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October 2025

Mordialloc Freeway Project, Victoria

Compliance Assessment Report No. 06

(28 October 2024 to 28 October 2025)

EPBC Approval No. 2017/8091

DOC/25/103135

Prepared for

Audit and Assurance Section
Compliance and Enforcement Branch
Environment Assessment and Compliance Division
Department of Climate Change, Energy, the Environment and Water
GPO Box 3090, CANBERRA ACT 2601



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Approval Information

Criteria	Details
Approval number	2017/8091
Approval holder:	Department of Transport and Planning NB. Due to Machinery of Government changes VIDA Roads is now responsible for the delivery of the Action.
ABN:	69 981 208 782 NB. VIDA Roads is a project office within the Victorian Infrastructure Delivery Authority, which is an administrative office within the Victorian Department of Transport and Planning (ABN 69 981 208 782).
Approved action	To construct and operate the Mordialloc Freeway, a four-lane freeway within Melbourne's south-eastern suburbs, including upgrades to the Mornington Peninsular Freeway and north-facing ramps at Thames Promenade.

Document Control Record

Criteria	Details
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Terms, abbreviations, and definitions

The terms, abbreviations and definitions that have been used in this document are listed in the below table.

Term/Abbreviation	Definition
DCCEEW	Department of Climate Change, Energy, the Environment and Water (the Department)
DEECA	Department of Energy, Environment and Climate Action (formerly DELWP)
DTP	Department of Transport and Planning (formerly the Department of Transport)
EES	Environment Effects Statement
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPR	Environmental Performance Requirement
ha	Hectare
IAC	Inquiry and Advisory Committee
IREA	Independent Reviewer and Environmental Auditor
MNES	Matters of National Environmental Significance
MTIA	Major Transport Infrastructure Authority
NGZ	No-Go-Zone
VIDA	Victorian Infrastructure Delivery Authority
VIDA Roads	VIDA Roads (formerly Major Road Projects Victoria)

1 Executive Summary

The Mordialloc Bypass Project (the Project) is a nine-kilometre freeway linking Dingley Bypass in the north and the Mornington Peninsula Freeway in the south. The project is a four-lane freeway passing through the suburbs of Clayton South, Dingley Village, Braeside, Waterways, Aspendale Gardens, Chelsea Heights and Bangholme within Melbourne, Victoria (Appendix A).

On 30 January 2018, a decision made under s.75 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) that the Project was a 'controlled action' requiring assessment and approval. A decision was made on 27 August 2019 to approve the Project (the action) with conditions as set out in Annexure A of the approval.

Condition 7 of Part B – *Standard Administrative Conditions* requires that an annual compliance report be published on Victoria's Big Build website. VIDA Roads is a project office within VIDA, an administrative office within DTP. The report must address compliance with each of the conditions of the approval.

This compliance report addresses the current status of the Project against the conditions of the EPBC Act Approval No. 2017/8091. This is the sixth compliance report prepared for the Project and relates to the period 28 October 2024 to 28 October 2025. One non-compliance is reported with Condition 1.

2 Introduction

2.1 Purpose of this Report

The purpose of this report is to detail the compliance status of the Mordialloc Freeway Project (the Project) in accordance with Condition No. 7 of Part B – Standard Administrative Conditions of Approval No. 2017/8091 under the EPBC Act.

2.2 Background

The Project is a nine-kilometre freeway linking Dingley Bypass in the north and the Mornington Peninsula Freeway in the south. The project is a four-lane freeway passing through the suburbs of Clayton South, Dingley Village, Braeside, Waterways, Aspendale Gardens, Chelsea Heights and Bangholme within Melbourne, Victoria (Appendix A).

On 30 January 2018, a decision made under s.75 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) that the Project was a ‘controlled action’ requiring assessment and approval. A decision was made on 27 August 2019 to approve the Project (the action) with conditions as set out in Annexure A of the approval (listed in Appendix B).

The approval to Referral No. 2017/8091 under the EPBC Act was given to the DTP (ABN 69 981 208 782) with respect to the construction of the Project. As an entity of DTP, VIDA Roads is responsible for the delivery of the Action.

2.3 Description of activities

The approved action is to construct and operate the Mordialloc Freeway. The Project reached Practical Completion on 21 November 2021. Pursuant to Condition 13 under Part B, the Australia Government agency administering the EPBC Act (the Department) was notified of the completion of construction activities on the Project via email on 7 December 2021.

1 Table 1 Project and approval details

Item	Key Information
EPBC number	2017/8091
Project name	Mordialloc Freeway
Dates for the reporting period	Period from 28 October 2024 to 28 October 2025
Activities during the reporting period	Flora and fauna surveys to monitor flora and fauna status post construction
Key project dates	<ul style="list-style-type: none"> Commonwealth approval: 27/08/2019 Commencement of the Action: 30/10/2019 Completion of the Action: 06/12/2021 Expiry of the Commonwealth Approval: 31/12/2040 Annual compliance report publish date is 60 business days following 28 October for each given year (23 January 2026 for this reporting period). DCCEEW onsite audit completed 24/09/2025

3 Performance and Compliance (EPBC 2017/8091)

Condition Number	Condition Reference	Condition of Approval	Compliance Status	Comments / Evidence
1	Part A: Conditions Specific to the Action	To minimise the impacts of the action on the Edithvale-Seaford Wetlands, Fairy Tern, Eastern Curlew, Curlew Sandpiper, Australasian Bittern, Australian Painted Snipe, Sharp-tailed Sandpiper, Latham's Snipe, Natural Damp Grassland of the Victorian Coastal Plain and Seasonal Herbaceous Wetland (freshwater) of the Temperate Lowland Plain, the approval holder must comply with the Mordialloc Bypass (Freeway) Incorporated Document July 2019, incorporated into the Kingston and Greater Dandenong planning Schemes, as in force or existing from time to time.	Non-compliant	<ul style="list-style-type: none"> Condition 4.5 of the Mordialloc Bypass (Freeway) Incorporated Document (July 2019) requires compliance with the Environmental Management Framework (EMF). The EMF requires compliance with condition B5 of the Environment Performance Requirements (EPR) being the Flora and Fauna Monitoring 7 Year Plan (FFMP). The FFMP requires survey activities to be undertaken at specific times during the year, of which the following surveys were missed: <ul style="list-style-type: none"> Bird surveys: November 2024, January 2025 Roadkill survey: November 2024, January 2025 Culvert connectivity inspections: November, December 2024, January 2025 Significant flora: between October 2024 and January 2025 Macroinvertebrate survey: January 2025. The Department was informed in accordance with Conditions 8 and 9 of this Approval on 28 February 2025. The missed surveys are not considered to have impacted matters as listed in Condition 1 and does not impact historical compliance status. Details of historical compliance are contained within the previous compliance reports for the respective reporting periods.
2	Part A: Conditions Specific to the Action	<p>The approval holder must not impact more than:</p> <ul style="list-style-type: none"> 0.04 ha of Natural Damp Grassland of the Victorian Coastal Plains. 0.24 ha of Seasonal Herbaceous Wetland (freshwater) of the Temperate Lowland Plains. 	Compliant	<ul style="list-style-type: none"> Construction footprint (for Waterways Bridge) established with No-Go-Zones surveyed. Clearing did not exceed the condition limits, confirmed by survey and reviewed by the IREA during the second audit completed on 26 June 2020. The project's impacted areas include removal of: <ul style="list-style-type: none"> 0.03 ha of Natural Damp Grassland of the Victorian Coastal Plains. 0.21 ha of Seasonal Herbaceous Wetland (freshwater) of the Temperate Lowland Plains. The contract included incentive for Contractor to further avoid clearing of vegetation that has been approved to be cleared and offset. All construction including revegetation has occurred and is complete.

Condition Number	Condition Reference	Condition of Approval	Compliance Status	Comments / Evidence
3	Part B: Standard Administrative Conditions	The approval holder must notify the Department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action.	Compliant	Notification was sent to the Department on 30 October 2019 advising that the action commenced on 28 October 2019.
4	Part B: Standard Administrative Conditions	The approval holder must maintain accurate and complete compliance records.	Compliant	Records of implementation are maintained in VIDA Road's records management system, Content Manager (CM9).
5	Part B: Standard Administrative Conditions	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.	Compliant	<p>On 31 July 2025 VIDA Roads was notified by DCCEEW that the Project was selected for a DCCEEW-led audit and requested to provide compliance records.</p> <p>The progress of the audit and compliance record review during this reporting period is summarised below:</p> <ul style="list-style-type: none"> 20 August 2025 - The Department (DCCEEW) shared the audit plan. 25 August 2025 - A letter requesting information to inform the Department was received. 12 September 2025 - VIDA Roads emailed the Department to clarify a discrepancy in the Audit Information Request. 24 September 2025 - A site visit by the Department took place. 3 October 2025 - VIDA Roads emailed confirmation of document and evidence uploaded to the Department's cloud system. 17 October 2025 - The Department confirmed receipt of materials and issued a second request for further information. 7 November 2025 - VIDA Roads confirmed all requested documents and evidence had been uploaded to the Department cloud system. 10 November 2025 - The Departments sent further queries received via email. 17 November 2025 - VIDA Roads responded to the Department's queries by email. <p>It is noted that the audit is not yet complete, and details will be carried forward into the next reporting cycle.</p>
6	Part B: Standard Administrative Conditions	The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under conditions of this approval, is prepared in accordance with the Department's Guidelines for biological survey and mapped data (2018).	Compliant	Monitoring and management plans have been prepared and implemented consistent with these guidelines.

Condition Number	Condition Reference	Condition of Approval	Compliance Status	Comments / Evidence
7	Part B: Standard Administrative Conditions	<p>The approval holder must prepare a compliance report for each 12-month period following the date of commencement of the action, or otherwise in accordance with an annual date that has been agreed to in writing by the Minister. The approval holder must:</p> <ul style="list-style-type: none"> a publish each compliance report on the website within 60 business days following the relevant 12-month period; b notify the Department by email that a compliance report has been published on the website and provide the weblink for the compliance report within five business days of the date of publication; c keep all compliance reports publicly available on the website until this approval expires; d exclude or redact sensitive ecological data from compliance reports published on the website; and e where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within 5 business days of publication. 	Compliant	<p>Annual compliance reports have been prepared and published in accordance with this condition, with the exception of the 2023-2024 report (Report #5):</p> <ul style="list-style-type: none"> • The report was originally due for publication on the website by 20 January 2025. • Owing to non-compliance with Condition 1 and the additional time required to complete an investigation, VIDA Roads submitted a request to DCCEE on 15 January 2025 for an extension to reporting timeframes. • Following approval, the report was subsequently published on 7 February 2025.
8	Part B: Standard Administrative Conditions	<p>The approval holder must notify the Department in writing of any: incident; non-compliance with the conditions; or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than two business days after becoming aware of the incident or non-compliance. The notification must specify:</p> <ul style="list-style-type: none"> a any condition which is or may be in breach; and b a short description of the incident and/or non-compliance. 	Compliant	<p>The Department was notified in writing on 28 February 2025 in accordance with Conditions 8a and 8b within 2 business days of becoming aware of non-compliance as listed in Condition 1.</p>

Condition Number	Condition Reference	Condition of Approval	Compliance Status	Comments / Evidence
9	Part B: Standard Administrative Conditions	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: any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future; the potential impacts of the incident or non-compliance; and the method and timing of any remedial action that will be undertaken by the approval holder.	Compliant	The Department was notified in writing on 28 February 2025 in accordance with Conditions 9a and 9b within 10 business days of becoming aware of non-compliance as listed in Condition 1.
10	Part B: Standard Administrative Conditions	The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister.	Compliant	No request made to date.
11	Part B: Standard Administrative Conditions	For each independent audit, the approval holder must: a provide the name and qualifications of the independent auditor and the draft audit criteria to the Department; b only commence the independent audit once the audit criteria have been approved in writing by the Department; and c submit an audit report to the Department within the timeframe specified in the approved audit criteria.	Compliant	No request made to date.
12	Part B: Standard Administrative Conditions	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	No request made to date.
13	Part B: Standard Administrative Conditions	Within 30 days after the completion of the action, the approval holder must notify the Department in writing and provide completion data.	Compliant	The Project reached Practical Completion on 21 November 2021. Pursuant to Condition 13 under Part B, the Department was notified of the completion of construction activities on the Project via email on 7 December 2021.

Appendix A Project Map



Project: Mordialloc Freeway.aprx | Project location (vidqz33)

Legend

 Mordialloc Freeway Project Area



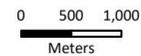
Data source:
VicMap 2025 © State of Victoria (Department of Transport and Planning).

Mordialloc Freeway
EPBC Approval No. 2017/8091

Project Location

VIDA Roads

**BIG BUILD
ROADS**



DRAWN: S DABORN 2/01/2026
CHECKED: Date