



EPBC Act 1999 Approval Independent Audit

Level Crossing Removal Project (LXRP) – Gippsland Line
Upgrade, Corridor Works – Pakenham to Longwarry East, Victoria
(EPBC 2019/8563)

Environmental Audit Report

18 March 2025

Document Approval

Revision	Date	Author	Approved by
A	03/03/2025	Lead Environmental Auditor	Engagement Partner
Signatures		Confidential	Confidential

Document review and approval

Revision	Revision Detail	Author	Date	Approved by
A	Draft Report	Lead Environmental Auditor	3/3/2025	Engagement Partner
0	Final Report	Lead Environmental Auditor	18/03/2025	Engagement Partner

Table of Contents

Executive Summary.....	4
1. Introduction	7
2. Audit Approach	9
3. Details of the Audit.....	10
4. Auditor Certification	11
5. Detailed Audit Findings.....	11
Appendix A – Compliance Criteria	13
Appendix B – Auditor’s Certification	14
Appendix C – Document List.....	18
Appendix E – Detailed Audit Findings.....	22

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 Aurecon Jacobs Mott MacDonald (AJM) Joint Venture (LXRP technical advisor, formerly RPV technical advisor) and VicConnect Alliance (VCA) (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. 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.

Executive Summary

The Level Crossing Removal Project (LXRP), as part of the Victorian Infrastructure Delivery Authority (VIDA), is a government entity responsible for delivering key transport infrastructure projects across Victoria.

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 Gippsland Line Upgrade, Corridor Works – Pakenham to Longwarry East, Victoria (EPBC 2019/8563). In accordance with Condition 14 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 36-month period after the commencement of the action. This 36-month period is from 15 November 2021 to 15 November 2024.

The scope of the IA services was to assess activities associated with the railway corridor upgrade between Pakenham and Longwarry, Victoria, against the conditions of the EPBC Act Approval (EPBC Approval 2019/8563) 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 in accordance with the *Environmental 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 15 November 2021 – 15 November 2024 and the stakeholder interview dated 29 January 2025, the following findings were identified: (29) Approval criteria were found to be 'Compliant', (0) 'Non-Compliant' and (2) 'Non-Applicable', resulting from the 17 conditions within the Approval. The audit rating criteria adopted ('Compliant', Non-Compliant', 'Non-Applicable' and 'Observations') was derived from the Guidelines. The full compliance criteria and corresponding criteria descriptions are provided in **Appendix A**.

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

Independent data quality validation was not part of the IA's scope of work. Therefore, the IA has relied solely on data and documentation provided by LXRP to assess the compliance status with relevant conditions.

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

EPBC Act Approval Criteria Number	EPBC Act Approval Criteria Name	Compliance Status
1	The approval holder must not clear more than 0.901 Hectares (ha) of Southern Brown Bandicoot habitat in the action area. The approval holder must not clear any Southern Brown Bandicoot habitat outside the action area.	Compliant
2	To compensate for the loss of habitat connectivity, the approval holder must install culverts in areas where the rail line will be duplicated. The approval holder must not commence construction unless a plan specifying the number and locations of culverts to be installed has been approved in writing by the Minister.	Compliant
3	Within twelve months of the commencement of the action, the approval holder must secure the offset area.	Compliant
4	Within ten (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; and shapefiles and the offset attributes for the offset area. 	Compliant
5	The approval holder must commence implementing the Offset Management Plan for the offset area prior to the commencement of the action and must continue to implement the Offset Management Plan for the duration of the approval.	Compliant (with Observation)
6	The approval holder must notify the department in writing of the date of commencement of the action within ten (10) business days after the date of commencement of the action.	Compliant
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
8	The approval holder must maintain accurate and complete compliance records.	Compliant
9	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.	Not Applicable
10	The approval holder must keep the Offset Management Plan published on the website until the end date of this approval.	Compliant
11	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:	Compliant
11.a	<ul style="list-style-type: none"> publish each compliance report on the website within 60 business days following the relevant 12 month period 	Compliant
11.b	<ul style="list-style-type: none"> 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
11.c	<ul style="list-style-type: none"> keep all compliance reports publicly available on the website until this approval expires 	Compliant
11.d	<ul style="list-style-type: none"> exclude or redact sensitive ecological data from compliance reports published on the website 	Compliant
11.e	<ul style="list-style-type: none"> 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
12	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 2 business days after becoming aware of the incident or non-compliance. The notification must specify:	Compliant
12.a	<ul style="list-style-type: none"> any condition which is or may be in breach 	Compliant
12.b	<ul style="list-style-type: none"> a short description of the incident and/or non-compliance 	Compliant
12.c	<ul style="list-style-type: none"> 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
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
13.a	<ul style="list-style-type: none"> any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future 	Compliant

13.b	<ul style="list-style-type: none"> the potential impacts of the incident or non-compliance 	Compliant
13.c	<ul style="list-style-type: none"> the method and timing of any remedial action that will be undertaken by the approval holder 	Compliant
13.d	<ul style="list-style-type: none"> the measures put in place to prevent a reoccurrence of the incident of non-compliance. 	Compliant
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
15	For each independent audit, the approval holder must:	
15.a	<ul style="list-style-type: none"> 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
15.b	<ul style="list-style-type: none"> only commence the independent audit once the audit criteria and auditor have been approved in writing by the department; and 	Compliant
15.c	<ul style="list-style-type: none"> submit an audit report to the department within the timeframe specified in the approved audit criteria. 	Compliant
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
17	<p>Within 30 business days after whichever is the earlier of</p> <p>a. the completion of the action or;</p> <p>b. 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.</p>	Not Applicable

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 delivery of key transport infrastructure projects across Victoria, including the removal of 110 dangerous and congested level crossings, 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 Gippsland Line Upgrade, Corridor Works – Pakenham to Longwarry East, Victoria (EPBC Approval 2019/8563) dated 25 June 2021. While LXRP holds the EPBC Act Approval (EPBC 2019/8563), the work required to upgrade the railway corridor between Pakenham and Longwarry, Victoria, was undertaken by LXRP's delivery partner, VicConnect Alliance (VCA). VCA is a consortium comprising UGL Limited, Decmil and Arup.

In accordance with Conditions 14, 15 and 16 of the EPBC Act Approval, LXRP engaged KPMG Australia Pty Ltd (KPMG) to undertake an Independent Audit (IA) of compliance with the conditions of the EPBC Act Approval. Specifically, Condition 14 of the EPBC Act Approval requires that:

“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.”

KPMG conducted the Independent Audit¹ for the 36-month period from the commencement of the action, as required under Condition 14, with the audit period under consideration being 15 November 2021 – 15 November 2024.

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).

1.2 Overview of Scope

The scope of the IA services was to assess activities associated with the upgrade of the railway corridor between Pakenham and Longwarry, Victoria, against the conditions of the *EPBC Act* Approval (EPBC 2019/8563) held by LXRP.

The IA scope of services was conducted and carried out in accordance with the Guidelines, which included the completion of four (4) key tasks for the audit as described herein, noting that KPMG had completed the first two (2) tasks in a previous submission titled *Auditor Competence and Audit Criteria/Methodology Package* dated 5 December 2024 which was approved by the Department on 16 December 2024.

- Task 1: development of the audit criteria and methodology and formed part of the Auditor Competence and Audit Criteria/Methodology Package dated 5 December 2024.

¹ Audit in this context refers to assessment of compliance with the EPBC Act, relevant management plans as required by the conditions of approvals and adopting a risk-based approach (founded in the guiding principles of AS/NZS ISO 19011:2019 Guidelines for auditing management systems).

Any reference to 'audit' 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.

- Task 2: approval of the Auditor Competence and Audit Criteria/Methodology Package dated 5 December 2024 by the Department. Approval was received from the Department prior to the commencement of the subsequent audit on 16 December 2024, and approval covered the nominated audit team and the proposed audit criteria and methodology.
- Task 3: conduct of audit activities, including an interview with relevant staff, and an assessment of relevant documentation. The audit commenced on 16 December 2024, and activities were completed on 28 February 2025.
- Task 4: preparation of an audit report for provision to LXRP and subsequent submission by LXRP to the Department, 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), and an interview. Specifically, the audit process included the following activities:

- **Audit inception meeting:** a kick-off meeting was conducted on 16 January 2025 with the auditees, LXRP, to outline audit objectives and confirm the logistics of the stakeholder interview.
- **A stakeholder interview:** an interview was conducted with key personnel from LXRP and VCA on 29 January 2025. The interview focussed 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.
- **Document assessment:** documentation relevant to the audit scope was collated and assessed from 16 December 2024 to 28 February 2025. 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, technical adequacy and data validation. Documents received included annual compliance reports, 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.

It is noted a site visit was not required for this audit, as construction activities were mostly concluded and evidence could be provided through photographs, registers, records and other forms of documentation.

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**

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

3. Details of the Audit

3.1 Project Name

The name of the project is Gippsland Line Upgrade, Corridor Works – Pakenham to Longwarry East, Victoria (EPBC Approval 2019/8563 dated 25 June 2021).

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 *Gippsland Line Upgrade, Corridor Works – Pakenham to Longwarry East, Victoria (EPBC 2019/8563)*. This audit covers the 36-month period from 15 November 2021 to 15 November 2024, in accordance with Condition 14 of the EPBC Act Approval, which states: “*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.*”

3.4 Scope of the Audit

The scope of the IA services was to assess activities associated with the Gippsland Line Upgrade between Pakenham and Longwarry, Victoria, against Conditions 1 to 17 of the *EPBC Act* Approval held by LXRP for the audit period from 15 November 2021 to 15 November 2024.

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: 16 December 2024 to 28 February 2025).
- LXRP Office - 121 Exhibition Street Melbourne VIC 3000 (Interview: 29 January 2025 from 10:00 am to 1:00 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), 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 Southern Brown Bandicoot Conservation Management Plan, supporting technical information and monitoring reports, and outcomes from a stakeholder interview

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 **43** in **Appendix C**).

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 verification² 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 0 non-compliant findings and 1 formal observation concerning the EPBC Act Approval.

5.1 Non-Compliant Findings

There were no non-compliant findings based on the documentation assessed as part of the Independent Audit.

5.2 Observations

With regards to EPBC Approval Condition 5, the Independent Auditor determined compliance as the Southern Brown Bandicoot Offset Management Plan was implemented prior to the commencement of the action, in accordance with the approval condition.

Evidence sighted during the audit confirms that offset management activities, including habitat restoration, predator control and monitoring have been undertaken in accordance with the plan. It was noted that the Offset Management Plan has been drafted for longevity, received approval by the Minister and is referenced in the EPBC Referral. It is also registered on title via the Deed of Covenant for the Conservation of Land and is the responsibility of the landowner to implement and update as per the executed Credit Trade Agreement.

As outlined in Section 4.9 of the Offset Management Plan, updates to the plan are required in the event of a significant detrimental impact within the offset area and/or a failing of the EPBC Offset Management Plan. This is noted by the landowner through annual reports evidencing the implementation of the Offset Management Plan, which are provided to LXRP and shared with DCCEEW.

Through discussion with LXRP, it was noted the process to update the Offset Management Plan requires involvement of the landowner, LXRP, specialist ecologists, DCCEEW and Trust for Nature. Once the stakeholders have undergone consultation with regards to the proposed updates to the management plan, Ministerial approval is then required before undergoing re-registration on the title.

Whilst compliance with Condition 5 has been demonstrated, the Independent Auditor noted the current process to undertake reviews of the Offset Management Plan are extensive, prompted by the outcomes of annual compliance reporting. As a result, the complexities of the review process may result in delays or missed opportunities for timely updates to the management plan, impacting overall effectiveness with meeting environmental objectives. As the Offset Management Plan will be implemented through to the end of the

approval period (30 June 2041), consideration could be given to implementing proactive periodic reviews in line with ISO 14001:2015 Environmental Management System standards. In particular:

- Section 9.3 *Management Review* of ISO 14001:2015, outlines the need for periodic reviews of the environmental management system to ensure suitability and effective implementation, reflecting changes in environmental conditions, legislative requirements or management practices; and
- Section 10.3 *Continuous Improvement* of ISO 14001:2015, outlines considerations for identifying potential sources of improvement opportunities to enhance environmental performance.

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
Compliant	A rating of 'Compliant' is given when the auditee has complied with a condition or element of a condition.
Non-Compliant	A rating of 'non-Compliant' is given when the auditee has not met a condition or an element of a condition.
Non-Applicable	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.
Observations	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.

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

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: December 2024



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



Project Lead/Lead Environmental Auditor

Auditor's name, position, company and contact details: Project Manager/Lead Environmental Auditor, Manager, KPMG Australia, Tower Two, Collins Square, 727 Collins Street, Melbourne, Victoria, 3008.

Auditor's qualifications and/or experience:

Education:

- Master of Sustainable Practice, RMIT
- B.A in International Relations and Development, UNSW

Experience:

- KPMG Australia – Independent Environmental Audit Services – Audit Lead

Auditor's declaration:

I, the Project Manager/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: December 2024

Support Environmental Auditor

Auditor's name, position, company and contact details: Support Environmental Auditor, Consultant, KPMG Australia, Tower Two, Collins Square, 727 Collins Street, Melbourne, Victoria, 3008

Auditor's qualifications and/or experience:

Education:

- Bachelor of Environmental Science (Environmental Management & Sustainability), Deakin University
- Bachelor of Business (Professional Accountancy), RMIT University

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.

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: December 2024

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.

Emails considered:

Email	Name / Description
1	Email from LXRP, dated 10 November 2022 for Southern Brown Bandicoot offsets notification
2	Commencement of Action email
3	Email notification from DCCEEW acknowledging commencement of the action
4	Email providing notification of Annual Compliance Report 2021-22
5	Email providing notification of Annual Compliance Report 2022-23
6	Email providing notification of Annual Compliance Report 2023-24
7	Email to DCCEEW providing notification of name, qualifications and draft audit criteria

Management plans considered:

Management Plan	Name / Description
8	Ecological Management Sub Plan
9	Pakenham to Longwarry East (EPBC 2019/8563) Southern Brown Bandicoot Offset Management Plan
10	GLU Southern Brown Bandicoot Conservation Management Plan

Documents considered:

Document	Name / Description
11	Ecological Impact Assessment - Submission 7 RFI Response
12	Bunyip Culvert As-Built Drawing
13	Longwarry Culvert As-Built Drawing
14	Culvert Plan Approval Letter
15	Southern Brown Bandicoot Culvert Plan
16	Letter of understanding between LXRP and offset site owner
17	Executed Credit Trade Agreement
18	Annual Landowner Report (Nov 2022 - Nov 2023)
19	Annual Landowner Report (May 2023 - Feb 2024)
20	Annual Landowner Report (Feb 2024 - Nov 2024)
21	Compliance Report 2021-2022
22	Compliance Report 2022-2023
23	Compliance Report 2023-2024
24	GLU Southern Brown Bandicoot Pre Construction Monitoring Summary Report (6 Months)
25	GLU Gippsland Rail Line Southern Brown Bandicoot Construction Monitoring Summary Report (12 Months)
26	GLU Southern Brown Bandicoot Construction Monitoring Summary Report (18 Months)
27	GLU Southern Brown Bandicoot Final Construction Monitoring Summary Report
28	GLU Southern Brown Bandicoot Extended Construction Monitoring Period Summary Report
29	GLU Construction Predator Control Program Report
30	EPBC Approval Referral Decision
31	Environmental Incidents Register
32	Impacted SBB Habitat Incident Reports
33	Civilo GIS Extracts
34	Images of Impacted SBB Habitat Locations
35	Southern Brown Bandicoot Habitat Environmental Toolbox
36	Site Induction Presentation for Gippsland Line Upgrade
37	Gippsland Line Upgrade Health, Safety, Security and Environment Induction Presentation
38	Gippsland Line Upgrade Environmental Inspection Weekly Checklists
39	Fauna Inspection and Translocation Report

40	Habitat Removal Form Checklist
41	Minister's approval letter for independent audit and audit criteria
42	Auditor Competence and Audit Criteria/Methodology Package, dated 5 December 2024
43	DCCEEW Audit Criteria Approval Letter

Appendix D – Audit Interview

Per the Audit Approach, an interview was held with key personnel from LXR and VCA on 29 January 2025. The interview focussed 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: 29 January 2025 – 10:00 am to 1:00 pm

Participants	Organisation
Land Planning & Environment Manager	LXR
Senior Planning & Environmental Specialist	LXR
Environmental Advisor	VCA
Ecological Consultant	Arup
Land Planning & Environment Manager	VCA
Project & Technical Lead (EPA Accredited Environmental Auditor)	KPMG
Project Manager/Lead Environmental Auditor	KPMG
Support Environmental Auditor	KPMG

Appendix E – Detailed Audit Findings

Audit Criteria and Methodology (EPBC Act Approval Independent Audit)

AUDIT PERIOD: The 36 month period from **commencement of action**

PART	CONDITIONS OF EPBC ACT APPROVAL				
	EPBC Approval Condition(s)	Verification Method	Documents Sighted	Evidence	Determination
A - Conditions specific to the action	1 The approval holder must not clear more than 0.901 ha of Southern Brown Bandicoot habitat in the action area. The approval holder must not clear any Southern Brown Bandicoot habitat outside the action area.	Review pre and post clearing documentation, check site plans and monitoring records, confirm GIS data for cleared area limits.	1. Ecological Impact Assessment confirms habitat clearance extent. 2. Ecological Management Sub Plan confirms clearance limit and removal activities.	1. Ecological Impact Assessment - Submission 7 RFI Response, dated 1 August 2024 2. Ecological Management Sub Plan, dated 24 February 2022	Ecological Impact Assessment Submission 7 confirms that, post-construction, 0.899 ha of Southern Brown Bandicoot habitat was removed—within the approved limit of 0.901 ha. The documentation also indicates potential to remove remaining 0.002 ha, ensuring the total cleared area remains compliant with the EPBC condition. Additionally, aerial maps provided in the submission verify all works were undertaken within the prescribed areas. The accompanying Ecological Management Sub-Plan further confirms all habitat removal activities have been managed in accordance with the approved parameters. The Independent Auditor considers this criterion to be compliant.
	2 To compensate for the loss of habitat connectivity, the approval holder must install culverts in areas where the rail line will be duplicated. The approval holder must not commence construction unless a plan specifying the number and locations of culverts to be installed has been approved in writing by the Minister.	Confirm that an approved plan (approved by minister) detailing the number of locations of culverts is in place before construction commenced and cross check installation locations with specified plan to ensure connectivity requirements are met.	1. As-built drawings for Bunyip culvert (dated 6 December 2023) confirm installations align with approved plan locations. 2. As-built drawings for Longway culvert (dated 6 December 2023) confirm installations align with approved plan locations. 3. Culvert Plan Approval Letter from DCEEW confirms ministerial approval on 1 November 2021. 4. Southern Brown Bandicoot Culvert Plan specifies the number and locations of culverts to be installed, dated 7 October 2021.	1. Bunyip Culvert As-Built Drawing, dated 6 December 2023. 2. Longway Culvert As-Built Drawing, dated 6 December 2023 3. Culvert Plan Approval Letter, dated 1 November 2021 confirming acceptance from DCEEW. 4. Southern Brown Bandicoot Culvert Plan, dated 7 October 2021.	The Culvert Plan Approval Letter from DCEEW, dated 1 November 2021, confirms that Ministerial approval was obtained before construction commenced. The Southern Brown Bandicoot Culvert Plan, dated 7 October 2021, specifies the required number and locations of culverts. As-built drawings for Bunyip and Longway culverts, both dated 6 December 2023, demonstrate that culverts were installed in the specified locations in alignment with the approved plan. The Independent Auditor considers this criterion to be compliant.
	3 Within twelve months of the commencement of the action, the approval holder must secure the offset area.	Confirm that the offset area was secured within 12 months of the action's commencement by reviewing legal agreements, land titles or other documentation that formalises the offset area's protection within the required timeframe.	1. Letter of Understanding between LXRP and the offset site owner, dated 6 August 2021, confirms initial agreement on securing the offset area before the commencement of formal credit trading. 2. Executed Credit Trading Agreement, dated 26 October 2022, provides formal confirmation that the offset area was secured and protected within the legal framework, fulfilling the requirement.	1. Letter of understanding between LXRP and offset site owner, dated 6 August 2021. 2. Executed Credit Trade Agreement, dated 26 October 2022.	The Letter of Understanding, dated 6 August 2021, indicates an early agreement on securing the offset area. The Executed Credit Trade Agreement, dated 26 October 2022, confirms formal protection of the offset area was secured within the required 12 month timeframe from the commencement of action on 15 November 2021. The Independent Auditor considers this criterion to be compliant.
	4 Within 10 business days of the offset area being secured, the approval holder must provide the department with: • written evidence demonstrating that the offset area has been secured; and • shapfiles and the offset attributes for the offset area.	Check for timely submission to the department of written evidence confirming the offset area's security along shapfiles and offset attribute data. Review submission timestamps.	1. Email from LXRP, dated 10 November 2022, confirms submission of written evidence to the department, including shapfiles and offset attribute data	1. Email from LXRP, dated 10 November 2022 for Southern Brown Bandicoot offsets notification.	The offset area was secured on 26 October 2022, as confirmed by the Executed Credit Trade Agreement (referenced in Condition 3). The email from LXRP, dated 10 November 2022, demonstrates that the department was notified within 10 business days, fulfilling the requirement to provide written evidence, shapfiles and offset attribute data. The Independent Auditor considers this criterion to be compliant.
	5 The approval holder must commence implementing the Offset Management Plan for the offset area prior to the commencement of the action, and must continue to implement the Offset Management Plan for the duration of the approval.	Confirm that the Offset Management Plan was initiated before the action's commencement by reviewing activity logs, start dates and records of implementation steps. Ongoing assessment of activities against the plan to ensure continuous implementation throughout the approval period.	1. The Southern Brown Bandicoot Offset Management Plan, dated 19 March 2021, was approved and provided the framework for managing the offset area. 2. The Annual Landowner Report (Nov 2022 - Nov 2023), dated 14 December 2023, includes evidence of implementation activities such as habitat restoration and monitoring. 3. The Annual Landowner Report (May 2023 - Feb 2024), dated 31 July 2024, provides further details on ongoing activities, demonstrating continuous implementation. 4. The Annual Landowner Report (Feb 2024 - Nov 2024), dated 8 November 2024, confirms continued implementation of the Offset Management Plan during this period. 5. The Compliance Report 2021-2022, dated 9 February 2023 provide evidence of ongoing implementation. 6. The Compliance Report 2022-2023, dated 2 February 2024 provide evidence of ongoing implementation. 7. The Compliance Report 2023-2024, dated 7 February 2025 provide evidence of ongoing implementation. 8. Stakeholder interview covered implementation of Offset Management Plan. LXRP confirmed that they are responsible for ongoing upkeep of the plan, but clarified that they don't have a formal requirement to review the plan. 9. The Pre Construction Monitoring Summary Report, dated 25 November 2021 provide confirmation of predator control and SBB habitat monitoring. 10. The Construction Monitoring Summary Report (12 Months), dated 13 May 2022 provide confirmation of predator control and SBB habitat monitoring. 11. The Construction Monitoring Summary Report (18 Months), dated 23 May 2023 provide confirmation of predator control and SBB habitat monitoring. 12. The Final Construction Monitoring Summary Report, dated 7 July 2023 provide confirmation of predator control and SBB habitat monitoring. 13. The Extended Construction Monitoring Period Summary Report, dated 5 April 2024 provide confirmation of predator control and SBB habitat monitoring. 14. The Construction Predator Control Program Reports provide confirmation of predator control and SBB habitat monitoring.	1. Pakenham to Longway East (EPBC 2019/8563) Southern Brown Bandicoot Offset Management Plan, dated 19 March 2021. 2. Annual Landowner Report (Nov 2022 - Nov 2023), dated and signed 14 December 2023 3. Annual Landowner Report (May 2023 - Feb 2024), dated and signed 31 July 2024. 4. Annual Landowner Report (Feb 2024 - Nov 2024), dated and signed 8 November 2024 5. Regional Rail Revival Gippsland Line Upgrade (EPBC 2019/8563) Compliance Report 2021-2022, dated 9 February 2023 by A/JM Joint Venture. 6. Regional Rail Revival Gippsland Line Upgrade (EPBC 2019/8563) Compliance Report 2022-2023, dated 2 February 2024 by A/JM Joint Venture. 7. Regional Rail Revival Gippsland Line Upgrade (EPBC 2019/8563) Compliance Report 2023-2024, dated 7 February 2025 by A/JM Joint Venture. 8. Stakeholder interview with LXRP and VicConnect Alliance conducted on 29 January 2025. 9. Gippsland Rail Line Southern Brown Bandicoot Pre Construction Monitoring Summary Report (6 Months), dated 25 November 2021. 10. Gippsland Rail Line Southern Brown Bandicoot Construction Monitoring Summary Report (12 Months), dated 13 May 2022. 11. Gippsland Rail Line Southern Brown Bandicoot Construction Monitoring Summary Report (18 Months), dated 23 May 2023. 12. Gippsland Rail Line Southern Brown Bandicoot Final Construction Monitoring Summary Report, dated 7 July 2023. 13. Gippsland Rail Line Southern Brown Bandicoot Extended Construction Monitoring Period Summary Report, dated 5 April 2024. 14. GLU Construction Predator Control Program Reports.	The Offset Management Plan was implemented prior to the commencement of the action on 15 November 2021, as confirmed by the Southern Brown Bandicoot Offset Management Plan dated 19 March 2021. Continuous implementation throughout the approval period is evidenced by the Annual Landowner Reports for November 2022 - November 2023, May 2023 - February 2024 and February 2024 - November 2024, along with the Compliance Reports for 2021-2022, 2022-2023 and 2023-2024. The GLU Predator Control Program Reports and Southern Brown Bandicoot Monitoring Summary Reports (covering 6 months, 12 months, 18 months and post final construction periods) further support ongoing implementation, providing documented evidence of habitat restoration, predator control measures and population monitoring. The stakeholder interview with LXRP and VicConnect Alliance confirmed ongoing management actions have been handed over to the offset site owner and Trust for Nature, who is responsible for ongoing protection and management of the offset area by implementation of the Offset Management Plan. Section 4.11 of the Offset Management Plan outlines the 10-Year Management Plan. In addition, section 4.9 states updates to the plan are required in the event of a significant detrimental impact within the offset area and/or a failing of the EPBC Offset Management Plan. This is noted by the landowner through annual reports evidencing the implementation of the Offset Management Plan, which are provided to LXRP and shared with DCEEW. To ensure effective achievement of environmental objectives can be met through the approval period (30 June 2041) the Independent Auditor notes the ongoing implementation of this plan should consider including a yearly review in accordance with ISO 14001 standards, in particular: • Section 9.3 Management Review of ISO14001, outlines periodic reviews of the environmental management system to ensure suitability and effective implementation are being undertaken, reflecting any changes in environmental conditions, legislative requirements or management practices; and • Section 10.3 Continuous Improvement of ISO14001, outlines considerations for potential sources of improvement opportunities to enhance environmental performance.
EPBC Approval Condition: Notification of date of commencement of the action		Verification Method	Documents Sighted	Evidence	Determination
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.	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.	1. Commencement of Action email, dated 16 November 2021, confirms notification was sent to the Department requesting the action commencement date of 15 November 2021. 2. Acknowledgment email from the Department, dated 16 November 2021, verifies receipt of the commencement notification, confirming compliance with the 10 business day requirement.	1. Commencement of Action email, dated 16 November 2021. 2. Email notification from the Department acknowledging commencement of the action, dated 16 November 2021.	Notification was provided to the Department via email on 16 November 2021 confirming the action commenced on 15 November 2021, within the required 10 business day timeframe. The Department's acknowledgement of the notification on 16 November 2021 further confirms compliance. The Independent Auditor considers this criterion to be compliant.
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.	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. 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).	1. The Commencement of Action email, dated 16 November 2021, confirms the actions start date (15 November 2021). 2. The Department's acknowledgement email, also dated 16 November 2021, verifies receipt of the notification of action commencement.	1. Commencement of Action email, dated 16 November 2021. 2. Email notification from the Department acknowledging commencement of the action, dated 16 November 2021.	In accordance with condition 6, the action commenced on 15 November 2021. Through evidence received and discussions held, there is no indication the commencement occurred outside the required 5 year window from the date of approval. The Independent Auditor considers this criterion to be compliant.
EPBC Approval Condition: Compliance records		Verification Method	Documents Sighted	Evidence	Determination
8	The approval holder must maintain accurate and complete compliance records.	Sighting compliance records (i.e. records associated with the Offset Management Plan as described above and other records as applicable) and assess evidence of implementation.	1. The Compliance Report 2021-2022, dated 9 February 2023 provide evidence of ongoing implementation. 2. The Compliance Report 2022-2023, dated 2 February 2024 provide evidence of ongoing implementation. 3. The Compliance Report 2023-2024, dated 7 February 2025 provide evidence of ongoing implementation. 4. Ecological Impact Assessment confirms habitat clearance extent. 5. Ecological Management Sub Plan confirms clearance limit and removal activities. 6. Culvert Plan Approval Letter from DCEEW confirms ministerial approval on 1 November 2021. 7. Southern Brown Bandicoot Culvert Plan specifies the number and locations of culverts to be installed, dated 7 October 2021. 8. Letter of Understanding between LXRP and the offset site owner, dated 6 August 2021, confirms initial agreement on securing the offset area before the commencement of formal credit trading. 9. Executed Credit Trading Agreement, dated 26 October 2022, provides formal confirmation that the offset area was secured and protected within the legal framework, fulfilling the requirement. 10. Email from LXRP, dated 10 November 2022, confirms submission of written evidence to the department, including shapfiles and offset attribute data. 11. The Annual Landowner Report (Nov 2022 - Nov 2023), dated 14 December 2023, includes evidence of implementation activities such as habitat restoration and monitoring. 12. The Annual Landowner Report (May 2023 - Feb 2024), dated 31 July 2024, provides further details on ongoing activities, demonstrating continuous implementation. 13. The Annual Landowner Report (Feb 2024 - Nov 2024), dated 8 November 2024, confirms continued implementation of the Offset Management Plan during this period. 14. The Pre Construction Monitoring Summary Report, dated 25 November 2021 provide confirmation of predator control and SBB habitat monitoring. 15. The Construction Monitoring Summary Report (12 Months), dated 13 May 2022 provide confirmation of predator control and SBB habitat monitoring. 16. The Construction Monitoring Summary Report (18 Months), dated 23 May 2023 provide confirmation of predator control and SBB habitat monitoring. 17. The Final Construction Monitoring Summary Report, dated 7 July 2023 provide confirmation of predator control and SBB habitat monitoring. 18. The Extended Construction Monitoring Period Summary Report, dated 5 April 2024 provide confirmation of predator control and SBB habitat monitoring.	1. Regional Rail Revival Gippsland Line Upgrade (EPBC 2019/8563) Compliance Report 2021-2022, dated 9 February 2023 by A/JM Joint Venture. 2. Regional Rail Revival Gippsland Line Upgrade (EPBC 2019/8563) Compliance Report 2022-2023, dated 2 February 2024 by A/JM Joint Venture. 3. Regional Rail Revival Gippsland Line Upgrade (EPBC 2019/8563) Compliance Report 2023-2024, dated 7 February 2025 by A/JM Joint Venture. 4. Ecological Impact Assessment - Submission 7 RFI Response, dated 1 August 2024. 5. Ecological Management Sub Plan, dated 24 February 2022. 6. Culvert Plan Approval Letter, dated 1 November 2021 confirming acceptance from DCEEW. 7. Southern Brown Bandicoot Culvert Plan, dated 7 October 2021. 8. Letter of understanding between LXRP and offset site owner, dated 6 August 2021. 9. Executed Credit Trade Agreement, dated 26 October 2022. 10. Email from LXRP, dated 10 November 2022 for Southern Brown Bandicoot offsets notification. 11. Annual Landowner Report (Nov 2022 - Nov 2023), dated and signed 14 December 2023 12. Annual Landowner Report (May 2023 - Feb 2024), dated and signed 31 July 2024. 13. Annual Landowner Report (Feb 2024 - Nov 2024), dated and signed 8 November 2024 14. Gippsland Rail Line Southern Brown Bandicoot Pre Construction Monitoring Summary Report (6 Months), dated 25 November 2021. 15. Gippsland Rail Line Southern Brown Bandicoot Construction Monitoring Summary Report (12 Months), dated 13 May 2022. 16. Gippsland Rail Line Southern Brown Bandicoot Construction Monitoring Summary Report (18 Months), dated 23 May 2023.	The approval holder has maintained accurate and complete compliance records throughout the approval period, as evidenced by the Annual Compliance Reports for 2021-22, 2022-23, and 2023-24, which document ongoing implementation and adherence to EPBC approval conditions. The Ecological Impact Assessment Submission, Ecological Management Sub Plan, and Southern Brown Bandicoot Conservation Management Plan further confirm compliance by detailing habitat clearance limits, impact mitigation measures, and conservation strategies. Offset obligations have been appropriately recorded, as demonstrated by the Letter of Understanding between LXRP and the offset site owner, the Executed Credit Trade Agreement, and the Southern Brown Bandicoot offset notification email from LXRP (dated 10 November 2022). Ongoing monitoring and habitat protection activities are documented through the Annual Landowner Reports, Gippsland Rail Line Southern Brown Bandicoot Monitoring Reports (covering pre-construction, 12-month, 18-month, and post-final construction periods), and the GLU Construction Predator Control Program Reports. These records provide confirmation of predator control efforts, habitat monitoring, and compliance with management obligations. Additionally, email records, including the Commencement of Action email (dated 16 November 2021), confirm the action commenced on 15 November 2021, within the required 10 business day timeframe.

			<p>19. The Construction Predator Control Program Reports provide confirmation of predator control and SBB habitat monitoring.</p> <p>20. The Commencement of Action email, dated 16 November 2021, confirms the actions start date (15 November 2021).</p> <p>21. The Department's acknowledgement email, also dated 16 November 2021, verifies receipt of the notification.</p> <p>22. The Southern Brown Bandicoot Conservation Management Plan, dated 23 November 2022 details management measures to avoid, minimise and mitigate impacts to the Southern Brown Bandicoot during construction, including habitat protection and digital conservation management.</p> <p>23. Notification email for Annual Compliance Report 2021-22, dated 13 February 2023 confirms timely submission within 5 business days of the report's publication on the website.</p> <p>24. Notification email for Annual Compliance Report 2022-23, dated 9 February 2024 confirms timely submission within 5 business days of the report's publication on the website.</p> <p>25. Notification email for Annual Compliance Report 2023-24, dated 11 February 2025 confirms timely submission within 5 business days of the report's publication on the website.</p>	<p>17. Gippsland Rail Line Southern Brown Bandicoot Final Construction Monitoring Summary Report, dated 7 July 2023.</p> <p>18. Gippsland Rail Line Southern Brown Bandicoot Extended Construction Monitoring Period Summary Report, dated 5 April 2024.</p> <p>19. GLU Construction Predator Control Program Reports.</p> <p>20. Commencement of Action email, dated 16 November 2021.</p> <p>21. Email notification from the Department acknowledging commencement of the action, dated 16 November 2021.</p> <p>22. Gippsland Line Upgrade Southern Brown Bandicoot Conservation Management Plan, dated 23 November 2022.</p> <p>23. Email providing notification of Annual Compliance Report 2021-22 dated 13 February 2023.</p> <p>24. Email providing notification of Annual Compliance Report 2022-23 dated 9 February 2024.</p> <p>25. Email providing notification of Annual Compliance Report 2023-24 dated 11 February 2025.</p>	<p>November 2021) and the Department's acknowledgement email (dated 16 November 2021), confirm the official start date of the project and appropriate notification procedures. The timely submission of Annual Compliance Reports has been verified through notification emails to the Department, ensuring compliance with reporting obligations.</p> <p>The Independent Auditor considers this criterion to be compliant.</p>	
9	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.	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).	Not applicable	Not applicable	As no requests for compliance records were received from the Department, this condition is not applicable.	Not-Applicable
EPBC Approval Condition: Preparation and publication of plans						
		Verification Method	Documents Sighted	Evidence	Determination	Compliance Finding
10	The approval holder must keep the Offset Management Plan published on the website until the end date of this approval.	Confirm that Offset Management Plan remains on the website.	<p>1. Southern Brown Bandicoot Offset Management Plan, dated 19 March 2021 continues to be available on the Big Build Website.</p> <p>2. Stakeholder interview confirmed that LXPX ensure continued availability of the plan.</p>	<p>1. GLU-AJM-PWD-PWD-MPL-XLP-NAP-000905 PAKENHAM TO LONGWARRY EAST (EPBC 2019/8563) SOUTHERN BROWN BANDICOOT OFFSET MANAGEMENT PLAN, dated 19 March 2021.</p> <p>2. Stakeholder interview with LXPX and ViConnect Alliance conducted on 29 January 2025.</p>	<p>The Southern Brown Bandicoot Offset Management Plan, dated 19 March 2021, has remained publicly available on the Big Build website throughout the audit period, as verified through direct observation and stakeholder confirmation. LXPX has also confirmed its intention to maintain the plan's availability for the duration of the approval.</p> <p>The Independent Auditor considers this criterion to be compliant.</p>	Compliant
EPBC Approval Condition: Annual compliance reporting						
		Note: Compliance reports may be published on the department's website.	Verification Method	Documents Sighted	Evidence	Determination
11	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:	Review the compliance report prepared for the audit period to confirm they: address all conditions of the approval (including 11a-11e), cover the entire relevant 12 month reporting period or the annual date agreed upon with the Minister, are prepared within the timelines specified in sub-parts 11a-11e.	<p>1. Annual Compliance Report 2021-2022 covers 16 November 2021 to 15 November 2022.</p> <p>2. Annual Compliance Report 2022-2023 covers 16 November 2022 to 15 November 2023.</p> <p>3. Annual Compliance Report 2023-2024 covers 16 November 2023 to 15 November 2024.</p> <p>4. Stakeholder interview confirmed compliance process and reporting timelines. LXPX confirmed that the next compliance report (2023-2024) is in progress and will be updated in February 2025.</p>	<p>1. Regional Rail Revival Gippsland Line Upgrade (EPBC 2019/8563) Compliance Report 2021-2022, dated 9 February 2023 by AJM Joint Venture.</p> <p>2. Regional Rail Revival Gippsland Line Upgrade (EPBC 2019/8563) Compliance Report 2022-2023, dated 2 February 2024 by AJM Joint Venture.</p> <p>3. Regional Rail Revival Gippsland Line Upgrade (EPBC 2019/8563) Compliance Report 2023-2024, dated 7 February 2024 by AJM Joint Venture.</p> <p>4. Stakeholder interview with LXPX and ViConnect Alliance conducted on 29 January 2025.</p>	<p>The Independent Auditor confirmed that compliance reports for the 2021-2022, 2022-2023 and 2023-2024 periods addressed all conditions of the approval and followed the required process.</p> <p>The Independent Auditor considers this criterion to be compliant.</p>	Compliant
11. a.	publish each compliance report on the website within 60 business days following the relevant 12 month period	Sight the publication date of the compliance report(s) for the audit period.	<p>1. Compliance Report 2021-2022 was dated and signed on 9 February 2023, within 60 business days of the end of the reporting period (15 November 2022).</p> <p>2. Compliance Report 2022-2023 was dated and signed on 2 February 2024, within 60 business days of the end of the reporting period (15 November 2023).</p> <p>3. Compliance Report 2023-2024 was dated and signed on 7 February 2025, within 60 business days of the end of the reporting period (15 November 2024).</p>	<p>1. Regional Rail Revival Gippsland Line Upgrade (EPBC 2019/8563) Compliance Report 2021-2022, dated 9 February 2023 by AJM Joint Venture.</p> <p>2. Regional Rail Revival Gippsland Line Upgrade (EPBC 2019/8563) Compliance Report 2022-2023, dated 2 February 2024 by AJM Joint Venture.</p> <p>3. Regional Rail Revival Gippsland Line Upgrade (EPBC 2019/8563) Compliance Report 2023-2024, dated 7 February 2024 by AJM Joint Venture.</p>	<p>The 2021-2022, 2022-2023 and 2023-2024 Compliance Reports were finalised and published within the required 60 business day timeframe.</p> <p>The Independent Auditor considers this criterion to be compliant.</p>	Compliant
11. 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	Comparison between publication date of compliance report(s) for the audit period and email notification to the Department of that publication.	<p>1. Notification email for Annual Compliance Report 2021-22, dated 13 February 2023 confirms timely submission within 5 business days of the report's publication on the website.</p> <p>2. Notification email for Annual Compliance Report 2022-23, dated 9 February 2024 confirms timely submission within 5 business days of the report's publication on the website.</p> <p>3. Notification email for Annual Compliance Report 2023-24, dated 11 February 2025 confirms timely submission within 5 business days of the report's publication on the website.</p>	<p>1. Email providing notification of Annual Compliance Report 2021-22 dated 13 February 2023.</p> <p>2. Email providing notification of Annual Compliance Report 2022-23 dated 9 February 2024.</p> <p>3. Email providing notification of Annual Compliance Report 2023-24 dated 11 February 2025.</p>	<p>The notification emails for the 2021-2022, 2022-2023 and 2023-2024 Compliance Reports confirm that the Department was informed of the report's publication on the website within the required 5 business day timeframe. Emails also contained the weblink to the published reports.</p> <p>The Independent Auditor considers this criterion to be compliant.</p>	Compliant
11. c.	keep all compliance reports publicly available on the website until this approval expires	Confirm that compliance report(s) for the audit period remains on the website.	<p>1. 2021-22 Annual Compliance Report available on website.</p> <p>2. 2022-23 Annual Compliance Report available on website.</p> <p>3. 2023-24 Annual Compliance Report available on website.</p> <p>4. EPBC Approval Referral Decision, dated 25 June 2021, specifies that the approval period is effective until 30 June 2041.</p> <p>5. LXPX confirmed ongoing accessibility of reports via the stakeholder interview.</p>	<p>1. The 2021-2022 Annual Compliance Report remains accessible on the website as of the audit date.</p> <p>2. The 2022-2023 Annual Compliance Report remains accessible on the website as of the audit date.</p> <p>3. The 2023-2024 Annual Compliance Report remains accessible on the website as of the audit date.</p> <p>4. EPBC Approval Referral Decision, dated 25 June 2021.</p> <p>5. Stakeholder interview with LXPX and ViConnect Alliance conducted on 29 January 2025.</p>	<p>The EPBC Approval Referral Decision, dated 25 June 2021, specifies that the approval period remains in effect until 30 June 2041, ensuring that compliance reports must continue to be available throughout this period. Additionally, the stakeholder interview with LXPX and ViConnect Alliance (conducted on 29 January 2025) confirmed their internal IT/Technology support team are also responsible for the ongoing commitment to maintaining accessibility of these reports.</p> <p>The Independent Auditor considers this criterion to be compliant.</p>	Compliant
11. d.	exclude or redact sensitive ecological data from compliance reports published on the website	Sighting of exclusion or redaction details of sensitive ecological data from compliance report(s) for the audit period.	<p>1. 2021-22 Compliance Report (Revision C), dated 8 February 2023 confirms redaction of sensitive ecological data.</p> <p>2. 2022-23 Compliance Report (Revision C), dated 2 February 2024 confirms redaction of sensitive ecological data.</p> <p>3. 2023-24 Compliance Report (Revision A), dated 7 February 2025 confirms redaction of sensitive ecological data.</p> <p>4. Email dated 13 February 2023, providing notification of Annual Compliance Report 2021-2022 confirms to the Department that appendices containing sensitive information has not been included in the published report.</p> <p>5. Email dated 5 February 2024, providing notification of Annual Compliance Report 2022-2023 confirms to the Department that appendices containing sensitive information has not been included in the published report.</p> <p>6. Email dated 11 February 2025, providing notification of Annual Compliance Report 2023-2024 confirms to the Department that appendices containing sensitive information has not been included in the published report.</p>	<p>1. Regional Rail Revival Gippsland Line Upgrade (EPBC 2019/8563) Compliance Report 2021-2022 (Revision C), dated 8 February 2023 by AJM Joint Venture.</p> <p>2. Regional Rail Revival Gippsland Line Upgrade (EPBC 2019/8563) Compliance Report 2022-2023 (Revision C), dated 2 February 2024 by AJM Joint Venture.</p> <p>3. Regional Rail Revival Gippsland Line Upgrade (EPBC 2019/8563) Compliance Report 2023-2024 (Revision A), dated 7 February 2024 by AJM Joint Venture.</p> <p>4. Email providing notification of Annual Compliance Report 2021-22 dated 13 February 2023.</p> <p>5. Email providing notification of Annual Compliance Report 2022-23 dated 9 February 2024.</p> <p>6. Email providing notification of Annual Compliance Report 2023-24 dated 11 February 2025.</p>	<p>The approval holder has met the requirement to exclude or redact sensitive ecological data from compliance reports published on the website. The 2021-22 (Revision C), 2022-23 (Revision C), and 2023-24 (Revision A) Compliance Reports confirm that sensitive ecological data has been redacted prior to publication.</p> <p>Additionally, emails dated 13 February 2023, 9 February 2024, and 11 February 2025 provide notification to the Department confirming that appendices containing sensitive information were not included in the publicly available reports. This demonstrates that the approval holder has taken appropriate measures to ensure compliance with redaction requirements.</p> <p>No unredacted sensitive ecological data was identified in publicly available compliance reports.</p> <p>The Independent Auditor considers this criterion to be compliant.</p>	Compliant
11. 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	Comparison between publication dates of compliance report(s) for the audit period where sensitive ecological data was excluded and the dates of full compliance report submissions to the Department	<p>1. Notification email for Annual Compliance Report 2021-22, dated 13 February 2023 confirms submission of the full compliance report, including sensitive ecological data to the Department within 5 business days of the report's publication.</p> <p>2. Notification email for Annual Compliance Report 2022-23, dated 9 February 2024 confirms submission of the full compliance report, including sensitive ecological data to the Department within 5 business days of the report's publication.</p> <p>3. Notification email for Annual Compliance Report 2023-24, dated 11 February 2024 confirms submission of the full compliance report, including sensitive ecological data to the Department within 5 business days of the report's publication.</p>	<p>1. Email providing notification of Annual Compliance Report 2021-22 dated 13 February 2023.</p> <p>2. Email providing notification of Annual Compliance Report 2022-23 dated 9 February 2024.</p> <p>3. Email providing notification of Annual Compliance Report 2023-24 dated 11 February 2025.</p>	<p>The approval holder has met the requirement to submit the full compliance report, including sensitive ecological data, to the Department within 5 business days of publication.</p> <p>Notification emails dated 13 February 2023, 9 February 2024, and 11 February 2025 confirm that the full compliance reports for the 2021-22, 2022-23, and 2023-24 reporting periods were submitted to the Department within the required timeframe.</p> <p>No delays or non-compliance issues were identified in the submission of full compliance reports.</p> <p>The Independent Auditor considers this criterion to be compliant.</p>	Compliant
EPBC Approval Condition: Reporting non-compliance						
		Verification Method	Documents Sighted	Evidence	Determination	Compliance Finding
12	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 2 business days after becoming aware of the incident or non-compliance. The notification must specify:	Review notifications provided to the department during the audit to confirm they: were submitted in writing as soon as practicable, but no later than 2 business days after becoming aware of the incident or non-compliance, address all elements specified under sub-parts 12a-12c, including details of the condition breached, a description of the incident or non-compliance, and the location, date and time (or best available information).	<p>1. Environmental Incidents Register lists incidents that occurred during the audit period.</p> <p>2. Impacted SBB Incident Reports detail the incidents affecting SBB habitat, including descriptions of impacts and mitigation measures.</p> <p>3. Civil GIS extracts of habitat clearing provide spatial data and mapping extracts identifying areas where habitat disturbances occurred.</p> <p>4. Images of impacted SBB habitat locations provide photographic evidence of incident locations and habitat.</p> <p>5. LXPX clarified that an incident refers to a breach of permit conditions (e.g. exceeding 0.901 ha of SBB habitat) and that LXPX has not breached this limit and has ensured compliance.</p>	<p>1. Environmental Incidents Register.</p> <p>2. Impacted SBB Habitat Incident Reports.</p> <p>3. Civil GIS extract of Habitat Clearing Map.</p> <p>4. Images of Impacted SBB habitat locations.</p> <p>5. Stakeholder interview with LXPX and ViConnect Alliance conducted on 29 January 2025.</p>	<p>LXPX advised no breaches of EPBC approval conditions occurred during the audit period. The Independent Auditor validated no breaches occurred through sighting the incident register, noting the EPBC conditions were not breached. For example, permit conditions, including 0.901 ha clearance limit for Southern Brown Bandicoot habitat were not exceeded. Additionally, the approval holder had not submitted formal incident or non-compliance notifications to the Department.</p> <p>During the stakeholder interview (conducted on 29 January 2025), LXPX and ViConnect Alliance advised that while environmental incidents did occur, these incidents did not constitute a breach of permit conditions or commitments under the approved plans. Supporting evidence, including the Environmental Incidents Register, Impacted SBB Habitat Incident Reports, GIS habitat clearing data, and photographic evidence, was sighted and demonstrated that all incidents were managed within approved limits, with no reportable instances of non-compliance.</p> <p>As no incidents required notification to the Department under this condition, the Independent Auditor considers this criterion to be compliant.</p>	Compliant

B - Standard Administrative Conditions	12. a.	any condition which is or may be in breach	Sight notifications associated with any incidents or non-compliances across the audit period and assess if details of the condition breached were included.	<p>1. Environmental Incidents Register lists incidents that occurred during the audit period.</p> <p>2. Impacted SBB Incident Reports detail the incidents affecting SBB habitat, including descriptions of impacts and mitigation measures.</p> <p>3. Civio GIS extracts of habitat clearing provide spatial data and mapping extracts identifying areas where habitat disturbances occurred.</p> <p>4. Images of impacted SBB habitat locations provide photographic evidence of incident locations and habitat conditions.</p> <p>5. LXPB clarified that an incident refers to a breach of permit conditions (e.g. exceeding 0.901 ha of SBB habitat) and that LXPB has not breached this limit and has ensured compliance.</p>	<p>1. Environmental Incidents Register.</p> <p>2. Impacted SBB Habitat Incident Reports</p> <p>3. Civio GIS extracts of Habitat Clearing Map</p> <p>4. Images of Impacted SBB habitat locations.</p> <p>5. Stakeholder interview with LXPB and ViConnect Alliance conducted 29 January 2025.</p>	<p>LXPB advised no breaches of EPBC approval conditions occurred during the audit period. The Independent Auditor validated no breaches occurred through sighting the incident register, noting the EPBC conditions were not breached. For example, permit conditions, including 0.901 ha clearance limit for Southern Brown Bandicoot habitat were not exceeded. Additionally, the approval holder had not submitted formal incident or non-compliance notifications to the Department.</p> <p>During the stakeholder interview (conducted on 29 January 2025), LXPB and ViConnect Alliance advised that while environmental incidents did occur, these incidents did not constitute a breach of permit conditions or commitments under the approved plans. Supporting evidence, including the Environmental Incidents Register, Impacted SBB Habitat Incident Reports, GIS habitat clearing data, and photographic evidence, was sighted and demonstrated that all incidents were managed within approved limits, with no identified breaches of the conditions.</p> <p>The Independent Auditor considers this criterion to be compliant.</p>	Compliant
	12. b.	a short description of the incident and/or non-compliance	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.	<p>1. Environmental Incidents Register lists incidents that occurred during the audit period.</p> <p>2. Impacted SBB Incident Reports detail the incidents affecting SBB habitat, including descriptions of impacts and mitigation measures.</p> <p>3. Civio GIS extracts of habitat clearing provide spatial data and mapping extracts identifying areas where habitat disturbances occurred.</p> <p>4. Images of impacted SBB habitat locations provide photographic evidence of incident locations and habitat conditions.</p> <p>5. LXPB clarified that an incident refers to a breach of permit conditions (e.g. exceeding 0.901 ha of SBB habitat) and that LXPB has not breached this limit and has ensured compliance.</p>	<p>1. Environmental Incidents Register.</p> <p>2. Impacted SBB Habitat Incident Reports</p> <p>3. Civio GIS extracts of Habitat Clearing Map</p> <p>4. Images of Impacted SBB habitat locations.</p> <p>5. Stakeholder interview with LXPB and ViConnect Alliance conducted 29 January 2025.</p>	<p>LXPB advised no breaches of EPBC approval conditions occurred during the audit period. The Independent Auditor validated no breaches occurred through sighting the incident register, noting the EPBC conditions were not breached. For example, permit conditions, including 0.901 ha clearance limit for Southern Brown Bandicoot habitat were not exceeded. Additionally, the approval holder had not submitted formal incident or non-compliance notifications to the Department.</p> <p>During the stakeholder interview (conducted on 29 January 2025), LXPB and ViConnect Alliance advised that while environmental incidents did occur, these incidents did not constitute a breach of permit conditions or commitments under the approved plans. Supporting evidence, including the Environmental Incidents Register, Impacted SBB Habitat Incident Reports, GIS habitat clearing data, and photographic evidence, was sighted and demonstrated that all incidents were managed within approved limits, with no reportable instances of non-compliance.</p> <p>As no incidents required notification to the Department under this condition, the Independent Auditor considers this criterion to be compliant.</p>	Compliant
	12. 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	Review and confirm reports/documents submitted to the department includes location (with coordinates), date and time of incident or non-compliance.	<p>1. Environmental Incidents Register lists incidents that occurred during the audit period.</p> <p>2. Impacted SBB Incident Reports detail the incidents affecting SBB habitat, including descriptions of impacts and mitigation measures.</p> <p>3. Civio GIS extracts of habitat clearing provide spatial data and mapping extracts identifying areas where habitat disturbances occurred.</p> <p>4. Images of impacted SBB habitat locations provide photographic evidence of incident locations and habitat conditions.</p> <p>5. LXPB clarified that an incident refers to a breach of permit conditions (e.g. exceeding 0.901 ha of SBB habitat) and that LXPB has not breached this limit and has ensured compliance.</p>	<p>1. Environmental Incidents Register.</p> <p>2. Impacted SBB Habitat Incident Reports</p> <p>3. Civio GIS extracts of Habitat Clearing Map</p> <p>4. Images of Impacted SBB habitat locations.</p> <p>5. Stakeholder interview with LXPB and ViConnect Alliance conducted 29 January 2025.</p>	<p>LXPB advised no breaches of EPBC approval conditions occurred during the audit period. The Independent Auditor validated no breaches occurred through sighting the incident register, noting the EPBC conditions were not breached. For example, permit conditions, including 0.901 ha clearance limit for Southern Brown Bandicoot habitat were not exceeded. Additionally, the approval holder had not submitted formal incident or non-compliance notifications to the Department.</p> <p>During the stakeholder interview (conducted on 29 January 2025), LXPB and ViConnect Alliance advised that while environmental incidents did occur, these incidents did not constitute a breach of permit conditions or commitments under the approved plans. Supporting evidence, including the Environmental Incidents Register, Impacted SBB Habitat Incident Reports, GIS habitat clearing data, and photographic evidence, was sighted and demonstrated that all incidents were managed within approved limits, with no reportable instances of non-compliance.</p> <p>The incident reports and GIS images provided include date, time, and location coordinates for each reported incident, ensuring that spatial and temporal details are well documented. However, as no incidents resulted in a breach of EPBC conditions, no formal notifications to the Department were required.</p> <p>As no reportable non-compliances occurred, the requirement to provide the location (including coordinates), date, and time of an incident or non-compliance is a notification to the Department was not applicable during the audit period. The Independent Auditor does not consider this to be a non-conformance.</p> <p>As no incidents required notification to the Department under this condition, the Independent Auditor considers this criterion to be compliant.</p>	Compliant
	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 the approval holder became aware of the incident or non-compliance, specifying:	Review notifications provided to the department during the audit period to confirm they were submitted as soon as practicable and no later than 10 business days after the approval holder became aware of an incident or non-compliance. Include all details specified under sub-parts 13a-13d, such as corrective actions, potential impacts, remedial actions and measures to prevent recurrence.	<p>1. Environmental Incidents Register lists incidents that occurred during the audit period.</p> <p>2. Impacted SBB Incident Reports detail the incidents affecting SBB habitat, including descriptions of impacts and mitigation measures.</p> <p>3. Civio GIS extracts of habitat clearing provide spatial data and mapping extracts identifying areas where habitat disturbances occurred.</p> <p>4. Images of impacted SBB habitat locations provide photographic evidence of incident locations and habitat conditions.</p> <p>5. LXPB clarified that an incident refers to a breach of permit conditions (e.g. exceeding 0.901 ha of SBB habitat) and that LXPB has not breached this limit and has ensured compliance.</p> <p>6. The SBB Toolbox provided to project personnel to increase awareness of environmental sensitivities and management actions related to the SBB and its habitat.</p> <p>7. Site Induction, dated July 2024 provided training material emphasising environmental compliance and incident response procedures.</p> <p>8. The HSEI Induction, dated August 2024 confirmed reinforcement of environmental management protocols.</p> <p>9. The Gipsland Line Upgrade weekly checklists confirmed recording of routine environmental inspections and monitoring.</p> <p>10. Fauna Inspection and Translocation Reports, dated 24 May 2022, detail management actions, including translocation procedures for SBB habitat clearance activities.</p> <p>11. Habitat Removal Form Checklist confirms compliance with approved habitat clearance procedures and mitigation measures.</p>	<p>1. Environmental Incidents Register.</p> <p>2. Impacted SBB Habitat Incident Reports</p> <p>3. Civio GIS extracts of Habitat Clearing Map</p> <p>4. Images of Impacted SBB habitat locations.</p> <p>5. Stakeholder interview with LXPB and ViConnect Alliance conducted on 29 January 2025.</p> <p>6. Southern Brown Bandicoot Habitat Environmental Toolbox, dated 24 May 2022.</p> <p>7. Site Induction Presentation for Gipsland Line Upgrade, dated July 2024.</p> <p>8. Gipsland Line Upgrade Health, Safety, Security and Environment (HSEI) Induction Presentation, dated August 2024.</p> <p>9. Gipsland Line Upgrade Environmental Inspection Weekly Checklists.</p> <p>10. Fauna Inspection and Translocation Report, dated 24 May 2022.</p> <p>11. Habitat Removal Form Checklist.</p>	<p>LXPB advised no breaches of EPBC approval conditions occurred during the audit period. The Independent Auditor validated no breaches occurred through sighting the incident register, noting the EPBC conditions were not breached. For example, permit conditions, including 0.901 ha clearance limit for Southern Brown Bandicoot habitat were not exceeded. Additionally, the approval holder had not submitted formal incident or non-compliance notifications to the Department.</p> <p>During the stakeholder interview (conducted on 29 January 2025), LXPB and ViConnect Alliance advised that while environmental incidents did occur, these incidents did not constitute a breach of permit conditions or commitments under the approved plans. Supporting evidence, including the Environmental Incidents Register, Impacted SBB Habitat Incident Reports, GIS habitat clearing data, and photographic evidence, was sighted and demonstrated that all incidents were managed within approved limits, with no reportable instances of non-compliance.</p> <p>Additionally, the SBB Habitat Environmental Toolbox, site induction materials, and environmental checklists demonstrate that LXPB has established procedures to identify, document, and manage environmental incidents, as well as educate personnel on compliance requirements. The Fauna Inspection and Translocation Report and Habitat Removal Form Checklist further support that environmental protection measures were implemented in accordance with the project's environmental commitments.</p> <p>As no reportable non-compliances occurred, the requirement to notify the Department within 10 business days of an incident or non-compliance was not applicable during the audit period. The Independent Auditor considers this criterion to be compliant.</p>	Compliant
	13. a.	any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future	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.	<p>1. Environmental Incidents Register lists incidents that occurred during the audit period.</p> <p>2. Impacted SBB Incident Reports detail the incidents affecting SBB habitat, including descriptions of impacts, mitigation measures and corrective actions taken or planned.</p> <p>3. Civio GIS extracts of habitat clearing provide spatial data and mapping extracts identifying areas where habitat disturbances occurred.</p> <p>4. Images of impacted SBB habitat locations provide photographic evidence of incident locations and habitat conditions.</p> <p>5. LXPB provided clarification on incident reporting practice and compliance with permit conditions.</p> <p>6. The SBB Toolbox provided to project personnel outlining habitat protection measures and incident response procedures.</p> <p>7. Site Induction, dated July 2024 provided training material emphasising environmental compliance and incident response procedures.</p> <p>8. The HSEI Induction, dated August 2024 confirmed reinforcement of environmental management protocols.</p> <p>9. The Gipsland Line Upgrade weekly checklists confirmed routine monitoring records identifying environmental issues and corrective actions taken.</p> <p>10. Fauna Inspection and Translocation Reports, dated 24 May 2022, detail management actions, including translocation procedures for SBB habitat clearance activities.</p> <p>11. Habitat Removal Form Checklist confirms compliance with approved habitat clearance procedures and mitigation measures.</p>	<p>1. Environmental Incidents Register.</p> <p>2. Impacted SBB Habitat Incident Reports</p> <p>3. Civio GIS extracts of Habitat Clearing Map</p> <p>4. Images of Impacted SBB habitat locations.</p> <p>5. Stakeholder interview with LXPB and ViConnect Alliance conducted on 29 January 2025.</p> <p>6. Southern Brown Bandicoot Habitat Environmental Toolbox, dated 24 May 2022.</p> <p>7. Site Induction Presentation for Gipsland Line Upgrade, dated July 2024.</p> <p>8. Gipsland Line Upgrade Health, Safety, Security and Environment (HSEI) Induction Presentation, dated August 2024.</p> <p>9. Gipsland Line Upgrade Environmental Inspection Weekly Checklists.</p> <p>10. Fauna Inspection and Translocation Report, dated 24 May 2022.</p> <p>11. Habitat Removal Form Checklist.</p>	<p>LXPB advised no breaches of EPBC approval conditions occurred during the audit period. The Independent Auditor validated no breaches occurred through sighting the incident register, noting the EPBC conditions were not breached. For example, permit conditions, including 0.901 ha clearance limit for Southern Brown Bandicoot habitat were not exceeded. Additionally, the approval holder had not submitted formal incident or non-compliance notifications to the Department.</p> <p>During the stakeholder interview (conducted on 29 January 2025), LXPB and ViConnect Alliance advised that while environmental incidents did occur, these incidents did not constitute a breach of permit conditions or commitments under the approved plans. Supporting evidence, including the Environmental Incidents Register, Impacted SBB Habitat Incident Reports, GIS habitat clearing data, and photographic evidence, was sighted and demonstrated that all incidents were managed within approved limits, with no reportable instances of non-compliance.</p> <p>Corrective actions and mitigation measures to address environmental incidents were documented internally, as demonstrated by the SBB Habitat Environmental Toolbox, site induction materials, and HSEI induction training, which outline protocols for addressing environmental incidents and ensuring compliance with permit conditions. The Environmental Inspection Weekly Checklists, the Fauna Inspection and Translocation Report further confirm that monitoring and corrective actions were implemented in response to any habitat-related incidents.</p> <p>The approval holder has implemented internal corrective action and monitoring processes to address environmental incidents as part of routine management. However, as no breaches of EPBC approval conditions occurred, no notifications were required to be submitted to the Department under this condition.</p> <p>The Independent Auditor considers this criterion to be compliant.</p>	Compliant

13. b.	the potential impacts of the incident or non-compliance	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.	<p>1. Environmental Incidents Register lists incidents that occurred during the audit period.</p> <p>2. Impacted SBB Incident Reports detail the incidents affecting SBB habitat, including descriptions of impacts, mitigation measures and corrective actions taken or planned.</p> <p>3. Civil GIS extracts of habitat clearing provide spatial data and mapping extracts identifying areas where habitat disturbances occurred.</p> <p>4. Images of impacted SBB habitat locations provide photographic evidence of incident locations and habitat conditions.</p> <p>5. LXPX provided clarification on incident reporting practice and compliance with permit conditions.</p>	<p>1. Environmental Incidents Register.</p> <p>2. Impacted SBB Habitat Incident Reports.</p> <p>3. Civil GIS extracts of Habitat Clearing Map.</p> <p>4. Images of Impacted SBB habitat locations.</p> <p>5. Stakeholder interview with LXPX and ViConnect Alliance conducted on 29 January 2025.</p>	<p>The approval holder did not submit any formal incident or non-compliance notifications to the Department, as LXPX advised that no breaches of EPBC approval conditions occurred during the audit period and that permit conditions, including the 0.90t ha clearance limit for Southern Brown Bandicoot (SBB) habitat, were not exceeded.</p> <p>During the stakeholder interview (conducted on 29 January 2025), LXPX and the ViConnect Alliance confirmed that environmental incidents did occur but clarified that these incidents did not result in a breach of EPBC conditions or commitments under approved plans. The Independent Auditor verified the supporting evidence, including the Environmental Incidents Register, Impacted SBB Habitat Incident Reports, GIS habitat clearing data, and photographic evidence, confirmed that all incidents were assessed internally, and potential impacts were sighted.</p> <p>The impacted SBB Habitat Incident Reports and GIS habitat data document the location, nature, and extent of disturbances, allowing LXPX to evaluate potential impacts on SBB habitat. Additionally, the Environmental Incidents Register includes internal assessments of potential impacts and mitigation measures.</p> <p>The approval holder has established internal processes to identify and assess potential environmental impacts of incidents as part of routine management. However, as no breaches of EPBC approval conditions occurred, no notifications were required to be submitted to the Department under this condition.</p> <p>The Independent Auditor considers this criterion to be compliant.</p>	Compliant
13. c.	the method and timing of any remedial action that will be undertaken by the approval holder	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.	<p>1. Environmental Incidents Register provides confirmation of records of environmental incidents that occurred during the audit period, including remedial actions taken.</p> <p>2. Impacted SBB Habitat Incident Reports detail incidents affecting SBB habitat, including planned and implemented remedial actions.</p> <p>3. Environmental Inspection Weekly Checklists provide evidence of routine monitoring and corrective actions undertaken in response to environmental issues.</p> <p>4. Fauna Inspection and Translocation Reports confirm fauna management actions, including translocation procedures as a remedial response to habitat clearance.</p> <p>5. Habitat Removal Form Checklist confirms adherence to approved habitat clearance procedures and records remedial actions where necessary.</p> <p>6. Stakeholder interview with LXPX provided clarification on incident reporting and remedial action processes.</p>	<p>1. Environmental Incidents Register.</p> <p>2. Impacted SBB Habitat Incident Reports.</p> <p>3. Gippsland Line Upgrade Environmental Inspection Weekly Checklists.</p> <p>4. Fauna Inspection and Translocation Report, dated 24 May 2022.</p> <p>5. Habitat Removal Form Checklist.</p> <p>6. Stakeholder interview with LXPX and ViConnect Alliance conducted on 29 January 2025.</p>	<p>The approval holder did not submit any formal incident or non-compliance notifications to the Department, as LXPX advised that no breaches of EPBC approval conditions occurred during the audit period and that permit conditions, including the 0.90t ha clearance limit for Southern Brown Bandicoot (SBB) habitat, were not exceeded.</p> <p>During the stakeholder interview (conducted on 29 January 2025), LXPX and the ViConnect Alliance confirmed that environmental incidents did occur but clarified that these incidents did not result in a breach of EPBC conditions or commitments under approved plans. The Independent Auditor verified the supporting evidence, including the Environmental Incidents Register, Impacted SBB Habitat Incident Reports, GIS habitat clearing data, and photographic evidence, confirmed that all incidents were assessed internally, and potential impacts were sighted.</p> <p>The impacted SBB Habitat Incident Reports specify the nature of habitat disturbances and detail the corrective actions undertaken, such as habitat restoration measures. Additionally, the Fauna Inspection and Translocation Report outlines remedial actions, including the timing and method of translocating fauna to mitigate construction-related impacts.</p> <p>The approval holder has established internal processes to document, assess, and implement remedial actions where required as part of routine environmental management. However, as no breaches of EPBC approval conditions occurred, no notifications were required to be submitted to the Department under this condition.</p> <p>The Independent Auditor considers this criterion to be compliant.</p>	Compliant
13. d.	the measures put in place to prevent a recurrence of the incident or non-compliance.	Sight that incident or non-compliance documentation have been submitted to the department within 10 business days of awareness, and ensure that documentation specifies corrective measures implemented to prevent recurrence.	<p>1. The Environmental Incidents Register confirms records of environmental incidents that occurred during the audit period, including measures taken to prevent recurrence.</p> <p>2. The Impacted SBB Habitat Incident Reports detail incidents affecting SBB habitat, including preventative measures to mitigate future occurrences.</p> <p>3. Gippsland Line Upgrade Environmental Inspection Weekly Checklists confirm routine monitoring records documenting corrective and preventative actions.</p> <p>4. The Southern Brown Bandicoot Habitat Environmental Toolkit, dated 24 May 2022 provides evidence of measures provided to project personnel to increase awareness of environmental sensitivities and best practices to prevent future impacts.</p> <p>5. The Site Induction Presentation for Gippsland Line Upgrade, dated July 2024, indicates training material outlining environmental compliance requirements and preventative strategies.</p> <p>6. The Gippsland Line Upgrade HSSE Induction Presentation, dated August 2024, confirms environmental management protocols and corrective action processes.</p> <p>7. Stakeholder interview with LXPX and ViConnect Alliance conducted on 29 January 2025, provided clarification on measures implemented to prevent recurrence of environmental incidents.</p>	<p>1. Environmental Incidents Register.</p> <p>2. Impacted SBB Habitat Incident Reports.</p> <p>3. Gippsland Line Upgrade Environmental Inspection Weekly Checklists.</p> <p>4. Fauna Inspection and Translocation Report, dated 24 May 2022.</p> <p>5. Site Induction Presentation for Gippsland Line Upgrade, dated July 2024.</p> <p>6. Gippsland Line Upgrade Health, Safety, Security and Environment (HSSE) Induction Presentation, dated August 2024.</p> <p>7. Stakeholder interview with LXPX and ViConnect Alliance conducted on 29 January 2025.</p>	<p>The approval holder did not submit any formal incident or non-compliance notifications to the Department, as LXPX advised that no breaches of EPBC approval conditions occurred during the audit period and that permit conditions, including the 0.90t ha clearance limit for Southern Brown Bandicoot (SBB) habitat, were not exceeded.</p> <p>During the stakeholder interview (conducted on 29 January 2025), LXPX and the ViConnect Alliance confirmed that environmental incidents did occur but clarified that these incidents did not result in a breach of EPBC conditions or commitments under approved plans. The Independent Auditor verified the supporting evidence, including the Environmental Incidents Register, Impacted SBB Habitat Incident Reports, GIS habitat clearing data, and photographic evidence, confirmed that all incidents were assessed internally, and potential impacts were sighted.</p> <p>The Environmental Incidents Register and Incident Reports detail corrective and preventative measures, ensuring that similar incidents are minimized. The SBB Habitat Environmental Toolkit, site induction materials, and HSSE induction training provide education and guidance to personnel on best practices to prevent future environmental incidents. Additionally, the Environmental Inspection Weekly Checklists document ongoing monitoring efforts, confirming preventative actions were sighted and applied in field operations.</p> <p>The approval holder has implemented internal processes to assess and prevent the recurrence of environmental incidents through training, site inductions, routine inspections, and toolbox discussions. However, as no breaches of EPBC approval conditions occurred, no notifications were required to be submitted to the Department under this condition.</p> <p>The Independent Auditor considers this criterion to be compliant.</p>	Compliant
EPBC Approval Condition: Independent audit		Verification Method	Documents Sighted	Evidence	Determination	Compliance Finding
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.	Comparison between the action commencement date, Minister's approval end date and the dates of independent audits of compliance conducted.	<p>1. The Commencement of Action email, dated 16 November 2021, confirms the action's start date.</p> <p>2. The Minister's approval letter, dated 16 December 2024, confirms the independent audit criteria were approved, aligning with the condition's requirements.</p> <p>3. The Independent Audit Report, dated 3 March 2025, demonstrates that audit was conducted for the 36 month period following the commencement of the action and submitted within the required timeframe. No evidence was found of any requests for additional audits by the minister during the audit period.</p>	<p>1. Commencement of Action email, dated 16 November 2021.</p> <p>2. Minister's approval letter for independent audit and audit criteria, dated 16 December 2024.</p> <p>3. EPBC Act 1999 Approval Independent Audit - LXPX Gippsland Line Upgrade Corridor Works - Pakenham to Longwarry East, Victoria (EPBC 2019/8563) Environmental Audit Report, dated 3 March 2025.</p>	<p>The approval holder has demonstrated compliance with the requirement to conduct an independent audit for the 36-month period following commencement of the action and to submit the audit in accordance with the Minister's approved criteria.</p> <p>No additional audits were requested by the Minister during the audit period.</p> <p>The Independent Auditor considers this criterion to be compliant.</p>	Compliant
15.	For each independent audit, the approval holder must:					
15. 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.	Sighting notification details of independent auditor (name and qualifications) notification to the Department and sighting notification details of draft audit criteria notification to the Department.	<p>1. EPBC Act Approval Independent Audit: Auditor Competence and Audit Criteria/Methodology Package includes Auditor CV's and EPA appointed auditor certification.</p> <p>2. The email notification to the Department, dated 14 November 2024, confirms that the required information was submitted within the required timeframe.</p>	<p>1. EPBC Act Approval Independent Audit: Level Crossing Removal Project (LXPX) Gippsland Line Upgrade, Corridor Works Pakenham to Longwarry East, Victoria (EPBC 2019/8563), Auditor Competence and Audit Criteria/Methodology Package, dated 5 December 2024.</p> <p>2. Email providing notification of name, qualifications and draft audit criteria, dated 14 November 2024.</p>	<p>The approval holder has complied with the requirement to 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.</p> <p>The EPBC Act Approval Independent Audit: Auditor Competence and Audit Criteria/Methodology Package (dated 5 December 2024) includes auditor CV's and EPA-appointed auditor certification, demonstrating that the proposed auditor met the necessary competency requirements.</p> <p>Additionally, the email notification to the Department (dated 14 November 2024) confirms that the required information was submitted before the end of the subject time period, ensuring compliance with the notification deadline.</p> <p>The Independent Auditor considers this criterion to be compliant.</p>	Compliant
15. b.	only commence the independent audit once the audit criteria and auditor have been approved in writing by the department; and	Sight written approval from the Department.	<p>1. DCOEEW Audit Criteria Approval Letter, dated 16 December 2024 confirms the Department's written approval of both the Audit criteria and the appointed auditor, meeting the condition before the audit commenced.</p>	<p>1. DCOEEW Audit Criteria Approval Letter, dated 16 December 2024.</p>	<p>The approval holder has complied with the requirement to only commence the independent audit after receiving written approval from the Department for both the audit criteria and the appointed auditor.</p> <p>The DCOEEW Audit Criteria Approval Letter (dated 16 December 2024) confirms that the Department provided written approval before the audit commenced, ensuring compliance with this condition.</p> <p>The Independent Auditor considers this criterion to be compliant.</p>	Compliant
15. c.	submit an audit report to the department within the timeframe specified in the approved audit criteria.	Comparison of the audit report's submission date and the timeframe specified in the audit criteria approval by the Department.	<p>1. DCOEEW Audit Criteria Approval Letter, dated 16 December 2024 specifies the timeframe for submitting the independent audit report.</p> <p>2. EPBC Act 1999 Approval Independent Audit Report - LXPX Gippsland Line Upgrade, Corridor Works Pakenham to Longwarry East, Victoria (EPBC 2019/8563), dated 3 March 2025, confirms the audit was conducted and the report prepared.</p>	<p>1. DCOEEW Audit Criteria Approval Letter, dated 16 December 2024.</p> <p>2. EPBC Act 1999 Approval Independent Audit - LXPX Gippsland Line Upgrade Corridor Works - Pakenham to Longwarry East, Victoria (EPBC 2019/8563) Environmental Audit Report, dated 3 March 2025.</p>	<p>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.</p> <p>The DCOEEW Audit Criteria Approval Letter (dated 16 December 2024) established the required submission timeframe, and the EPBC Act 1999 Approval Independent Audit Report (dated 3 March 2025) confirms that the independent audit was conducted in accordance with the approved criteria.</p> <p>The Independent Auditor considers this criterion to be compliant.</p>	Compliant

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.	Sight the published audit report on the website, assessing if it was published within 10 business days of the Departments approval of the audit report and confirm it remains on the website.	1. EPBC Act 1999 Approval Independent Audit Report – LXR P Gippsland Line Upgrade, Corridor Works Pakenham to Longwarry East, Victoria (EPBC 2019/8563), dated 3 March 2025, confirms the audit was conducted and approved	1. EPBC Act 1999 Approval Independent Audit Report – LXR P Gippsland Line Upgrade, Corridor Works Pakenham to Longwarry East, Victoria (EPBC 2019/8563), dated 3 March 2025	The audit report associated with this independent audit (this document) will be submitted to the Department by the approval holder and uploaded to the relevant website following finalisation of the audit report prepared by the Independent Auditor. The Independent Auditor considers this criterion to be compliant, provided the publication of this report occurs within the 10 business day timeframe.	Compliant
EPBC Approval Condition: Completion of the action		Verification Method	Documents Sighted	Evidence	Determination	Compliance Finding
17	Within 30 business days after whichever is the earlier of a. the completion of the action or b. 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.	Review submission records to ensure they include both the completion date and all required completion data.	Not applicable	Not applicable	At the time of the audit, the completion of the action had not occurred. This condition is not applicable.	Not-Applicable

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