

Regional Rail Revival Gippsland Line Upgrade

RAIL PROJECTS VICTORIA

GLU-AJM-PWD-PWD-REP-XLP-NAP-0705005-
92707

ANNUAL EPBC ACT APPROVAL – (EPBC
2019/8563) COMPLIANCE REPORT 2023 – 2024

7 FEBRUARY 2025

REVISION A

OFFICIAL: SENSITIVE



Contents

Glossary & Abbreviations	i
1. Executive Summary	1
2. Introduction	2
2.1 Overview	2
2.2 Purpose	2
3. Works conducted	4
4. Approval Conditions Compliance Table	5
5. Conclusion	10
6. References	11

Appendices

Appendix A

Project Area Overview

Appendix B

Ecological Impact Assessment

Appendix C

Bunyip Culvert As-Built Drawing

Appendix D

Longwarry Culvert As-Built Drawing

Appendix E

Bunyip and Longwarry Culvert Photo Evidence

Appendix F

Southern Brown Bandicoot Culvert Plan

Appendix G

Culvert Plan Approval Letter

Appendix H

Letter of Understanding Between RPV and Offset Site Owner

Appendix I

Executed Credit Trade Agreement

Appendix J

Notification Offset Has Been Secured

Appendix K

Landowner Management Actions

Appendix L

Notification from the Department Acknowledging Commencement of The Action

Appendix M

Electronic Notification to the Department of Published Compliance Report

Appendix N

Electronic Notification to the Department With Non-Redacted Version Of The Compliance Report

Appendix O

EPBC Act Approval Independent Audit

Appendix P

DCCEEW Auditor Approval Letter

Appendix Q

Evidence of Independent Auditor Notifying the Department for Approval

Glossary & Abbreviations

TERM / ABBREVIATION	DESCRIPTION
2023 – 2024 reporting period	Relating to the second 12-month period following commencement of the action, which includes the reporting period between 16 November 2023 and 15 November 2024
AJM JV	Aurecon Jacobs Mott Macdonald Joint Venture
Action area	As defined in EPBC Act 2019/8563 Approval
Approval holder	Rail Projects Victoria acting on behalf of Department of Transport
Big Build	Victoria's Big Build Website
Compliant	The requirements of the condition have been carried out
CTA	Credit Trading Agreement
DoT	Victoria's Department of Transport (now known as the Department of Transport and Planning)
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Commonwealth)
GLU	Gippsland Line Upgrade
LCRP	Level Crossing Removal Project
Not applicable	The requirements of conditions were not triggered during the reporting period or were no longer applicable to the reporting period
Offset site owner	Deep Lead Pty Ltd trading as Bush Blocks
OMP	Offset Management Plan
the department	Commonwealth Department of Climate Change, Energy, the Environment and Water
the Project	Upgrade to the railway corridor of the Gippsland Line between Pakenham and Longwarry, Victoria
RPV	Rail Projects Victoria, acting on behalf of Victoria's Department of Transport
RRR	Regional Rail Revival
SBB	Southern Brown Bandicoot

1. Executive Summary

The approval of the Gippsland Line Upgrade Corridor Works – Pakenham to Longwarry East referral (EPBC 2019/8563) was issued to Victoria’s Department of Transport (DoT) on the 25 June 2021 to upgrade the railway corridor of the Gippsland Line between Pakenham and Longwarry, Victoria (herein referred to as ‘the Project’).

In accordance with Condition 11 of the EPBC Act approval (EPBC 2019/8563); within 60 days of every 12-month anniversary of the commencement of construction (15 November 2021), DoT must publish a report on the Victoria’s Big Build website addressing compliance with each of the conditions of this approval, including implementation of the conditions under the EPBC Act set out in Annexure A of the Approval Decision notice.

This compliance report addresses the compliance of the Project against the conditions for approval of the EPBC Act referral 2019/8563 for the activities carried out between 16 November 2023 and 15 November 2024. This is the third report prepared under the EPBC Act approval 2019/8563 for this Project.

Works conducted during the 2023 – 2024 reporting period are compliant with applicable conditions of EPBC Act approval 2019/8563.

2. Introduction

2.1 Overview

As part of the Victorian Regional Rail Revival program, the Gippsland Line Upgrade is upgrading the rail line servicing the Gippsland region of eastern Victoria. The Level Crossing Removal Project (LCRP) on behalf of the State Government of Victoria is responsible for the planning and implementation of the upgrade. The Gippsland Line Upgrade will enable extra services on the Gippsland line and improve safety for motorists and trains at level crossings. Construction of the action commenced in 2021.

The upgrade works to the railway corridor of the Gippsland Line between Pakenham and Longwarry, Victoria (i.e. the Project) include:

- Sections of track duplication at Bunyip and Longwarry Stations.
- Upgrades to train control systems along the line and at level crossing locations between Pakenham and Longwarry East.
- Second platform and station amenity works at Bunyip Station and Longwarry stations.
- Level crossing upgrades from Pakenham to Longwarry East.

The Action Area spans approximately 25 kilometres along the Gippsland railway corridor located within the municipalities of Baw Baw Shire Council and Cardinia Shire Council. An overview map of the Project area has been provided in Appendix A.

2.2 Purpose

The purpose of this document is to demonstrate compliance with the conditions of the EPBC Act approval for the Project (EPBC 2019/8563) and to satisfy Condition 11 of that approval, which states:

The approval holder must prepare a compliance report addressing each condition of this approval for each 12-month period following the date of commencement of the action, or otherwise in accordance with an annual date that has been agreed to in writing by the Minister. The approval holder must:

- a. publish each compliance report on the website within 60 business days following the relevant 12-month period*
- b. notify the department by email that a compliance report has been published on the website and provide the weblink for the compliance report within 5 business days of the date of publication*
- c. keep all compliance reports publicly available on the website until this approval expires*
- d. exclude or redact sensitive ecological data from compliance reports published on the website*
- 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.*

This compliance report covers the reporting period between 16 November 2023 and 15 November 2024 (herein referred to as the '2023 – 2024 reporting period') in respect of EPBC Approval 2019/8563: Gippsland Line Upgrade, Corridor Works – Pakenham to Longwarry East, Victoria issued to the Department of Transport on 25 June 2021.

The key dates that related to the approval are detailed in Table 2.1.

TABLE 2.1 KEY EPBC ACT APPROVAL DATES

ACTION	DATE
Commonwealth approval granted	25 June 2021
Commencement of action	15 November 2021
Variation of conditions attached to approval	03 March 2023
Conduct an independent audit of compliance with conditions of approval 36 months from the commencement of the action	15 November 2024
Publication date for the third compliance report (this report) (60 business days from the anniversary of the commencement of the action)	13 February 2025
Notify the department of compliance report publication (5 business days from the publication date)	20 February 2025
Period for which approval has effect	30 June 2041

3. Works conducted

Construction within the action area began in November 2021. During the 2023 – 2024 reporting period, actions within the activity area consisted mainly of minor works to signalling, site surveys, cable hauling and installation of trackside equipment. A summary of the works completed in the action area as of November 2024 have been provided in Table 3-1 below.

TABLE 3-1 WORKS COMPLETED UNDER EPBC 2019/8563 AS OF NOVEMBER 2024

YEAR	WORKS COMPLETED
2023 – 2024 reporting period	<ul style="list-style-type: none"> • Corridor Works including: <ul style="list-style-type: none"> - finishing touches at Bunyip and Longwarry stations, including landscaping and platform line marking. - minor signalling, site survey, cable hauling, trackside equipment and maintenance access. - road works along the Bunyip line.
2022 – 2023	<ul style="list-style-type: none"> • Rail control system upgrades, including upgrades to signalling, communications and train control system associated with the below works. • Level crossing and pedestrian crossing upgrades including enhancing train detection on applicable crossings with the introduction of electronic wheel sensors or axle counter upgrades. • Station upgrades at Bunyip Station, Longwarry Station • Track and Civil works.
2021 – 2022	<ul style="list-style-type: none"> • Construction of combined services route including maintenance and access routes. • Construction of V/line car park and station drainage south-west of Bunyip Station. • Non-destructive drilling at several locations. • Utility relocations at Bunyip and Longwarry Stations. • Installation of new electrical systems at Bunyip and Longwarry Stations. • Construction of hardstands in several locations. • Platform and bus loop upgrades at Bunyip station, including earthworks, structures, drainage, and landscape works. • Platform and bus loop upgrades at Longwarry Station, including earthworks, structures, drainage, and landscape works. • Track formation at several locations.

4. Approval Conditions Compliance Table

A summary of compliance with EPBC Act approval (EPBC 2019/8533) conditions has been provided in Table 4.1.

TABLE 4.1 CONDITIONS AND DEMONSTRATION OF COMPLIANCE FOR THE 2023 – 2024 REPORTING PERIOD

CONDITION NO.	APPROVAL CONDITION	IS THE PROJECT COMPLIANT WITH THIS CONDITION?	EVIDENCE / COMMENTS	APPENDICES
1	The approval holder must not: <ul style="list-style-type: none"> Clear more than 0.901 ha of Southern Brown Bandicoot habitat in the action area. 	Compliant	The Project has cleared a cumulative total of 0.899 ha of Southern Brown Bandicoot (SBB) habitat of the 0.901 ha allowed under this condition. The Project is therefore compliant with this condition.	Appendix B: Ecological Impact Assessment - Submission 7 (refer to Table 5).
	<ul style="list-style-type: none"> Clear any Southern Brown Bandicoot habitat outside the action area. 	Compliant	No clearing outside the action area has occurred within the 2023 – 2024 reporting period. The Project is therefore compliant with this condition.	Appendix B: Ecological Impact Assessment - Submission 7 (refer to Table 5, Appendix A.1 and Appendix A.3).
2	To compensate for the loss of habitat connectivity, the approval holder must install culverts in areas where the rail line will be duplicated.	Compliant	Culverts have been installed within duplication works areas at: <ul style="list-style-type: none"> CH 79450 CH 83200. The Project is therefore compliant with this condition.	Appendix C: Bunyip culvert as-built drawing. Appendix D: Longwarry culvert as-built drawing. Appendix E: Bunyip and Longwarry culvert photo evidence.
	The approval holder must not: <ul style="list-style-type: none"> Commence construction unless a plan specifying the number and locations of culverts to be installed has been approved in writing by the Minister. 	Compliant	A Southern Brown Bandicoot Culvert Construction Plan (dated 7 October 2021) was submitted to the department on the 16 August 2021. A response letter from the department approving the Southern Brown Bandicoot Culvert Plan (dated 7 October 2021) was issued to LCRP on the 1 November 2021. The Project is therefore compliant with this condition.	Appendix F: Southern Brown Bandicoot culvert plan. Appendix G: Culvert plan approval letter.

CONDITION NO.	APPROVAL CONDITION	IS THE PROJECT COMPLIANT WITH THIS CONDITION?	EVIDENCE / COMMENTS	APPENDICES
3	Within twelve months of the commencement of the action, the approval holder must secure the offset area.	Compliant	A Letter of Understanding between LXRP and the offset site owner (Deep Lead Property, trading as Bush Blocks) was signed for securing the proposed offset site: 'Loch Sport' on the 8 August 2021. Following endorsement from the department in reference to the suitability of the proposed offset site, a Trust for Nature Covenant under the Victorian Conservation Trust Act 1972 (Vic) Credit Trade Agreement (CTA) was executed on the 26 October 2022. The Project is therefore compliant with this condition. The Project is therefore compliant with this condition.	Appendix H: Letter of understanding between LCRP and offset site owner. Appendix I: Executed credit trade agreement.
4	Within 10 business days of the offset area being secured, the approval holder must provide the department with: <ul style="list-style-type: none"> Written evidence demonstrating that the offset area has been secured. 	Compliant	Evidence was issued (via email) to the department on the 9 November 2022, one business day after the offset was secured notifying the department that the offset area had been secured. The Project is therefore compliant with this condition.	Appendix J: Notification offset has been secured.
	<ul style="list-style-type: none"> Shapefiles and the offset attributes for the offset area. 	Compliant	Shapefiles including offset attributes were submitted to the department via email on the 9 November 2022, 1 business day after the offset was secured. The Project is therefore compliant with this condition.	Appendix J: Notification offset has been secured.
5	The approval holder must: <ul style="list-style-type: none"> Commence implementing the Offset Management Plan for the offset area prior to the commencement of the action. 	Compliant	The offset site has been managed continuously since July 2020. Management actions as per the Southern Brown Bandicoot Offset Management Plan have been completed during the 2023 – 2024 reporting period. The Project is therefore compliant with this condition.	Appendix K: Landowner management actions.
	<ul style="list-style-type: none"> Continue to implement the Offset Management Plan for the duration of the approval. 	Compliant	The offset site has been managed continuously since July 2020. Management actions as per the Southern Brown Bandicoot Offset Management Plan have been completed during the 2023 – 2024 reporting period. The Project is therefore compliant with this condition.	Appendix K: Landowner management actions.
6	The approval holder must notify the department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action.	Compliant	Notice of commencement of construction works was provided to the department on the 15 November 2021. The department confirmed commencement of the action in correspondence to LCRP on the 16 November 2021. The Project is therefore compliant with this condition.	Appendix L: Notification from the department acknowledging commencement of the Action.
7	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.	Compliant	The Action commenced on the 15 November 2021, within five years from the date of approval (25 June 2021).	Not Applicable
8	The approval holder must maintain accurate and complete compliance records.	Compliant	LXRP maintains an organised Environmental Management Systems (EMS) database with relevant documents.	Not Applicable

CONDITION NO.	APPROVAL CONDITION	IS THE PROJECT COMPLIANT WITH THIS CONDITION?	EVIDENCE / COMMENTS	APPENDICES
9	<p>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.</p> <p>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.</p>	Compliant	No requests have been received from the department during the 2023 – 2024 reporting period.	Not Applicable
10	The approval holder must keep the Offset Management Plan published on the website until the end date of this approval.	Compliant	<p>The Southern Brown Bandicoot Offset Management Plan was published in June 2021 and continues to be available on the Big Build website: RRR-GLU-Protecting-the-Southern-Brown-Bandicoot-Offset-Management-Plan.pdf (bigbuild.vic.gov.au).</p> <p>The Project is therefore compliant with this condition.</p>	Not Applicable
11	<p>The approval holder must prepare a compliance report addressing each condition of this approval for each 12-month period following the date of commencement of the action, or otherwise in accordance with an annual date that has been agreed to in writing by the Minister. The approval holder must:</p> <p>a) Publish each compliance report on the website within 60 business days following the relevant 12-month period.</p>	Compliant	<p>The Annual EPBC Act Approval (EPBC 2019/8563) Compliance Report 2022 – 2023 was published on the Big Build website (RRR-GLU-Annual-EPBC-Act-Approval-Compliance-Report.pdf) on 13 February 2024, 60 business days after the 15 November 2023 (the relevant 12-month period).</p> <p>The Project is therefore compliant with this condition.</p>	Not Applicable
	b) Notify the department by email that a compliance report has been published on the website and provide the weblink for the compliance report within 5 business days of the date of publication.	Compliant	<p>The department was notified (via email) on 9 February 2024 that the 2022 – 2023 compliance report had been published (on 9 February 2024).</p> <p>The Project is therefore compliant with this condition.</p>	Appendix M: Electronic notification to the department of published compliance report.
	c) Keep all compliance reports publicly available on the website until this approval expires.	Compliant	<p>The Annual EPBC Act Approval (EPBC 2019/8563) Compliance Reports (2021 – 2022 and 2022 – 2023) continues to remain publicly available on the website at Gippsland Line Upgrade planning approvals - Victoria's Big Build.</p> <p>The Project is therefore compliant with this condition.</p>	Not Applicable
	d) Exclude or redact sensitive ecological data from compliance reports published on the website.	Compliant	<p>The compliance report published on the Big Build website has redacted sensitive ecological data (see GCU - Annual EPBC ACT Approval - (EPBC 2019/8563) Compliance Report 2021-2022 and RRR-GLU-Annual-EPBC-Act-Approval-Compliance-Report.pdf).</p> <p>The Project is therefore compliant with this condition.</p>	Not Applicable

CONDITION NO.	APPROVAL CONDITION	IS THE PROJECT COMPLIANT WITH THIS CONDITION?	EVIDENCE / COMMENTS	APPENDICES
	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.	Compliant	A non-redacted version of the annual EPBC Act Approval (EPBC 2019/8563) Compliance Report 2022 – 2023 was issued (via email) to the department on 15 February 2024, four business days after the compliance report was published on the Big Build website. The Project is therefore compliant with this condition.	Appendix N: Electronic notification to the department with non-redacted version of the compliance report.
12	The approval holder must notify the department in writing of any: incident ¹ ; 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 2 business days after becoming aware of the incident or non-compliance. The notification must specify:	Compliant	No incident, non-conformances with the conditions and commitments made in the Offset Management Plan were recorded during the 2023 – 2024 reporting period for notification to the department.	Not Applicable
	a) Any condition which is or may be in breach.	Compliant	No incident, non-conformances with the conditions and commitments made in the OMP were recorded during the 2023 – 2024 reporting period for notification to the department.	Not Applicable
	b) A short description of the incident and/or non-compliance.	Compliant	No incident, non-conformances with the conditions and commitments made in the OMP were recorded during the 2023 – 2024 reporting period for notification to the department.	Not Applicable
	c) The location (including co-ordinates), date, and time of the incident and/or non-compliance. In the event the exact information cannot be provided, provide the best information available.	Compliant	No incident, non-conformances with the conditions and commitments made in the OMP were recorded during the 2023 – 2024 reporting period for notification to the department.	Not Applicable
13	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:	Compliant	No incident or non-compliance with the conditions or commitments made in the plans were recorded during the 2023 – 2024 reporting period for notification to the department.	Not Applicable
	a) Any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future.	Compliant	Refer to Condition 13 a).	Not Applicable
	b) The potential impacts of the incident or non-compliance.	Compliant	Refer to Condition 13 a).	Not Applicable
	c) The method and timing of any remedial action that will be undertaken by the approval holder.	Compliant	Refer to Condition 13 a).	Not Applicable
	d) The measures put in place to prevent a reoccurrence of the incident of non-compliance.	Compliant	Refer to Condition 13 a).	Not Applicable

¹ As per referral decision definition: **Incident** means any event which has the potential to, or does, impact on one or more **protected matter(s)** other than as authorised by this approval.

CONDITION NO.	APPROVAL CONDITION	IS THE PROJECT COMPLIANT WITH THIS CONDITION?	EVIDENCE / COMMENTS	APPENDICES
14	The approval holder must ensure that an independent audit of compliance with the conditions of approval is conducted for the 36-month period starting from the commencement of the action, and thereafter that an independent audit of compliance with the conditions of approval is conducted when requested by the Minister.	Compliant	An independent audit of compliance with the conditions of the approval is currently in process for the 36-month period starting from the commencement of the action. The Project is therefore compliant with this condition.	Appendix O: Electronic notification to the department of the intention of an independent audit Appendix P: Auditor Competence and Audit Criteria/Methodology Appendix Q: Notification from the department acknowledging the nominated audit team and approval of audit criteria
15	For each independent audit, the approval holder must: a) Provide the name and qualifications of the proposed independent auditor and the draft audit criteria to the department before the end of the subject time period.	Compliant	The department was notified of the name and qualifications of the proposed independent auditor, and the draft audit criteria on the 14 November 2024, within the subject time period. The Project is therefore compliant with this condition.	Appendix O: Electronic notification to the department of the intention of an independent audit Appendix P: Auditor Competence and Audit Criteria/Methodology Appendix Q: Notification from the department acknowledging the nominated audit team and approval of audit criteria
	b) Only commence the independent audit once the audit criteria and auditor have been approved in writing by the department.	Compliant	The audit criteria and auditor were approved in writing by the department on 16 December 2024 prior to commencement of the audit. The Project is therefore compliant with this condition.	Appendix Q: Notification from the department acknowledging the nominated audit team and approval of audit criteria
	c) Submit an audit report to the department within the timeframe specified in the approved audit criteria.	Compliant	The independent audit report is due to be submitted to the department by 19 March 2025, which has not lapsed at the time of authoring this report.	Appendix Q: Notification from the department acknowledging the nominated audit team and approval of audit criteria
16	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.	Compliant	The publication of the independent audit report is due to the department by 19 March 2025, which has not lapsed at the time of authoring this report.	Not Applicable
17	Within 30 business days after whichever is the earlier of the completion of the action or 60 business days before the end date of the period for which the approval has effect The approval holder must notify the department in writing of the date of the completion of the action and submit all completion data to the department.	Compliant	Construction of the Gippsland Line Upgrade – Pakenham to Longwarry is currently still in progress. Following completion, notification will be provided to the department as per the condition.	Not Applicable

5. Conclusion

This compliance report has detailed the Project's adherence to the conditions of the EPBC Act approval (EPBC 2019/8563) for activities carried out during the reporting period from 16 November 2023 to 15 November 2024. It confirms that all works undertaken as part of the Gippsland Line Upgrade Corridor Works – Pakenham to Longwarry have remained compliant with the requirements specified in the Approval Decision notice. As the third compliance report prepared under this approval, it demonstrates the Department of Transport's ongoing commitment to meeting environmental obligations and ensuring responsible project delivery.

.

6. References

AJM Joint Venture. (2023). *GSU - ANNUAL EPBC ACT APPROVAL - (EPBC 2019/8563) COMPLIANCE REPORT 2021-2022*.

AJM Joint Venture. (2024). *Annual EPBC Act Approval – (EPBC 2019/8563) Compliance Report 2022 - 2023*.

Victoria's Big Build. (2024, February 9). *Gippsland Line Upgrade Planning approvals*. Retrieved from <https://bigbuild.vic.gov.au/projects/gippsland-line-upgrade/about/planning>

Appendix A

Project Area Overview



Appendix B

Ecological Impact Assessment



Appendix C

Bunyip Culvert As-Built Drawing



Appendix D

Longwarry Culvert As-Built Drawing



Appendix E

Bunyip and Longwarry Culvert Photo Evidence



Appendix F

Southern Brown Bandicoot Culvert Plan



Appendix G

Culvert Plan Approval Letter



Appendix H

Letter of Understanding Between RPV and Offset Site Owner



Appendix I

Executed Credit Trade Agreement



Appendix J

Notification Offset Has Been Secured



Appendix K

Landowner Management Actions



Appendix L

Notification from the Department Acknowledging Commencement of The Action



Appendix M

Electronic Notification to the Department of Published Compliance Report



Appendix N

Electronic Notification to the Department With Non-Redacted Version Of The Compliance Report



Appendix O

EPBC Act Approval Independent Audit



Appendix P

DCCEEW Auditor Approval Letter



Appendix Q

Evidence of Independent Auditor Notifying the Department for Approval