

Pakenham East Train Stabling & Maintenance Depot, Pakenham East, Victoria

Annual EPBC Act Approval Compliance Report

Reporting period: 17 February 2024 – 16 February 2025

Date of report: May 2025

Approval number	2014/7263
Approval holder	State of Victoria, represented by the Department of Transport and Planning (DTP)
ABN	69 981 208 782
Approved action	<p>To construct and operate a train stabling and maintenance Depot at Pakenham East in Victoria.</p> <p>[See EPBC Act referral 2014/7263 and variation notices dated 16 March 2016 and 3 April 2019]</p>

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PURPOSE OF REPORT

The purpose of this document is to demonstrate that there has been compliance with the conditions of the EPBC approval for the Project (EPBC 2014/7263) and to satisfy Condition 14 of that approval, which states:

Unless otherwise agreed to in writing by the Minister, within three months of every 12 month anniversary of the commencement of the action, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published. Reports must remain published for the life of the approval. The person taking the action must continue to publish this report each year until such time as agreed to in writing by the Minister.

The action commenced on 17 February 2017.

DESCRIPTION OF ACTIVITIES

Overview of Project

The State of Victoria, with the consent of the Department of Transport and Planning (DTP), has developed a stabling yard and maintenance facility in Pakenham, Victoria as part of the new High Capacity Metro Trains (HCMT) Project. The State of Victoria selected Evolution Rail to deliver the High Capacity Metro Trains Project (HCMT), which is being delivered as an availability based public-private partnership.

Downer EDI Services Pty Ltd (Downer), the (Depot contractor), as a subcontractor to Evolution Rail, are operating the Depot at Pakenham East, which includes bringing online and servicing 70 new High Capacity Metro Trains (HCMTs) using the new Train Maintenance Facility, Train wash, Stabling Yard and associated infrastructure. The infrastructure includes:

- Train Maintenance Facility
 - A drive through train maintenance building able to accommodate five HCMTs, incorporating a site office, a site control centre, staff amenity and operations
 - Auxiliary buildings: Train wash, Bio wash and Graffiti wash, Wheel Lathe, Integrated Testing Facility, Guard house, Presentation platform, High Capacity Signalling platform
- Stabling Yard
 - Stabling tracks and connecting tracks
- Civil Infrastructure
 - Vehicle access for Oakview Lane plus internal roadways, loading/ unloading areas, car parking and pedestrian walkways
 - Upgraded and widened local roads, including Bald Hill Road and Oakview Lane, to encompass increased traffic of heavy vehicles during construction and operation, including the installation of designated turning lanes into Oakview Lane from Bald Hill Road.
 - Ancillary services such as water, electricity, sewerage, gas, communications
 - Drivers Pathways for accessing and egressing HCMTs
- Approximately 17km of ballast tracks and rail systems
 - Ten stabling roads,
 - Two arrival roads, one departure road, loop and test track, 5 maintenance roads, two integrated test facility road
 - One-wheel lathe road, one bio/Graffiti wash road, one presentation road.
 - Approximately 3km of embedded track inside the building.

The Caulfield to Dandenong Level Crossing Removal Works Alliance (the Rail contractor) are delivering additional connection works within the existing rail corridor as part of the required works for the Project. This includes:

- Extension of the mainline track electrification between Pakenham Station and the Depot
- Extension of the existing and installation of new signaling infrastructure from Pakenham Station to approximately 1.5km east of the HCMT Depot
- Two track turnouts to allow rail access to and from the rail corridor

The site maps in Attachment 1 show the areas of operation of both the Depot contractor (the Depot Site) and the Rail contractor (the Rail Corridor).

Works undertaken during Current Reporting Period

The following works have been undertaken in the approval area during the 2024/2025 reporting period:

- Depot Site (Downer)
 - Punchlist items rectification completed.
- HCMT Train (Downer)
 - 70 HCMTs currently operating in revenue service

Rail Corridor (MTM)

- Biodiversity management activities as specified in the Project Threatened Species Management Plan (TSMP)

Roles, responsibilities and project phase

The following table outlines why in Section 3 Compliance Table at time the:

- Depot site actions can be mentioned under both the Depot Contractor and Rail Contractor and
- Rail Contractor and Rail Operator is referenced as responsible managers for the rail corridor (i.e., Rail Contractor and Rail Operator have specific roles and responsibilities during construction and operation phases).

Project location	Construction phase	Operation phase
Depot site	Contractor (Downer)	Contractor (Downer)
Rail corridor	Rail Contractor (C2DLXRA)	Franchisee (MTM)

APPROVAL CONDITIONS COMPLIANCE TABLE

Condition No.	Approval Condition	Relevant project phase	Action status	Is the Project compliant with this condition?	Comments and Supporting Documentation
1	The approval holder must ensure construction does not occur outside the project area .	Construction	Depot site: Complete	Not applicable	Evolution Rail N/A – Construction did not occur within this reporting period.
2	The approval holder must establish designated no-go zones and a growing grass frog conservation buffer prior to construction . The no-go zones and a conservation buffer must be protected with temporary fencing for the duration of construction .	Early Works & Construction	Depot site: Complete	Not applicable	Evolution Rail N/A – Construction did not occur within this reporting period.
3	Prior to construction , the approval holder must engage a suitably qualified expert to prepare a report detailing the baseline condition of retained fauna habitat and conservation buffer within the project area . The baseline condition data must include the percentage of vegetative cover and weed cover present.	Early Works	Depot site: Complete	Compliant	Evolution Rail As previously outlined in the 2022/2023 Compliance Report, a preliminary ecological condition report was completed by AECOM in February 2016 on behalf of the Department of Transport and Planning during the planning phase of the Project (Attachment 2). Further to the ecological condition report dated February 2016 and as outlined in the 2022/2023 Compliance Report, an additional assessment of the Depot site was completed in January 2017 by Ecology and Heritage Partners to detail the baseline condition of retained fauna habitat and conservation buffer within the Depot site (Attachment 3). Supporting Documentation: <ul style="list-style-type: none"> Attachment 2 HCMT Ecological Existing Conditions Report – AECOM (February 2016). Attachment 3 Baseline Condition Report for the Pakenham East Train Maintenance Depot, Victoria – Ecology &

Condition No.	Approval Condition	Relevant project phase	Action status	Is the Project compliant with this condition?	Comments and Supporting Documentation
					Heritage Partners (January 2017)
4	Best practice hygiene protocol(s) for control of diseases in frogs must be employed throughout construction within the project area , to prevent the spread of disease.	Construction	Depot site: Complete	Not applicable	Evolution Rail N/A – Construction did not occur within this reporting period.
5(a)	The approval holder must ensure that: Habitat reduction works are undertaken in the manner specified in the Threatened Species Management Plan prior to construction	Construction	Depot site: Complete	Not applicable	Evolution Rail N/A – Construction did not occur within this reporting period.
5(b)	The approval holder must ensure that: Protected matters do not disperse into the construction footprint .	Construction	Depot site: Complete	Not applicable	Evolution Rail N/A – Construction did not occur within this reporting period.
5(c)	The approval holder must ensure that: Annual fox control is undertaken in the manner specified in the Threatened Species Management Plan .	Construction & Operation	Depot site: Ongoing	Compliant	Evolution Rail Fox control has been undertaken annually as outlined in previous compliance reports. During the 2024-2025 reporting period fox control was undertaken in all zones (Attachment 9). Locations of fox bait stations are shown in figure 3 of Attachment 9. Supporting Documentation: <ul style="list-style-type: none">Attachment 9 Pakenham East Depot Annual Works Report (Abzeco April 2025) Rail Operator (Franchisee) Rail Corridor:

Condition No.	Approval Condition	Relevant project phase	Action status	Is the Project compliant with this condition?	Comments and Supporting Documentation
					No action required - The TSMP (Table 18 – Action 2.5 & 2.8) specifies that fox control programs are required within Fauna Zone's 1, 2 & 3 (Depot Site).
6(a)	<p>To reduce impacts to protected matters, the approval holder must, for the life of the approval:</p> <p>Maintain the extent of retained fauna habitat and conservation buffer within the project area.</p>	Construction & Operation	Depot site: Ongoing	Compliant	<p><u>Evolution Rail</u></p> <p>The extent of retained fauna habitat and conservation buffer within the project area was maintained during the 2024-2025 reporting period as shown in figure 1 of Attachment 9.</p> <p>No-Go zones are delineated with fencing and separated from the operations footprint.</p> <p>As per the requirements of the Flora and Fauna Management Sub-Plan (Attachment 4), fencing was established in January / February 2017 prior to the commencement of Project works.</p> <p>As per the requirements of the Flora and Fauna Management Sub- Plan (see Attachment 4), fencing is inspected monthly as part of the Environmental Inspection (Attachment 5). These fenced areas have not been altered since the commencement of the action.</p> <p>Supporting Documentation:</p> <ul style="list-style-type: none"> Attachment 9 Pakenham East Depot Annual Works Report (Abzeco April 2025) Attachment 4 Flora and Fauna Management Sub-Plan Attachment 5 Environmental Inspection Template. <p><u>Rail Operator (Franchisee)</u></p> <p>Rail Corridor:</p> <p>During the reporting year, targeted woody weed removal was undertaken within the rail corridor, in line with TSMP targets. The overall extent of retained fauna habitat was not reduced. To maintain fauna habitat extent, purpose-built habitat shelters/ refuges (6 no.) for Southern Brown Bandicoot were installed in Flora Zone 1 in FY22/23 and FY24/25 at locations of woody weed</p>

Condition No.	Approval Condition	Relevant project phase	Action status	Is the Project compliant with this condition?	Comments and Supporting Documentation
					<p>removal and revegetation. Within Flora Zone 1 where targeted Blackberry and Gorse removal was undertaken, poorer quality sections of the site were revegetated with native grasses and shrubs to improve connectivity of habitat for Southern Brown Bandicoot. In areas where woody weed removal has occurred outside of Flora Zone 1, this has provided an opportunity for native vegetation to recolonise the area without competing weed pressure.</p> <p>During the reporting year there were no habitat restoration works which impacted the retained fauna habitat within the rail corridor. The rail corridor continues to be managed as a NGZ with restricted operational access.</p> <p>Supporting Documentation: Summary of biosite management works, July 2023 - June 2024 (MCMC 2024) MTM - Arboricultural Works (Evergreen Contractors 2025)</p>
6(b)	<p>To reduce the impacts to protected matters, the approval holder must, for the life of the approval:</p> <p>Maintain the extent of vegetative cover over 1m in height within the retained fauna habitat and conservation buffer.</p>	Construction & Operation	Depot site: Ongoing	Compliant	<p>Evolution Rail</p> <p>No vegetation removal occurred during the reporting period. Weed control occurred as per the methodology outlined in Attachment 6 however weed structure was maintained for the purposes of fauna habitat. As outlined in Attachment 9 there is no reduction in the extent of protected habitat for this reporting period.</p> <p>Table 2b of Attachment 9 outline how vegetative cover was retained within the fauna and flora zones for the reporting period.</p> <p>Supporting Documentation:</p> <ul style="list-style-type: none"> Attachment 6 Threatened Species Management Plan – Stage 1 – AECOM (June 2018) Attachment 9 Pakenham East Depot Annual Works Report (Abzeco April 2025)

Condition No.	Approval Condition	Relevant project phase	Action status	Is the Project compliant with this condition?	Comments and Supporting Documentation
					<p><u>Rail Operator (Franchisee)</u></p> <p>Rail Corridor: During the reporting year there was woody weed removal works undertaken on individual plants (Gorse, Blackberry, Broom) that may have extended 1m in height. All woody weed removal was undertaken within the weed reduction targets specified in the TSMP. Areas of woody weed removal within Flora Zone 1 have been revegetated during the reporting period with native understory species which provides suitable habitat for Southern Brown Bandicoot. Where woody weed removal has occurred outside of Flora Zone 1, these areas have been left for native vegetation to recolonise these areas without competing weed pressure.</p> <p>Supporting Documentation: Summary of biosite management works, July 2023 - June 2024 (MCMC 2024) MTM - Arboriculture Works (Evergreen Contractors 2025)</p>
6(c)	<p>To reduce the impacts to protected matters, the approval holder must, for the life of the approval:</p> <p>Undertake revegetation and habitat enhancement within the retained fauna habitat and conservation buffer within 1 month of the completion of habitat reduction works.</p>	Construction & Operation	Depot site: Completed		<p><u>Evolution Rail</u></p> <p>Revegetation and habitat enhancement work within the retaining habitat and habitat enhancement works within the retained fauna habitat and construction buffer as defined in Attachment 6 commenced within 1 month of the completion of habitat reduction works prior to construction.</p> <p>Revegetation and habitat enhancement works are ongoing within the retained fauna habitat and conservation buffer as detailed in table 2b of Attachment 9.</p> <p>Supporting Documentation:</p> <ul style="list-style-type: none"> Attachment 6 Threatened Species Management Plan – Stage 1 – AECOM (June 2018) Attachment 9 Pakenham East Depot Annual Works Report (Abzeco April 2025) <p><u>Rail Operator (Franchisee)</u></p>

Condition No.	Approval Condition	Relevant project phase	Action status	Is the Project compliant with this condition?	Comments and Supporting Documentation																											
					<p>Rail Corridor:</p> <p>No action required - The Threatened Species Management Plan (Table 18 – Action 2.4) specifies that replacement planting of habitat areas treated for woody weeds is required within Fauna Zone 1 (Depot Site). Appendix G – Figure 1 also shows Habitat Enhancement Area being within the Depot Fauna Zone. Additionally, the TSMP specifies that the habitat reduction works are to be undertaken prior to construction.</p>																											
7	<p>The approval holder must maintain and improve the condition of the retained fauna habitat and conservation buffer. By the 15 year anniversary of the commencement of the action, relative to the baseline condition there must be:</p> <p>a) an increase in vegetative cover of at least 20%; and</p> <p>b) a decrease in weed cover of at least 20%.</p>	Construction & Operation	Depot site: Ongoing	Update for year 7 of 15	<p>Evolution Rail</p> <p>Table 2b and 2c of Attachment 9 detailed the maintenance of vegetative cover and reduction in weed cover through the 2024-2025 reporting period compared to the baseline.</p> <table><tr><td>Area</td><td>Baseline Vegetation Cover</td><td>Current Vegetation Cover</td></tr><tr><td>Flora Zone</td><td>80-100%</td><td>94.15%</td></tr><tr><td>Fauna Zone 1</td><td>80-100%</td><td>100%</td></tr><tr><td>Fauna Zone 2</td><td>80-100%</td><td>91.74%</td></tr><tr><td>Fauna Zone 3</td><td>90%</td><td>98%</td></tr></table> <p>Weed Cover</p> <table><tr><td>Area</td><td>Baseline Weed Cover</td><td>Current Weed Cover (Nov 22- Year 6)</td><td>% decrease from baseline cover</td></tr><tr><td>Flora Zone</td><td>20%</td><td>1%</td><td>25%</td></tr><tr><td>Fauna Zone 1</td><td>70%</td><td>5%</td><td>70%</td></tr></table>	Area	Baseline Vegetation Cover	Current Vegetation Cover	Flora Zone	80-100%	94.15%	Fauna Zone 1	80-100%	100%	Fauna Zone 2	80-100%	91.74%	Fauna Zone 3	90%	98%	Area	Baseline Weed Cover	Current Weed Cover (Nov 22- Year 6)	% decrease from baseline cover	Flora Zone	20%	1%	25%	Fauna Zone 1	70%	5%	70%
Area	Baseline Vegetation Cover	Current Vegetation Cover																														
Flora Zone	80-100%	94.15%																														
Fauna Zone 1	80-100%	100%																														
Fauna Zone 2	80-100%	91.74%																														
Fauna Zone 3	90%	98%																														
Area	Baseline Weed Cover	Current Weed Cover (Nov 22- Year 6)	% decrease from baseline cover																													
Flora Zone	20%	1%	25%																													
Fauna Zone 1	70%	5%	70%																													

Condition No.	Approval Condition	Relevant project phase	Action status	Is the Project compliant with this condition?	Comments and Supporting Documentation			
					Fauna Zone 2	20%	5%	70%
					Fauna Zone 3	50%	5%	70%
					<p>Supporting Documentation:</p> <ul style="list-style-type: none"> Attachment 9 Pakenham East Depot Annual Works Report – Abzeco April 2025 <p><u>Rail Operator (Franchisee)</u></p> <p>Rail Corridor:</p> <p>Vegetation and weed cover requirements specified in approval condition 7 were not being reported against in the rail corridor in annual compliance reports prior to handover to the Franchisee. However, the Franchisee has been reporting against the vegetation cover and weed cover targets outlined for Condition 7 as they relate to retained SBB habitat in the rail corridor. Post-handover baseline condition assessments of vegetation cover and weed cover within retained SBB habitat within the rail corridor was collected in 2023 and is reported on annually in the annual compliance report. Habitat Management Services (HMS) baseline conditions report from 2016 (HMS 2016) is used as the baseline condition assessment for the commencement of the action. Baseline assessment locations captured in HMS (2016) are provided in the table below and will be used for ongoing vegetation and weed cover monitoring.</p> <p>Vegetation Cover</p> <p>This year, all sections of retained fauna habitat showed an increase in vegetation cover compared to the 2016 baseline, with the exception of HZ 30 which showed a small decrease (-4.5%). It is worth noting that HZ 30 increased in vegetation cover by +1.2% since the last reporting year. In most cases the increases in vegetation cover are incremental (7.9% and 11.1%.) and are</p>			

Condition No.	Approval Condition	Relevant project phase	Action status	Is the Project compliant with this condition?	Comments and Supporting Documentation				
					on track to mee the 20% target. Flora Zone 1 (south) has met the increase cover target which will be maintained and futher increased as required. Work within HZ 30 has been limited this past year due to vehicle access into this section of track not being available due to a washed-out culvert crossing (storm damage) at Hancocks Gully. The gully crossing has since been remediated and vegetation along the vehicle access track is being progressivly managed to once again provide vehicle access to HZ 30. This access issue has limited weed management in HZ 30 which has subsequently prevented revegetation activities.				
					Vegetation Cover				
					Area	Baseline Vegetation Cover (HMS, 2016)	Current Vegetation Cover (spring-summer 2023-24)	Current Vegetation Cover (spring-summer 2024-25)	% change since 2016 (baseline)
					HZ 11 (AECOM, 2016)	70%	No longer present (Removed for Pak East Station)	No longer present (Removed for Pak East Station)	No longer present (Removed for Pak East Station)
					HZ 13, 15, 17, 19 (AECOM, 2016)	70%	86%	92%	31.4%
					HZ 14, 16	85%	92%	95%	11.8%
					HZ 30	90%	85%	86%	-4.4%

Condition No.	Approval Condition	Relevant project phase	Action status	Is the Project compliant with this condition?	Comments and Supporting Documentation				
					SBB habitat North side of track	75%	82%	90%	20.0%
					BB habitat South side of track	80%	85%	87%	8.7%
					Zone-East of Oakview Lane North & South of Rail line	85%	91%	92%	8.2%
					<p>Weed Cover</p> <p>All sections of retained fauna habitat showed a decrease in high-threat weed cover compared to the 2016 baseline, with the exception of HZ 30 where weed cover increased from 10% in 2016 to 14% in 2024-25. In all other zones, high-threat weed cover has decreased to at least the 20% target, and well beyond the target in the case of Flora Zone 1 (a 73.3% decrease in high-threat weed cover on the south side, and 66.7% decrease on the north side). Weed management within HZ 30 has been limited this past years due to vehicle access into this section of track not being available due to a washed out culvert crossing (storm damage) at Hancocks Gully. The gully crossing has since been remediated and vegetation along the vehicle access track is being progressively managed to once again provide vehicle access to HZ 30.</p>				

Condition No.	Approval Condition	Relevant project phase	Action status	Is the Project compliant with this condition?	Comments and Supporting Documentation				
					Weed Cover				
					Area	Baseline Weed Cover (HMS, 2016)	Current Weed Cover (spring 2023-24)	Current Weed Cover (spring 2024-25)	% change since 2016 (baseline)
					HZ 11 (AECOM, 2016)	30%	No longer present (Removed for Pak East Station)	No longer present (Removed for Pak East Station)	No longer present (Removed for Pak East Station)
					HZ 13, 15, 17, 19 (AECOM, 2016)	30%	14%	8%	-73.3%
					HZ 14, 16	15%	8%	5%	-66.7%
					HZ 30	10%	14%	14%	40.0%
					SBB habitat North side of track	25%	18%	10%	-60.0%
					BB habitat South side of track	20%	15%	13%	-35.0%
					Zone-East of Oakview Lane North	15%	9%	8%	-46.7%

Condition No.	Approval Condition	Relevant project phase	Action status	Is the Project compliant with this condition?	Comments and Supporting Documentation					
					& South of Rail line					
					Supporting Documentation: Annual Site Condition Assessment Pakenham East Rail Corridor (MCMC 2025) Summary of biosite management works, July 2023 - June 2024 (MCMC 2024) MTM - Arboricultural Works (Evergreen Contractors 2025) Baseline Ecological Report – Pakenham East Train Maintenance Depot – Railway Corridor. HMS (2016)					
8	The increase in vegetative cover required in Condition 7 must be verified in writing by a suitably qualified expert in a report detailing the results of an assessment. The report must be provided to the Department and be published on the approval holder's website within 20 business days of the 15 year anniversary of the commencement of the action .	Operation	Depot site: N/A	Not applicable	Evolution Rail The assessments discussed above in relation to Condition 3 will be used as baseline for the confirmation of compliance with this condition by the 15-year anniversary of the action. Rail Operator (Franchisee) Rail Corridor: The Habitat Management Services Baseline Ecological Report – Pakenham East Train Maintenance Depot – Railway Corridor. HMS (2016) will be used as baseline for the confirmation of compliance with this condition by the 15-year anniversary of the action. The 2022 Baseline Site Condition Report (MCMC, 2022) and the 2023 baseline condition report for retained Southern Brown Bandicoot habitat (MCMC 2023) within the rail corridor will provide an update on vegetation and weed cover upon handover to the Franchisee.					
9	Prior to the commencement of the action , the approval holder must, for the long-term protection of the growling grass frog , enter into a legal mechanism to secure an offset containing			Compliant	Evolution Rail As outlined in the 2021/2022 Compliance Report, the Fernbank offset was procured by the Department of Transport and Planning on 17 November 2016, prior to the commencement of the action, when a Surplus Credit Trading Agreement was signed by the relevant parties (see Attachment 7).					

Condition No.	Approval Condition	Relevant project phase	Action status	Is the Project compliant with this condition?	Comments and Supporting Documentation
	<p>5.66 ha of growing grass frog habitat at Fernbank as identified in Annex B. Within 14 days of the offset being secured the approval holder must provide the Department with:</p> <p>a) Written evidence demonstrating that the offset has been secured; and</p> <p>b. Shapefiles and offset attributes that clearly define the location and boundaries of the offset site.</p>				<p>Written evidence demonstrating the sourcing of the offset (including relevant shapefiles and offset attributes) was provided to the Department on 6 and 7 December 2016</p> <p>Supporting Documentation</p> <ul style="list-style-type: none"> Attachment 7 Surplus Credit Trading Agreement
10	<p>If, at any time after 6 months from the date of this approval, the approval holder has not entered into a legal mechanism to secure the offset at Fernbank, the approval holder must submit an alternative offset strategy to the Department. The approval holder must ensure any proposal for alternative offsets is agreed to in writing with the Department prior to the commencement of the action.</p>			Not applicable	<p>Evolution Rail</p> <p>As outlined in the 2021/2022 Compliance Report, the Fernbank offset was procured within 6 months of the date of the project approval.</p> <p>As such, this condition is deemed non applicable.</p>
11	<p>The approval holder must ensure the offset is</p>	Construction & Operation	Depot site: Ongoing	Year 7 update out of 10 years	<p>Evolution Rail</p> <p>The annual Landowner Offset Management Report is included as an</p>

Condition No.	Approval Condition	Relevant project phase	Action status	Is the Project compliant with this condition?	Comments and Supporting Documentation
	managed in accordance with the offset management measures at Fernbank as identified in Annex B for a period of at least 10 years commencing from the day the offset is secured .				attachment to demonstrate compliance with this Condition (see Attachment 8). Supporting Documentation <ul style="list-style-type: none"> Attachment 8 Annual Report – End of Year 7 – Growling Grass Frog Offset at 3300 Princes Hwy, Fernbank, Victoria-Bush Blocks -
12	Within 14 days after the commencement of the action , the person taking the action must advise the Department in writing of the actual date of commencement.	Construction	Depot site: Ongoing	Compliant	Evolution Rail As outlined in the 2021/2022 Compliance Report, the commencement of the action was on 17 February 2017. Written confirmation of commencement was provided by Manish Pancholi, Downer to the attention of Keith Horwood from the Commonwealth Department of the Environment and Energy on 2 March 2017 – 13 days after the commencement of the action. This was acknowledged by the Department in a return letter dated 20 March 2017.
13	The person taking the action must maintain accurate recorded substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement any management plans and offset management measures required by this approval, and make them available upon request to the Department . Such records may be subject to audit by the Department or an independent auditor in accordance with Section 458	Construction & Operation	Depot site: Ongoing	Compliant	Evolution Rail As outlined in the 2021/2022 Compliance Report accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement any management plans and offset management measures required by this approval, are available for perusal by the Department if requested.

Condition No.	Approval Condition	Relevant project phase	Action status	Is the Project compliant with this condition?	Comments and Supporting Documentation
	of the EPBC Act , or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the Department's website. The results of audits may also be publicised through the general media.				
14	<p>Unless otherwise agreed to in writing by the Minister, within three months of every 12 month anniversary of the commencement of the action, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions.</p> <p>Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published. Reports must remain published for the life of the approval. The person taking the action</p>	Construction & Operation	Depot site: Ongoing	Compliant	<p>Evolution Rail This report has been prepared to satisfy this condition. It will be published on the HCMT project website.</p> <p>The commencement of the action occurred 17 February 2017, and as a result, the due date for this report is 17 May 2025.</p>

Condition No.	Approval Condition	Relevant project phase	Action status	Is the Project compliant with this condition?	Comments and Supporting Documentation
	must continue to publish this report each year until such time as agreed in writing by the Minister .				
15	<p>The person taking the action may choose to revise a management plan, program or strategy approved by the Minister under Conditions 2-11 without submitting it for approval under Section 143A of the EPBC Act, if the taking of the action in accordance with the revised plan, program or strategy would not be likely to have a new or increased impact. If the person taking the action makes this choice they must:</p> <ul style="list-style-type: none"> a) Notify the Department in writing that the approved plan, program or strategy has been revised and provide the Department with an electronic copy of the revised plan. Program or strategy; b) Implement the revised plan, program or strategy from the date 	Construction & Operation	Depot site: Complete	Compliant	<p>Evolution Rail</p> <p>Following the approved amendments to the TSMP on 3rd April 2019, there have been no further changes to management plans, program or strategy within this reporting period. As such, there has been no requirement to notify the Department.</p>

Condition No.	Approval Condition	Relevant project phase	Action status	Is the Project compliant with this condition?	Comments and Supporting Documentation
	that the plan, program or strategy is submitted to the Department ; and c) For the life of this approval, maintain a record of the reasons the approval holder considers that taking the action in accordance with the revised plan, program or strategy would not be likely to have a new or increased impact .				
16	The person taking the action may revoke their choice under Condition 15 at any time by notice to the Department . If the person taking the action revokes the choice to implement a revised plan, program or strategy, without approval under Section 143A of the Act, the plan, program or strategy approved by the Minister must be implemented.	Construction & Operation	Depot site: N/A	Not applicable	N/A
17	Condition 15 does not apply if the revisions to the approved plan, program or strategy include changes to	Construction & Operation	Depot site: N/A	Not applicable	N/A

Condition No.	Approval Condition	Relevant project phase	Action status	Is the Project compliant with this condition?	Comments and Supporting Documentation
	<p>environmental offsets provided under the plan, program</p> <p>or strategy in relation to a matter protected by a controlling provision for the action, unless otherwise agreed in writing by the Minister. This does not otherwise limit the circumstances in which the taking of the action in accordance with a revised plan, program or strategy would, or would not, be likely to have new or increased impacts.</p>				
18	<p>If the Minister gives a notice to the person taking the action that the Minister is satisfied that the taking of the action in accordance with the revised plan, program or strategy would be likely to have a new or increased impact, then:</p> <ul style="list-style-type: none"> a) Condition 15 does not apply, or ceases to apply, in relation to the revised plan, program or b) The person taking the action must implement the plan, program or strategy 	Construction & Operation	Depot site: N/A	Not applicable	N/A

Condition No.	Approval Condition	Relevant project phase	Action status	Is the Project compliant with this condition?	Comments and Supporting Documentation
	approved by the Minister . To avoid any doubt, this condition does not affect any operations of Conditions 15, 16 and 17 in the period before the day the notice is given.				
19	At the time of giving the notice the Minister may also notify that for a specified period of time that Condition 15 does not apply for one or more specified plans, programs or strategies required under the approval.	Construction & Operation	Depot site: N/A	Not applicable	N/A
20	Conditions 15, 16, 17 and 18 are not intended to limit the operation of Section 143A of the EPBC Act which allows the person taking the action to submit a revised plan, program or strategy to the Minister for approval.	Construction & Operation	Depot site: N/A	Not applicable	N/A
21	If, at any time after five (5) years from the date of this approval, the person taking the action has not substantially commenced the action, then the person taking the action must not substantially commence the action without the written agreement of the Minister . Unless otherwise agreed to	Construction & Operation	Depot site: N/A	Not applicable	N/A

Condition No.	Approval Condition	Relevant project phase	Action status	Is the Project compliant with this condition?	Comments and Supporting Documentation
	in writing by the Minister , the person taking the action must publish all management plans referred to in these conditions of approval on their website. Each management plan must be published on the website within 1 month of being approved by the Minister or being submitted under Condition 15.				

ANNEX A LIST OF SUPPORTING DOCUMENTS

Attachment Number	Document Title
1	Post-Construction Ecology Baseline Assessment HCMT Depot Pakenham – Cardno (March 2021)
2	HCMT Ecological Existing Conditions Report – AECOM (February 2016)
3	Baseline Condition Report for the Pakenham East Train Maintenance Depot, Victoria – Ecology & Heritage Partners (January 2017)
4	Flora and Fauna Management Sub-Plan – Downer (2024)
5	Monthly Environmental Inspection Checklist (Downer)
6	Threatened Species Management Plan – Stage 1 – AECOM (June 2018)
7	Surplus Credit Trading Agreement
8	Annual Report – End of Year 6 – Growling Grass Frog Offset at 3300 Princes Hwy, Fernbank, Victoria – Bush Blocks (April 2025)
9	Pakenham East Depot Annual Works Report (Abzeco April 2025)