRP: - The page was created on 30 December 2019. - Plans were added on 7 January 2020. On 7 August 2020, 'revised pdfs' were added, which are version 2 of GMMP and EWMP. On 31 August 2020, a revised GMMP was added, which was version 3. - The next update on the website was not until 23 December 2021, which is outside the audit period from October 2020 to October 2021. Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG); - It was confirmed during the interview that there were no changes to GMMP 3 and EWMP.	It was confirmed during Interview 1 that no revisions to GMMP 3 and EWMP 2 occurred during the audit period. This is supported by Document 10 that there was no update after GMMP 3 and EWMP 2 prior to October 2021. In addition, EWMP 2 is still currently available on LXRP's website. Hence, the Independent Auditor considers this criterion to be compliant.	NOT APPLICABLE
21.2	Inclusion of the RAMP in the notification	Sight an electronic copy of the RAMP in the notification to the Department, where applicable.	Document 10: Website history of publications, provided by LXRP; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG); and	Document 10: Website history of publications, provided by LXRP: - The page was created on 30 December 2019. - Plans were added on 7 January 2020. On 7 August 2020, 'revised pdfs' were added, which are version 2 of GMMP and EWMP. On 31 August 2020, a revised GMMP was added, which was version 3. - The next update on the website was not until 23 December 2021, which is outside the audit period from October 2020 to October 2021. Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG); - It was confirmed during the interview that there were no changes to GMMP 3 and EWMP.	It was confirmed during Interview 1 that no revisions to GMMP 3 and EWMP 2 occurred during the audit period. This is supported by Document 10 that there was no update after GMMP 3 and EWMP 2 prior to October 2021. In addition, EWMP 2 is still currently available on LXRP's website. Hence, the Independent Auditor considers this criterion to be compliant.	NOT APPLICABLE
21.3	Inclusion of a separate RAMP with tracked changes in the notification	Sight an electronic copy of the RAMP with tracked changes in the notification to the Department, where applicable.	Document 10: Website history of publications, provided by LXRP; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG); and	Document 10: Website history of publications, provided by LXRP: - The page was created on 30 December 2019. - Plans were added on 7 January 2020. On 7 August 2020, 'revised pdfs' were added, which are version 2 of GMMP and EWMP. On 31 August 2020, a revised GMMP was added, which was version 3. - The next update on the website was not until 23 December 2021, which is outside the audit period from October 2020 to October 2021. Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG); - It was confirmed during the interview that there were no changes to GMMP 3 and EWMP.	It was confirmed during Interview 1 that no revisions to GMMP 3 and EWMP 2 occurred during the audit period. This is supported by Document 10 that there was no update after GMMP 3 and EWMP 2 prior to October 2021. In addition, EWMP 2 is still currently available on LXRP's website. Hence, the Independent Auditor considers this criterion to be compliant.	NOT APPLICABLE
21.4	Inclusion of explanations of the updates made in the RAMP in the notification	Sight explanations of the differences between the approved action management plan and the RAMP in the notification to the Department.	Document 10: Website history of publications, provided by LXRP; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG); and	Document 10: Website history of publications, provided by LXRP: - The page was created on 30 December 2019. - Plans were added on 7 January 2020. On 7 August 2020, 'revised pdfs' were added, which are version 2 of GMMP and EWMP. On 31 August 2020, a revised GMMP was added, which was version 3. - The next update on the website was not until 23 December 2021, which is outside the audit period from October 2020 to October 2021. Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG); - It was confirmed during the interview that there were no changes to GMMP 3 and EWMP.	It was confirmed during Interview 1 that no revisions to GMMP 3 and EWMP 2 occurred during the audit period. This is supported by Document 10 that there was no update after GMMP 3 and EWMP 2 prior to October 2021. In addition, EWMP 2 is still currently available on LXRP's website. Hence, the Independent Auditor considers this criterion to be compliant.	NOT APPLICABLE
21.5	Inclusion of reasons for the action under the RAMP to not have new or increased impact in the notification	Sight reasons (such as an impact assessment as stated in EPBC Approval Condition 20) to consider taking action under the RAMP to not have a new or increased impact in the notification to the Department.	Document 10: Website history of publications, provided by LXRP; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG); and	Document 10: Website history of publications, provided by LXRP: - The page was created on 30 December 2019. - Plans were added on 7 January 2020. On 7 August 2020, 'revised pdfs' were added, which are version 2 of GMMP and EWMP. On 31 August 2020, a revised GMMP was added, which was version 3. - The next update on the website was not until 23 December 2021, which is outside the audit period from October 2020 to October 2021. Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG); - It was confirmed during the interview that there were no changes to GMMP 3 and EWMP.	It was confirmed during Interview 1 that no revisions to GMMP 3 and EWMP 2 occurred during the audit period. This is supported by Document 10 that there was no update after GMMP 3 and EWMP 2 prior to October 2021. In addition, EWMP 2 is still currently available on LXRP's website. Hence, the Independent Auditor considers this criterion to be compliant.	NOT APPLICABLE
21.6	Inclusion of the commencement date of action under the RAMP with consideration to the approved or agreed timeframe in the notification	Sight details of the commencement date of action under the RAMP to confirm that it was not implemented until at least 20 business days after the notification to the Department.	Document 10: Website history of publications, provided by LXRP; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG); and	Document 10: Website history of publications, provided by LXRP: - The page was created on 30 December 2019. - Plans were added on 7 January 2020. On 7 August 2020, 'revised pdfs' were added, which are version 2 of GMMP and EWMP. On 31 August 2020, a revised GMMP was added, which was version 3. - The next update on the website was not until 23 December 2021, which is outside the audit period from October 2020 to October 2021. Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG); - It was confirmed during the interview that there were no changes to GMMP 3 and EWMP.	It was confirmed during Interview 1 that no revisions to GMMP 3 and EWMP 2 occurred during the audit period. This is supported by Document 10 that there was no update after GMMP 3 and EWMP 2 prior to October 2021. In addition, EWMP 2 is still currently available on LXRP's website. Hence, the Independent Auditor considers this criterion to be compliant.	NOT APPLICABLE
21.7	Implementation of the RAMP from the approval date	Sight evidence that the RAMP was implemented following the commencement date of action.	Document 10: Website history of publications, provided by LXRP; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG); and	Document 10: Website history of publications, provided by LXRP: - The page was created on 30 December 2019. - Plans were added on 7 January 2020. On 7 August 2020, 'revised pdfs' were added, which are version 2 of GMMP and EWMP. On 31 August 2020, a revised GMMP was added, which was version 3. - The next update on the website was not until 23 December 2021, which is outside the audit period from October 2020 to October 2021. Interview 1: Stakeholder interview with Level Crossing Removal Project (LXRP), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG); - It was confirmed during the interview that there were no changes to GMMP 3 and EWMP.	It was confirmed during Interview 1 that no revisions to GMMP 3 and EWMP 2 occurred during the audit period. This is supported by Document 10 that there was no update after GMMP 3 and EWMP 2 prior to October 2021. In addition, EWMP 2 is still currently available on LXRP's website. Hence, the Independent Auditor considers this criterion to be compliant.	NOT APPLICABLE



EPBC Approval Condition 22		*The approval holder may revoke its choice to implement a RAMP under condition 20 at any time by giving written notice to the Department. If the approval holder revokes the choice under condition 20, the approval holder must implement the previous action management plan approved by the Minister.*				
		Verification Method	Documents Sighted	Evidence	Determination	Compliance Finding
22.1	Decision to revoke a RAMP	Sight written notice to Department of any RAMPs revoked by LXPB within the audit period.	Document 10: Website history of publications, provided by LXPB; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXPB), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG); and	Document 10: Website history of publications, provided by LXPB: - The page was created on 30 December 2019. - Plans were added on 7 January 2020. On 7 August 2020, 'revised pdfs' were added, which are version 2 of GMMP and EWMP. On 31 August 2020, a revised GMMP was added, which was version 3. - The next update on the website was not until 23 December 2021, which is outside the audit period from October 2020 to October 2021. Interview 1: Stakeholder interview with Level Crossing Removal Project (LXPB), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG): - It was confirmed during the interview that there were no changes to GMMP 3 and EWMP.	It was confirmed during Interview 1 that no revisions to GMMP 3 and EWMP 2 occurred during the audit period. This is supported by Document 10 that there was no update after GMMP 3 and EWMP 2 prior to October 2021. In addition, EWMP 2 is still currently available on LXPB's website. Hence, the Independent Auditor considers this criterion to be compliant.	NOT APPLICABLE
22.2	Notification to the Department of RAMP revocation	Sight written notice to Department of any RAMPs revoked by LXPB within the audit period.	Document 10: Website history of publications, provided by LXPB; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXPB), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG); and	Document 10: Website history of publications, provided by LXPB: - The page was created on 30 December 2019. - Plans were added on 7 January 2020. On 7 August 2020, 'revised pdfs' were added, which are version 2 of GMMP and EWMP. On 31 August 2020, a revised GMMP was added, which was version 3. - The next update on the website was not until 23 December 2021, which is outside the audit period from October 2020 to October 2021. Interview 1: Stakeholder interview with Level Crossing Removal Project (LXPB), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG): - It was confirmed during the interview that there were no changes to GMMP 3 and EWMP.	It was confirmed during Interview 1 that no revisions to GMMP 3 and EWMP 2 occurred during the audit period. This is supported by Document 10 that there was no update after GMMP 3 and EWMP 2 prior to October 2021. In addition, EWMP 2 is still currently available on LXPB's website. Hence, the Independent Auditor considers this criterion to be compliant.	NOT APPLICABLE
22.3	Implementation of previously approved action management plan	Sight evidence that the previous action management plan approved by the Minister was implemented.	Document 10: Website history of publications, provided by LXPB; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXPB), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG); and	Document 10: Website history of publications, provided by LXPB: - The page was created on 30 December 2019. - Plans were added on 7 January 2020. On 7 August 2020, 'revised pdfs' were added, which are version 2 of GMMP and EWMP. On 31 August 2020, a revised GMMP was added, which was version 3. - The next update on the website was not until 23 December 2021, which is outside the audit period from October 2020 to October 2021. Interview 1: Stakeholder interview with Level Crossing Removal Project (LXPB), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG): - It was confirmed during the interview that there were no changes to GMMP 3 and EWMP.	It was confirmed during Interview 1 that no revisions to GMMP 3 and EWMP 2 occurred during the audit period. This is supported by Document 10 that there was no update after GMMP 3 and EWMP 2 prior to October 2021. In addition, EWMP 2 is still currently available on LXPB's website. Hence, the Independent Auditor considers this criterion to be compliant.	NOT APPLICABLE
EPBC Approval Condition 23		*23. 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 likely to have a new or increased impact, then: a. condition 20 does not apply, or ceases to apply, in relation to the RAMP; and b. the approval holder must implement the action management plan specified by the Minister in the notice.*				
		Verification Method	Documents Sighted	Evidence	Determination	Compliance Finding
23.1	Notification by the Minister of a new or increased impact from action under the RAMP	Sighting of Minister's notices where the Minister was satisfied that the taking of the action was unlikely to result in a new or increased impact.	Document 10: Website history of publications, provided by LXPB; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXPB), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG); and	Document 10: Website history of publications, provided by LXPB: - The page was created on 30 December 2019. - Plans were added on 7 January 2020. On 7 August 2020, 'revised pdfs' were added, which are version 2 of GMMP and EWMP. On 31 August 2020, a revised GMMP was added, which was version 3. - The next update on the website was not until 23 December 2021, which is outside the audit period from October 2020 to October 2021. Interview 1: Stakeholder interview with Level Crossing Removal Project (LXPB), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG): - It was confirmed during the interview that there were no changes to GMMP 3 and EWMP.	It was confirmed during Interview 1 that no revisions to GMMP 3 and EWMP 2 occurred during the audit period. This is supported by Document 10 that there was no update after GMMP 3 and EWMP 2 prior to October 2021. In addition, EWMP 2 is still currently available on LXPB's website. Hence, the Independent Auditor considers this criterion to not be applicable.	NOT APPLICABLE
23.2	Cancellation of action of the RAMP under condition 20	Sight evidence that the previous action management plan approved by the Minister was implemented.	Document 10: Website history of publications, provided by LXPB; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXPB), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG); and	Document 10: Website history of publications, provided by LXPB: - The page was created on 30 December 2019. - Plans were added on 7 January 2020. On 7 August 2020, 'revised pdfs' were added, which are version 2 of GMMP and EWMP. On 31 August 2020, a revised GMMP was added, which was version 3. - The next update on the website was not until 23 December 2021, which is outside the audit period from October 2020 to October 2021. Interview 1: Stakeholder interview with Level Crossing Removal Project (LXPB), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG): - It was confirmed during the interview that there were no changes to GMMP 3 and EWMP.	It was confirmed during Interview 1 that no revisions to GMMP 3 and EWMP 2 occurred during the audit period. This is supported by Document 10 that there was no update after GMMP 3 and EWMP 2 prior to October 2021. In addition, EWMP 2 is still currently available on LXPB's website. Hence, the Independent Auditor considers this criterion to not be applicable.	NOT APPLICABLE
EPBC Approval Condition 24		*At the time of giving the notice under condition 23, the Minister may also notify that for a specified period of time, condition 20 does not apply for one or more specified action management plans. Note: conditions 20, 21, 22 and 23 are not intended to limit the operation of section 143A of the EPBC Act which allows the approval holder to submit a revised action management plan, at any time, to the Minister for approval.*				
		Verification Method	Documents Sighted	Evidence	Determination	Compliance Finding
24.1	Notification by the Minister for condition 20 RAMP's invalidation timeframe specified to the action management plan during the invalidation period	Sighting Minister's notice of condition 20 RAMP's specified invalidation period alongside with any changes specified to the action management plan during the invalidation period	Document 10: Website history of publications, provided by LXPB; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXPB), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG); and	Document 10: Website history of publications, provided by LXPB: - The page was created on 30 December 2019. - Plans were added on 7 January 2020. On 7 August 2020, 'revised pdfs' were added, which are version 2 of GMMP and EWMP. On 31 August 2020, a revised GMMP was added, which was version 3. - The next update on the website was not until 23 December 2021, which is outside the audit period from October 2020 to October 2021. Interview 1: Stakeholder interview with Level Crossing Removal Project (LXPB), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG): - It was confirmed during the interview that there were no changes to GMMP 3 and EWMP.	It was confirmed during Interview 1 that no revisions to GMMP 3 and EWMP 2 occurred during the audit period. This is supported by Document 10 that there was no update after GMMP 3 and EWMP 2 prior to October 2021. In addition, EWMP 2 is still currently available on LXPB's website. The Independent Auditor is hence satisfied that this criterion is not applicable to the audit.	NOT APPLICABLE
24.2	Implementation of the RAMP under the validation period as per the Minister's notice	Comparison between the action management plans being implemented during the specified invalidation period as per the notice, the changes necessary to the RAMP during this period as per the notice and the RAMP prior to the notice	Document 10: Website history of publications, provided by LXPB; and Interview 1: Stakeholder interview with Level Crossing Removal Project (LXPB), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG); and	Document 10: Website history of publications, provided by LXPB: - The page was created on 30 December 2019. - Plans were added on 7 January 2020. On 7 August 2020, 'revised pdfs' were added, which are version 2 of GMMP and EWMP. On 31 August 2020, a revised GMMP was added, which was version 3. - The next update on the website was not until 23 December 2021, which is outside the audit period from October 2020 to October 2021. Interview 1: Stakeholder interview with Level Crossing Removal Project (LXPB), GHD-AECOM Joint Venture (TA) and SPA conducted on 8 February 2024 by KPMG Australian Services Pty Ltd (KPMG): - It was confirmed during the interview that there were no changes to GMMP 3 and EWMP.	It was confirmed during Interview 1 that no revisions to GMMP 3 and EWMP 2 occurred during the audit period. This is supported by Document 10 that there was no update after GMMP 3 and EWMP 2 prior to October 2021. In addition, EWMP 2 is still currently available on LXPB's website. The Independent Auditor is hence satisfied that this criterion is not applicable to the audit.	NOT APPLICABLE
EPBC Approval Condition 25		*Within 30 days after the completion of the action, the approval holder must notify the Department in writing and provide completion data.*				
		Verification Method	Documents Sighted	Evidence	Determination	Compliance Finding
25.1	Notification to the Department of action completion and its data within the approved timeframe	Not applicable to the audit period.	Not applicable to the audit period.	Not applicable to the audit period.	Not applicable to the audit period.	NOT APPLICABLE
25.2	Inclusion of completion details such as relevant data in the notification to the Department	Not applicable to the audit period.	Not applicable to the audit period.	Not applicable to the audit period.	Not applicable to the audit period.	NOT APPLICABLE
C - Definitions		*26. In these conditions, except where contrary intention is expressed, the following definitions are used: a. Business days means a day that is not a Saturday, a Sunday or a public holiday in the state or territory of the action. ... t. Website means a set of related web pages located under a single domain name attributed to the approval holder and available to the public.*				
		Verification Method	Documents Sighted	Evidence	Determination	Compliance Finding
Note: Part C conditions consist of definitions. There are no deviations of the noted definitions and consequently Part C will not be included as criteria.						

NOTE:  
1. Unless otherwise specified (such as via emails), notifications to the Department/Minister had to be in writing.



**Doris Pallozzi**

**Project and Technical Lead (EPA-  
Accredited Environmental Auditor)**

**Partner**

+61 (3) 9288 6171

**Timothy Grech**

**Project Lead/Lead Environmental  
Auditor**

**Associate Director**

+61 (3) 9288 5726

**Amanda McAlister**

**Project Lead/Lead Environmental  
Auditor**

**Manager**

+61 (3) 866 8371

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