

MELBOURNE AIRPORT RAIL

MELBOURNE AIRPORT RAIL PROJECT - CORRIDOR SECTION (EPBC 2021/9081): YEAR 3 ANNUAL COMPLIANCE REPORT

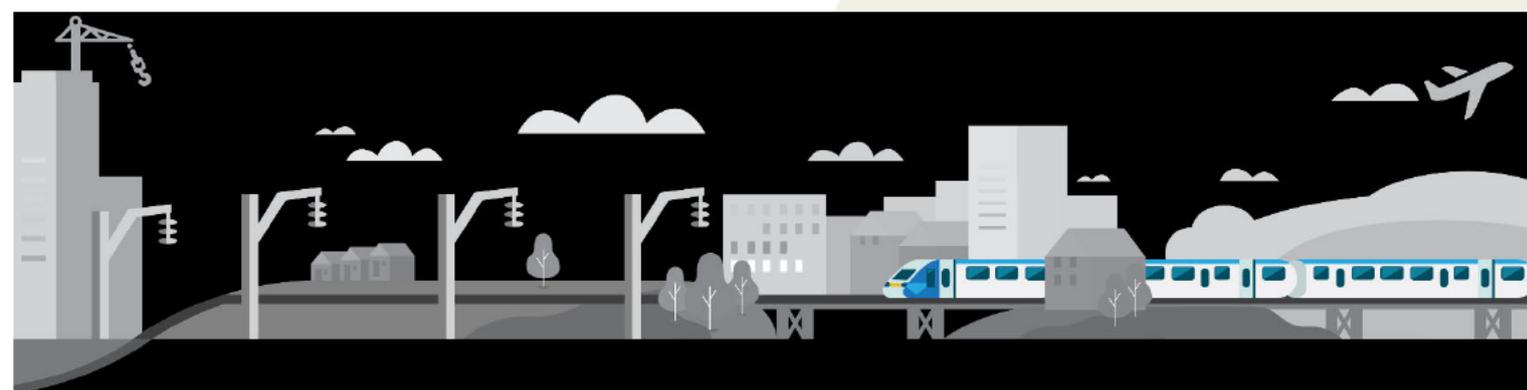
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This document should be read in full and no excerpts are to be taken as representative of the findings.

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Glossary & Abbreviations

Term / Abbreviation	Description
2024 – 2025 reporting period	Relating to the third 12-month period following commencement of the action, which includes the reporting period between 22 December 2024 to 22 December 2025
Action area	As defined in EPBC Act 2021/9081 Approval
AJM JV	Aurecon Jacobs Mott Macdonald Joint Venture
Approval holder	Victorian Infrastructure Delivery Authority, acting on behalf of Department of Transport and Planning
ARTC	Australian Rail Track Corporation
Big Build	Victoria's Big Build Website
Compliant	The requirements of the condition have been carried out
CSR	Combined Services Route
CSTSMP	Corridor Section Threatened Species Management Plan
CTA	Credit Trade Agreement
DCCEEW	Department of Climate Change, Energy, the Environment and Water
DEECA	Department of Energy, Environment and Climate Action
DELWP	Department of Environment, Land, Water and Planning (now DEECA)
DTRS	Digital Train Radio System
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Commonwealth)
GWW	Greater Western Water
ha	Hectares
HV	High voltage
LXRP	Level Crossing Removal Project (now VIDA Rail)
m	Metres
MAR	Melbourne Airport Rail
MNES	Matters of National Environmental Significance
Not applicable	The requirements of conditions were not triggered during the reporting period or were no longer applicable to the reporting period
NTGVVP	Natural Temperate Grassland of the Victorian Volcanic Plain
OHLE	Overhead line equipment
OMP	Offset Management Plan
Non-Compliant (Partial)	The requirements of the condition have been partially carried out.
PRS	Pressure Reducing Station
RPV	Rail Projects Victoria (now VIDA Rail)
SUP	Shared use path
the department	Commonwealth Department of Climate Change, Energy, the Environment and Water
the Project	The Corridor Section of the Melbourne Airport Rail Project Victoria
VIDA	Victorian Infrastructure Delivery Authority

1. Introduction

1.1 Background

The Aurecon Jacobs Mott Macdonald Joint Venture (AJM-JV) on behalf of Victorian Infrastructure Delivery Authority (VIDA) Rail, formerly Level Crossing Removal Projects (LXRP), has prepared this Annual Compliance Report for the Melbourne Airport Rail (MAR) Project – Corridor Section (EPBC Act 2021/9081). On 22 December 2022, the Commonwealth Department of Climate Change, Energy, the Environment and Water (DCCEEW) provided written approval of the Corridor Section of the MAR Project (herein referred to as the Project) under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), subject to conditions.

1.2 Purpose of this Report

The approval for the Project is subject to a total of 29 conditions under the EPBC Act and includes the preparation of an Annual Compliance Report (Condition 17, 18 and 19). This Annual Compliance Report provides details of the third year following approval (Year 3), defined as the period from 22nd December 2024 to 22nd December 2025, and has been prepared in accordance with the DCCEEW Annual Compliance Report Guidelines (DCCEEW, 2023).

The purpose of this report is to provide accurate and complete details of works undertaken during Year 3 and to document compliance with conditions outlined within the EPBC Act Approval 2021/9081.

The Action Area map for the Project is provided in **Appendix A**. Key dates that relate to the EPBC Act Approval for the Project are provided below in Table 1.1.

Table 1.1 Key EPBC Act Approval (2021/9081) Dates

Action	Date
Commonwealth approval granted	22 December 2022
Commencement of Action	02 March 2023
Publication date for first year compliance report	15 March 2024
Publication date for second year compliance report	12 March 2025
Publication date for the third compliance report (this report) (60 business days from the anniversary of the commencement of the action)	16 March 2026
Independent Audit reporting period	02 March 2023 – 02 March 2026
Expiry of the Commonwealth Approval	15 December 2042

2. Description of Activities

As detailed in the Melbourne Airport Rail Corridor Section Preliminary Documentation (EPBC 2021/9081), the Action includes the following main works:

- Construction of the new MAR tracks, comprising an approximately 8 km dual track railway and associated overhead line equipment (OHLE), combined services route (CSR) and track drainage works, including:
 - A 2.3 km long elevated twin track viaduct structure between Sharps Road, Tullamarine and the Albion-Jacana rail corridor, crossing Steele Creek and the Western Ring Road including emergency and maintenance access points.
 - New at-grade MAR tracks within the existing Albion-Jacana rail corridor, located on the western side of the existing Australian Rail Track Corporation (ARTC) tracks.
 - An elevated twin track viaduct structure across the Maribyrnong River valley, adjacent to the western side of the existing state significant heritage bridge.
 - Slewing of ARTC tracks between Keilor Park Drive and the Calder Freeway.
- Signalling works along the Albion-Jacana rail corridor between Jacana Station and Barwon Avenue, Sunshine North and within the new MAR corridor North of the Western Ring Road.
- Construction of an intake supply substation at Terror Street or the Northeast area of Brimbank Park and two traction substations at Fullarton Road and within the McIntyre Sidings, Sunshine North.
- Construction of two new Digital Train Radio System (DTRS) facilities one North or South of Keilor Park Drive, Keilor East and a second at Airport Drive, Tullamarine.
- Diversion, relocation and replacement works associated with utilities and underground services, including the existing ARTC CSR, high voltage (HV) transmission lines and numerous miscellaneous assets.
- Protection works associated with the Exxon Mobil jet fuel pipeline along the Albion-Jacana rail corridor.
- Modifications to existing structures, including structural modifications and strengthening works at Calder Freeway inbound and outbound bridges, Fullarton Road bridge, Western Ring Road on-ramp and offramp bridges, Keilor Park Drive and McIntyre Road bridges.
- Replacement of shared use path (SUP) connections at Calder Freeway / Fullarton Road, provision of a new SUP overpass at Cranbourne Avenue, and provision of a Strategic Cycling Corridor link between Western Ring Road and Airport Drive via Steele Creek.
- The provision of retention basins at several locations along the Albion-Jacana rail corridor.
- Establishment of temporary construction laydown areas, site offices, worksites, storage, parking areas and access roads.

3. Works Conducted

A summary of the works completed for the Project as of December 2025 have been provided in Table 3.1 below. As detailed below, limited works were undertaken on the Project during the 2024 – 2025 reporting period.

Table 3.1 Works commenced under EPBC Act approval (2021/9081) as of December 2025

Year	Works Area / Activity	Works Undertaken
2024 -2025 reporting period	1 Midway Lane, Sunshine North	Completion of gabion rectification
	Maribymong River Bridge	Removal of cultural heritage management plan (CHMP) temporary barriers and fencing within Parks Victoria land.
	Sunshine Station	Line marking along the shared user pathway
2023 -2024	Roberts Road, Airport West	Relocation of utilities including: <ul style="list-style-type: none"> Digging a shaft in the roadway at Roberts Road to relocate a water pipeline under the rail corridor
	Terror Street	Relocation of the Greater Western Water (GWW) Pressure Reducing Station (PRS).
	Maribymong River Bridge	Demobilisation activities, including the removal of temporary barriers and fencing.
	Munro Avenue	Demobilisation activities, including the removal of temporary barriers and fencing.
	Baldwin Avenue	Demobilisation activities, including the removal of temporary barriers and fencing.
	Slater Parade	Mobil Fuel gas pipeline protection works.
2022 – 2023	Tullamarine Park Road	Relocation of utilities and ancillary works including: <ul style="list-style-type: none"> Establishing a site compound at 14 Snyder-Court, Tullamarine Installing fencing to create safe work areas Digging trenches along Tullamarine Park Road and across Beverage Drive for the relocation of underground services Digging trenches across Snyder Court at night for the relocation of underground services Removing trees and vegetation from works areas
	M80 North Zone & Munro Avenue <i>Striped Legless Lizard Salvage</i>	<ul style="list-style-type: none"> Partial habitat removal of Striped Legless Lizard habitat to facilitate early works. Fauna salvage works were undertaken between February and May 2023 at both Munro Avenue and the M80 North Zone.
	Rail Corridor adjacent to Solomon Heights <i>Spiny Rice-flower Translocation</i>	Removal and translocation of Spiny-Rice-flower to satisfy State Permits.
	Munro Avenue <i>Road Widening and Vegetation Removal</i>	Road widening at Munro Avenue was undertaken to facilitate vehicle access.

4. Approval Conditions Compliance

The following Table 4.1 details all 29 EPBC Act approval conditions for the MAR Corridor Section Project and designation regarding compliance or non-compliance.

Table 4.1 EPBC Act Approval Conditions Compliance

Condition Number	Condition	Condition Triggered (Yes/No)	Compliance (Compliant/ Non-Compliant/ Not Applicable/ Non-Compliant (Partial))	Comments and Supporting Documentation
Development Area				
1	The approval holder must not clear			
	a. More than 0.150 hectares (ha) of Spiny Rice-flower habitat within the action area;	Yes	Compliant	All eight (8) Spiny Rice-flower plants located within the Action Area were translocated to Pioneer Park Reserve on the 14 th November 2023. Following the removal of native grassland at Munro Avenue, a total of 0.110 ha of Spiny-Rice flower habitat has been removed. This condition was successfully completed in the Year 1 (2022 – 2023) reporting period.
	b. More than 1.144 ha of Striped Legless Lizard habitat within the action area;	Yes	Compliant	The pre-habitat clearing capture and salvage works for Striped Legless Lizard, as outlined in the Preliminary Documentation and required by the EPBC Act approval, were successfully completed in the Year 1 (2022 – 2023) reporting period. In Year 2 (2023 – 2024), two Striped Legless Lizard individuals were relocated to retained habitat at M80 North Zone, and no individuals were encountered at Munro Avenue. A total of 0.375 ha of Striped Legless Lizard habitat at Munro Avenue was cleared in August 2023, while no habitat was impacted at M80 North Zone. No further removal of Striped Legless Lizard habitat has been undertaken since the Year 2 reporting period.
	c. More than 1.2 ha of Growling Grass Frog terrestrial habitat that is within 200 meters (m) of a permanent water body; and	No	Not Applicable	Works yet to occur within Growling Grass Frog habitat.
	d. Any aquatic vegetation within Growling Grass Frog habitat.	No	Not Applicable	Works yet to occur within Growling Grass Frog habitat.
2	Within six years of the commencement of the action, the approval holder must revegetate 0.932 ha of Growling Grass Frog habitat that was cleared as part of the Action, such that it supports relevant Ecological Vegetation Classes for the Growling Grass Frog.	No	Not Applicable	Works yet to occur within Growling Grass Frog habitat.
3	The approval holder must ensure that no part of the Action presents a barrier to instream migration of Australian Grayling in the Maribyrnong River.	No	Not Applicable	Works yet to occur in these areas.
4	The approval holder must not undertake any construction in the Maribyrnong River between 1 April and 30 June of the same year, or between 1 September and 30 November of the same year.	No	Not Applicable	Works yet to occur in these areas.
5	The approval holder must ensure that no construction occurs in any No Go Zone			
	a. Prior to the commencement of the Action, the approval holder must have a suitably qualified person determine where to install temporary fencing to ensure no part of the Action, other than very limited access on foot, occurs in any No Go Zone.	Yes	Compliant	Prior to the commencement of the Action at Munro Avenue, No Go Zone fencing was installed to protect No Go Zones 7 and 8 on the 24 th February 2023 under the supervision of a Senior Ecologist. No other works sites within the vicinity of the No Go Zones have commenced; therefore no other No-Go Zone fencing has been installed. The Project is therefore compliant with this condition.
	b. The approval holder must install this temporary fencing prior to the commencement of the action.	Yes	Compliant	As outlined above, suitable No Go Zone fencing at Munro Avenue was installed on the 24 th February 2023, prior to the commencement of any works for the Action. The Project is therefore compliant with this condition.
	c. Any No Go Zone containing Natural Temperate Grassland of the Victorian Volcanic Plain (NTGVVP) must be fenced to prevent dust arising from construction entering the No Go Zone.	No	Not Applicable	Temporary fencing to prevent unintentional egress has been undertaken along areas of NTGVVP (particularly around No Go Zones 7 and 8), however dust fencing has not been installed given no construction or heavy vehicle access works are being undertaken at this stage.
Environmental Offset Requirements				
6	Within 12 months of commencement of the action, the approval holder must control the offset areas.	Yes	Compliant	The Action commenced in March 2023. In September 2023, the Allocated Offset Extract was provided by the Department of Energy, Environment and Climate Action (DEECA). To demonstrate control of the offset areas for Striped Legless Lizard and Spiny Rice-flower, the Allocated Offset Extract was provided to the Department of Climate Change, Energy, the Environment and Water (DCCEEW) on the 3 rd October 2023. This includes: <ul style="list-style-type: none"> 5.0 ha of Striped Legless Lizard (<i>Delma impar</i>) habitat located in Rokewood, Victoria. Credit ID: 2023-0728. 0.5523 ha of Spiny Rice-flower (<i>Pimelea spinescens subsp. spinescens</i>) habitat located in Deep Lead, Victoria. Credit ID: 2023-0729

7	Within 10 business days of the offset areas being controlled, the approval holder must provide the department with:			
	a. Written evidence demonstrating that the offset areas have been controlled; and	Yes	Compliant	<p>Following endorsement from the Department in reference to the suitability of the proposed offset site, a Trust for Nature Covenant under the Victorian Conservation Trust Act 1972 (Vic) Credit Trade Agreement (CTA) was executed on the 13th April 2023.</p> <p>In accordance with this condition, the department was notified via written correspondence by RPV (now VIDA Rail) on the 3rd October 2023 that the offset areas have been controlled. The department confirmed this information was received on the 3rd October 2023.</p> <p>Environmental Offset Trade Agreement for Spiny Rice-flower habitat is provided in Appendix B.</p> <p>Environmental Offset Trade Agreement for Striped Legless Lizard (<i>Delma impar</i>) habitat removal is provided in Appendix C.</p> <p>The Project is therefore compliant with this condition.</p>
	b. Shapefiles and the offset attributes for the offset areas.	Yes	Compliant	<p>As per above, RPV (now VIDA Rail) provided all relevant information (including shapefiles, allocated credit extracts and offset attributes) to the department on the 3rd October 2023, evidence provided in Appendix D.</p> <p>The Project is therefore compliant with this condition.</p>
8	The approval holder must commence implementing the Offset Management Plans for the offset areas prior to the commencement of the action and must continue to implement the Offset Management Plans for the duration of the approval.	Yes	Non-Compliant (Partial)	<p>The Offset Management Plans provided as part of the Preliminary Documentation confirm that implementation of both OMPs commenced prior to commencement of the action. This is particularly relevant as both the Spiny Rice-flower Offset and the Striped Legless Lizard Offsets were considered advanced offsets, as detailed below:</p> <p>Spiny Rice-flower OMP:</p> <p>The existing landowner agreement for the broader 31.25 ha offset parcel was executed on 19 September 2017. The landowner has since demonstrated successful compliance with the on-title Section 69 Agreement and the successful delivery of MNES conservation and management. Management actions at the offset site undertaken prior to commencement of the action have been documented in Year 1 to Year 4 OMP Annual Reports as required under the existing landowner agreement and have previously been submitted to DELWP (now DEECA) as required.</p> <p>Management actions undertaken to date, particularly erection and maintenance of fencing, and monitoring and controlling of weeds and pests, are considered to have assisted the local Spiny Rice-flower population in recent years. The OMP continues to be implemented and monitoring and reporting is occurring on a regular basis. The Landowner OMP Annual Reports can be provided to DCCEEW upon request to provide further evidence of the OMP's continued implementation.</p> <p>Note: The OMP states that the annual Spiny Rice-flower population and habitat condition monitoring reports must be submitted to DELWP (now DEECA) and DAWE (now DEECA) annually for years 1 – 10 and thereafter at the reasonable request of DELWP (now DEECA). The monitoring reports have been completed annually in line with the methodology and timing outlined within the OMP since the commencement of the action, however due to an administrative error, have not been provided to DEECA (previously DELWP) and DCCEEW (previously DAWE) alongside the landowner OMP Annual Report since Year 4. These reports will now be provided to DEECA and DCCEEW as a priority. Given that the monitoring and management of the offset has continued as required, and the reports will be provided to DEECA and DCCEEW as a priority, the project is considered partially non-compliant with this condition.</p> <p>Striped Legless Lizard OMP:</p> <p>The existing landowner agreement for the broader 160 ha offset parcel was executed in July 2020. The landowner has since demonstrated successful compliance with the on-title Section 69 Agreement and the successful delivery of MNES conservation and management. Management actions at the offset site prior to commencement of the action have been documented in a Year 1 OMP Annual Report as required under the existing landowner agreement and have previously been submitted to DELWP (now DEECA) as required.</p> <p>Management actions undertaken to date, particularly erection and maintenance of fencing, and monitoring and controlling of weeds and pests, are considered to have benefited the local Striped Legless Lizard population. The OMP continues to be implemented. The Landowner OMP Annual Reports can be provided to DCCEEW upon request to provide further evidence of the OMP's continued implementation.</p> <p>Note: the OMP states that monitoring of Striped Legless Lizard is required for Years 2, 5, 8, 10. However, in line with the landowner's property schedule, monitoring will be undertaken for Years 2, 4, 6, 8 and 10. Considering that the total planned monitoring for the 10 year period will be more than is required for this condition, this is considered compliant. Year 2 and year 4 monitoring has been undertaken, with year 6 monitoring planned this year.</p>
9	The approval holder must keep the Offset Management Plans published on the website until the end date of this approval.	Yes	Compliant	<p>The Offset Management Plans for Striped Legless Lizard and Spiny Rice-flower are detailed in the Preliminary Documentation for Melbourne Airport Rail. All documents are published and available on the Victoria's Big Build – Melbourne Airport Rail Planning Approvals page. Including:</p> <ul style="list-style-type: none"> Planning Approvals: Compliance reports - Victoria's Big Build Preliminary Documentation (including the Offset Management Plans): https://bigbuild.vic.gov.au/data/assets/pdf_file/0010/711964/MAR-EPBC-Corridor-Section-Preliminary-Documents.pdf
Notification of Date of Commencement of the Action				
10	The approval holder must notify the department electronically of the date of commencement of the Action, within 5 business days of commencement of the Action.	Yes	Compliant	<p>The department was informed on the 2nd March 2023 via written correspondence notifying of the commencement of the Action, provided in Appendix E.</p> <p>The Project is therefore compliant with this condition.</p>
11	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	No	Not Applicable	<p>The Action has commenced in March 2023, within five years of the date of this approval (December 2022).</p>

	Minister.			
Compliance Records				
12	The approval holder must maintain accurate and complete compliance records.	Yes	Compliant	VIDA is maintaining compliance records in accordance with this condition. The Project is therefore compliant with this condition.
13	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.	No	Not Applicable	Condition 13 has not been triggered as no request from the department has been made at the time of this Compliance Report.
14	The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the department's Guidelines for biological survey and mapped data (2018), or any subsequent official version or as otherwise specified by the Minister in writing.	No	Not Applicable	There are no monitoring requirements outlined in the conditions provided in the EPBC Act Approval. Monitoring data as relevant to the OMPs have been detailed earlier in this table in relation to Condition 8
15	The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under the conditions of this approval are prepared in accordance with the department's Guide to providing maps and boundary data for EPBC Act projects (2021), or any subsequent official version or as otherwise specified by the Minister in writing.	No	Not Applicable	There are no monitoring requirements outlined in the conditions provided in the EPBC Act Approval. Monitoring data as relevant to the OMPs have been detailed earlier in this table in relation to Condition 8
16	The approval holder must submit all monitoring data (including sensitive ecological data), surveys, maps, other spatial and metadata and all species occurrence record data (sightings and evidence of presence) electronically to the department within 12 months of the approval.	No	Not Applicable	There are no monitoring requirements outlined in the conditions provided in the EPBC Act Approval. Monitoring data as relevant to the OMPs have been detailed earlier in this table in relation to Condition 8
Annual Compliance Records				
17	The approval holder must prepare a compliance report for each 12-month period following the date of this approval, or as otherwise agreed to in writing by the Minister.	Yes	Compliant	Compliance reports have been prepared to satisfy this condition for the Year 1 (2022 – 2023) and Year 2 (2023 - 2024) reporting period and have been published on the Victoria's Big Build – Melbourne Airport Rail Planning Approvals page. This Year 3 Compliance Report has been prepared to satisfy this condition for the Year 3 (2024-2025) reporting period and will be published on the Victoria's Big Build – Melbourne Airport Rail Planning Approvals page. The Project is therefore compliant with this condition.
18	Each compliance report must be consistent with the department's Annual Compliance Report Guidelines (2014), or any subsequent official version.	Yes	Compliant	This Compliance Report has been prepared in accordance with the Department of Climate Change, Energy, the Environment and Water (DCCEEW) 2023, Annual Compliance Report Guidelines, Canberra. CC BY 4.0.
19	Each compliance report must include:			
	a. Accurate and complete details of compliance and any non-compliance with the conditions and the plans, and any incidents.	Yes	Compliant	This Compliance Report has been prepared to include accurate and complete details of compliance and any non-compliance in accordance with all EPBC Act approval conditions. Note: no non-compliances have occurred. One Partial Non-compliance for condition 8 has occurred during this reporting period. This is detailed earlier in this table in relation to Condition 8.
	b. One or more shapefile showing all clearing of any protected matters, and/or their habitat, undertaken within the 12-month period at the end of which that compliance report is prepared.	Yes	Compliant	All relevant shapefiles for vegetation clearance and removal of protected matters undertaken within the Year 1 compliance reporting period (22nd December 2022 – 22nd December 2023) have been provided to the department. There were no clearing of any protected matter within the Year 2 (22nd December 2023 – 22nd December 2024) and Year 3 (22nd December 2024 – 22nd December 2025) compliance reporting period
	c. A schedule of all plans in existence in relation to these conditions and accurate and complete details of how each plan is being implemented.	Yes	Compliant	The relevant plans that relates to this approval are the Offset Management Plans (OMPs) and Corridor Section Threatened Species Management Plan (CSTSMP). Implementation of the relevant actions of the OMPs have been detailed earlier in this table in relation to Condition 8 Implementation of the relevant actions of the TSMP have been detailed earlier in this table in relation to Conditions 1a and 1b.
20	The approval holder must:			
	a. Publish each compliance report on the website within 60 business days following the end of the 12-month period for which that compliance report is required.	Yes	Compliant	The Year 1 (2022 – 2023) Compliance Report was published on the Victoria's Big Build – Melbourne Airport Rail Planning Approvals page in March 2024. The Year 2 (2023 – 2024) Compliance Report was published on the Victoria's Big Build – Melbourne Airport Rail Planning Approvals page on 12 March 2025. The end of the 12 -month period for this Year 3 (2024 – 2025) Compliance Report is 22 nd December 2025, as such this Annual Compliance Report is to be published online by the 16 th March 2026.
	b. Notify the department electronically, within 5 business days of the date of publication that a compliance report has been published on the website.	Yes	Compliant	The department was notified by written correspondence in March 2024 that the Year 1 (2022 – 2023) Compliance Report had been published on the Big Build website. The department was notified by written correspondence on 12 March 2025 that the Year 2 (2023 – 2024) Compliance Report had been published on the Big Build website. The department will be notified by written correspondence that the 2024 – 2025 Compliance Report is published.

	c. Provide the weblink for the compliance report in the notification to the department.	Yes	Compliant	The department was provided with the weblink for the Year 2 (2023 – 2024) Compliance Report within the written correspondence. The department will be provided the weblink when notified by written correspondence that the 2024 – 2025 Compliance Report is published.
	d. Keep all published compliance reports required by these conditions on the website until the expiry date of this approval.	Yes	Compliant	The Year 1 (2022 – 2023) and Year 2 (2023 – 2024) Compliance Reports remain published on the Victoria's Big Build – Melbourne Airport Rail Planning Approvals page This Annual Compliance Report will be published and retained on the website until the expiry date of this approval (15 th December 2042).
	e. Exclude or redact sensitive ecological data from compliance reports published on the website or otherwise provided to a member of the public.	Yes	Compliant	No information was required to be redacted in this Compliance Report. The Project is therefore compliant with this condition.
	f. If sensitive ecological data is excluded or redacted from the published version, submit the full compliance report to the department within 5 business days of its publication on the website and notify the department in writing what exclusions and redactions have been made in the version published on the website.	No	Not Applicable	Refer to Condition 20 e.
Reporting Non-compliance				
21	The approval holder must notify the department electronically, within 2 business days of becoming aware of any incident and/or potential non-compliance and/or actual non-compliance with the conditions or commitments made in a plan.	Yes	Compliant	On 4 March 2026 VIDA Rail became aware of a potential non-compliance for Condition 8 of this Approval Decision. Within 2 business days, on 6 March 2026 VIDA Rail notified the Department via written correspondence of this potential non-compliance. This correspondence included reference to Condition 8, and a description of the potential non-compliance.
22	The approval holder must specify in the notification:			
	a. Any condition or commitment made in a plan which has been or may have been breached.	Yes	Compliant	Refer to Condition 21
	b. A short description of the incident and/or potential non-compliance and/or actual non-compliance.	Yes	Compliant	Refer to Condition 21
	c. The location (including co-ordinates), date, and time of the incident and/or potential non-compliance and/or actual non-compliance.	Yes	Compliant	Refer to Condition 21
23	The approval holder must provide to the department in writing, within 12 business days of becoming aware of any incident and/or potential non-compliance and/or actual non-compliance, the details of that incident and/or potential non-compliance and/or actual non-compliance with the conditions or commitments made in a plan. The approval holder must specify:	Yes	Compliant	On 4 th March 2026 VIDA Rail became aware of a potential non-compliance for Condition 8 of this Approval Decision. VIDA Rail is currently preparing correspondence outlining the corrective action that has been undertaken, potential impacts of this potential non-compliance, and method and timing of the proposed corrective action. This will be completed within 12 business days of VIDA Rail becoming aware of the potential non-compliance.
	a. Any corrective action or investigation which the approval holder has already taken.	Yes	Compliant	Refer to Condition 23
	b. The potential impacts of the incident and/or non-compliance and/or non-compliance.	Yes	Compliant	Refer to Condition 23
	c. The method and timing of any corrective action that will be undertaken by the approval holder.	Yes	Compliant	Refer to Condition 23
Independent Audit				
24	The approval holder must ensure that an independent audit of compliance with the conditions is conducted for every three-year period following the commencement of the Action until this approval expires, unless otherwise specified in writing by the Minister.	No	Not Applicable	Condition 24 has not been triggered as independent audits are only required every three years, or as otherwise specified by the Minister. Independent audit of compliance is not required for the Year 3 (2024 – 2025) reporting period The first independent audit of compliance for the three-year period following the commencement of the Action is required for the reporting period of 02 March 2023 – 02 March 2026 and will be prepared during the Year 4 (2025 – 2026) reporting period. VIDA Rail is currently securing a nominated independent auditor in preparation for this audit.
25	For each independent audit, the approval holder must:			
	a. Provide the name and qualifications of the nominated independent auditor, the draft audit criteria, and proposed timeframe for submitting the audit report to the department prior to commencing the independent audit.	No	Not Applicable	Refer to Condition 24
	b. Only commence the independent audit once the nominated independent auditor, audit criteria and timeframe for submitting the audit report have been approved in writing by the department.	No	Not Applicable	Refer to Condition 24
	c. Submit the audit report to the department for approval within the timeframe specified and approved in writing by the department.	No	Not Applicable	Refer to Condition 24
	d. Publish each audit report on the website within 15 business days of the date of the department's approval of the audit report.	No	Not Applicable	Refer to Condition 24
	e. Keep every audit report published on the website until this approval expires.	No	Not Applicable	Refer to Condition 24

26	Each audit report must report for the three-year period preceding that audit report.	No	Not Applicable	Refer to Condition 24
27	Each audit report must be completed to the satisfaction of the Minister and be consistent with the department's <i>Environment Protection and Biodiversity Conservation Act 1999 Independent Audit and Audit Report Guidelines (2019)</i> , or any subsequent official version.	No	Not Applicable	Refer to Condition 24
Completion of the Action				
28	The approval holder must notify the department electronically 60 business days prior to the expiry date of this approval, that the approval is due to expire.	No	Not Applicable	The EPBC Act Approval for the Melbourne Airport Rail Corridor Section (EPBC Act 2021/9081) will expire on the 15 th December 2042.
29	Within 20 business days after the completion of the Action, and, in any event, before this approval expires, the approval holder must notify the department electronically of the date of completion of the Action and provide completion data.	No	Not Applicable	The Action has not been completed.

5. New Risks

No new environmental risks have been identified for the Action during this reporting period. If new risks are identified, a risk analysis and reporting must be undertaken as per the Reporting under the *Environment Protection and Biodiversity Conservation Act 1999* Annual Compliance Report Guidelines (DCCEEW 2023).

6. Conclusion

This compliance report has detailed the Project's adherence to the conditions of the EPBC Act approval (EPBC 2021/9081) for activities carried out during the reporting period from 22 December 2024 to 22 December 2025, with the exception of Condition 8 that has been reported Non-Compliant (Partial). As detailed in Table 1, the monitoring reports have been completed annually in line with the methodology and timing outlined within the OMP since the commencement of the action, however due to an administrative error, have not been provided to DEECA (previously DELWP) and DCCEEW (previously DAWE) alongside the landowner OMP Annual Report since Year 4. These reports will now be provided to DEECA and DCCEEW as a priority. As the third compliance report prepared under this approval, it demonstrates the Department of Transport and Planning's ongoing commitment to meeting environmental obligations and ensuring responsible project delivery.

7. Declaration of accuracy

In making this declaration, I am aware that sections 490 and 491 of the Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Signed _____

Full name (please print) _____

Position (please print) Program Director - Melbourne Airport Stage 1 : West Footscray to Albion Rail Upgrade

Organisation (please print including ABN/ACN if applicable) VIDA Rail

Date 12/03/2026

8. References

AJM Joint Venture. (2024). *MELBOURNE AIRPORT RAIL PROJECT – CORRIDOR SECTION (EPBC 2021/9081): YEAR 1 ANNUAL COMPLIANCE REPORT*.

DCCEEW. (2023). *Annual Compliance Report Guidelines, Canberra, Department of Climate Change, Energy, the Environment and Water. CC BY 4.0.*

Victoria's Big Build. (2024, February 19). Retrieved from Melbourne Airport Rail Project Planning approvals: <https://bigbuild.vic.gov.au/projects/melbourne-airport-rail/planning/planning-approvals>

APPENDIX A CORRIDOR SECTION ACTION AREA



APPENDIX B ENVIRONMENTAL OFFSETS FOR SPINY RICE-FLOWER



APPENDIX C ENVIRONMENTAL OFFSETS FOR STRIPED LEGLESS LIZARD



APPENDIX D NOTIFICATION OFFSET HAS BEEN SECURED



APPENDIX E NOTIFICATION OF ACKNOWLEDGING COMMENCEMENT OF ACTION





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