

KOO WEE RUP BYPASS PROJECT

Annual Compliance Report 2024-2025 EPBC Approval No. 2010/5784

Prepared for
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VICTORIA
State
Government

Department
of Transport
and Planning



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DOCUMENT INFORMATION

EPBC Approval number: 2010/5784

Approval holder: Department of Transport and Planning (ABN 69 981 208 782)


Approved action: Construction of a bypass of the Koo Wee Rup township between Manks Road and South Gippsland Highway, Victoria.

Document title: Annual Compliance Report 2024-2025 EPBC Approval No. 2010/5784

Version No. 1.0

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 

Alex Green

Executive Director Greater Metro Region

Department of Transport and Planning (ABN 69 981 208 782)

Date: 02/09/2025

TERMS, ABBREVIATIONS AND DEFINITIONS

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

Table 1 List of Terms and Abbreviations

Terms / Abbreviation	Definition
Approval Holder	Department of Transport and Planning, formerly VicRoads. ABN 61 760 960 480
DCCEEW	Department of Climate Change, Energy, the Environment and Water (formerly the Department of Environment, DoE)
DEECA	Department of Energy, Environment and Climate Action (formerly Department of Sustainability and Environment, DSE)
DTP	Department of Transport and Planning (formerly VicRoads)
DTP website for the Koo Wee Rup Bypass EPBC Compliance Reporting	https://www.vic.gov.au/epbc-commitments#koo-wee-rup-bypass
EPBC Act	Environmental Protection and Biodiversity Conservation Act 1999
EPA	Environmental Protection Authority
FMP	Koo Wee Rup Bypass EPBC Act 1999 Fauna Management Plan
GGF	Growling Grass Frog
ha	Hectare
OMP	Koo Wee Rup Bypass EPBC Act 1999 Offset Management Plan
SBB	Southern Brown Bandicoot



1 EXECUTIVE SUMMARY

EPBC Act Approval No. 2010/5784 was issued to VicRoads on 10 October 2013 for construction of the Koo Wee Rup Bypass. The Bypass is located approximately 1.5 km from the Koo Wee Rup Township between Manks Road and the South Gippsland Highway.

VicRoads, the original project approval holder, is now a part of the Department of Transport and Planning (DTP). This report recognises the DTP as the approval holder and authority for the project.

This compliance report addresses the status of the Koo Wee Rup Bypass Project against the approval conditions for the period between 1 July 2024 to 30 September 2025 and finds compliance with all conditions.

2 INTRODUCTION

2.1 Purpose of this Report

This report details compliance with the conditions of Approval No. 2010/5784 under the EPBC Act, in accordance with Condition No. 11 of the decision notice.

2.2 Project Background

The Koo Wee Rup Bypass is the first stage of an upgrade of the Healesville – Koo Wee Rup Road to freeway standard between the Pakenham Bypass and the South Gippsland Highway. The bypass is located to the west of the Koo Wee Rup township and is situated 65 kilometres south-east of Melbourne, within the Shire of Cardinia, passing through farmland.

The bypass is approximately 3.4 kilometres, between Manks Road and the South Gippsland Highway, including bridging over the Bunyip River and associated drains. The bypass re-routes large commercial vehicles and trucks travelling through the Koo Wee Rup township, reducing noise, and improving safety for the community of Koo Wee Rup.

The plan of the project area can be found in Appendix A of this report.

2.3 EPBC Act Requirements

The EPBC Act has several objectives, including the protection of Matters of National Environmental Significance, such as nationally threatened species and ecological communities and heritage places.


A decision issued on 14 January 2011 determined that the Koo Wee Rup Bypass proposed action was a 'controlled action' requiring assessment and approval under the EPBC Act. The relevant controlling provisions were:

Listed threatened species and communities (sections 18 and 18A):

- Southern Brown Bandicoot (*Isoodon obesulus obesulus*),
- Growling Grass Frog (*Litoria raniformis*)
- Australian Grayling (*Prototroctes maraena*); and

Wetlands of international importance (sections 16 and 17B) (the Ramsar Convention) being Western Port Bay.

The project was approved by the Department of Climate Change, Energy, the Environment and Water (DCCEEW) (the Department), previously the Department of Sustainability, Environment, Water, Population and Communities, as a



controlled action, with conditions, on 10 October 2013. Subsequent variations to the approval conditions were made on 25 March 2014, 18 June 2014, and 21 December 2017.

A copy of the EPBC Approval Notice and variations can be found on the DCCEE website [Referral summary · EPBC Act Public Portal \(awe.gov.au\)](#)

3 PROJECT STATUS

3.1 Construction

Construction of the Koo Wee Rup Bypass concluded in May 2015.

3.2 Management Plans

All obligations detailed the Offset Management Plan and Fauna Management Plan were achieved by September 2018 and are discussed in the 2017/2018 Annual Compliance Report. No further reporting on the Fauna Management Plan and Offset Management Plan is required, following the successful completion of these plans in 2018.

3.3 Current requirements

Management of the Koo Wee Rup Bypass Offset in perpetuity.

The Koo Wee Rup Bypass Offset Agreement, made under section 173 of the Planning and Environment Act 1987, requires the owner to secure, protect and maintain the parts of the Land upon which the offsets are located for the purposes of the offsets consistent with the Offset Management Plan in perpetuity, including (a) reducing and minimising weeds, (b) maintaining fauna-proof fences, (c) controlling pest animals; and (d) not undertaking or allowing any development that would adversely impact upon the part of the Land that is used for the purpose of offsets under the Offset Management Plan.

Annual reporting for the life of the approval (effective until 1 October 2025).

Within three months of June 30 each year following the commencement of construction activities, 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/programs as specified in the conditions. Documentary evidence providing proof of the date of publication must be provided to the department at the same time as the compliance report is published. Non-compliance with any of the conditions of the approval must also be reported to the department within 2 business days of becoming aware of the non-compliance.

4 PERFORMANCE AND COMPLIANCE (EPBC 2010/5784)

Table 2 EPBC Act Approval Notice 2010/5784 compliance results

Condition Number	Condition	Compliance Status	Evidence / Comments
1	The action must not occur outside of the project area.	Compliant	Construction of the Koo Wee Rup Bypass was completed in May 2015 and all works were contained within the project area. Aerial photographs verify works did not extend outside the project work area.
2	To minimise impacts on the Western Port Ramsar Wetland and Australian Grayling, the person taking the action must ensure that the following measures are undertaken: a) there must be no extraction of water from the Bunyip River; b) construction activities within the Bunyip River must not occur outside the Bunyip River work area; and c) sediment, erosion and pollution control protocols must be implemented in accordance with: I. Construction Techniques for Sediment Pollution Control (EPA Publication No. 275, 1991); and II. Environmental Guidelines for Major Construction Sites (EPA Publication No. 480, February 1996).	Compliant	a) Water for construction works was extracted from onsite sources, sediment ponds or from McDonalds Drain with a water extraction licence obtained from the relevant water supplier. No water was extracted from the Bunyip River. b) Amendments to the Bunyip River work area were approved by the Minister in March and June 2014. The latest variation to the Bunyip River work area was approved on 18 June 2014 and can be found at Project Decision · EPBC Act Public Portal (awe.gov.au) All works were contained within the revised Bunyip River work area. c) Auditing and surveillance reports have verified that best practice erosion and sediment control were implemented. Note: Construction of the bridge was completed in February 2015.
3	The person taking the action must ensure that construction activities do not impact on more than 2.53 hectares of Southern Brown Bandicoot habitat.	Compliant	At the end of construction (May 2015), the total clearing of vegetation for construction activities impacted 1.17 hectares of Southern Brown Bandicoot habitat. The final amount of vegetation clearing is 54% below the 2.53 hectares permitted by the conditions.



Condition Number	Condition	Compliance Status	Evidence / Comments
			A detailed set of plans has been prepared which documents the total amount of the clearing of Southern Brown Bandicoot habitat.
4	The person taking the action must ensure that construction activities do not impact on more than 2.17 hectares of Growling Grass Frog terrestrial habitat.	Compliant	<p>At the end of construction (May 2015), the total clearing of vegetation for construction activities impacted 0.71 hectares of Growling Grass Frog terrestrial habitat. The final amount of vegetation clearing is 67% below the 2.17 hectares permitted by the conditions.</p> <p>A detailed set of plans has been prepared which documents the total amount of the clearing of Growling Grass Frog terrestrial habitat.</p>
5	To minimise noise disturbance to the Southern Brown Bandicoot during the breeding period, pile driving associated with bridge construction activities along the Bunyip River must not be undertaken from 1 July to 30 November in any year.	Compliant	<p>VicRoads sought a variation to this condition in a letter dated 5 June 2014 seeking to complete the piling in July if necessary which would enable the bridge and subsequent habitat reinstatement works to be completed earlier. Approval to the variation was granted in a letter dated 18 June 2014 which varied the period when pile driving activities must not be undertaken within the Bunyip River work area from 11 July to 30 November in any year. The approved variation can be found at Project Decision · EPBC Act Public Portal (awe.gov.au)</p> <p>Notwithstanding the granting of the variation, the last of the pile driving activities within the Bunyip River work area were completed on 28 June 2014 which still achieved compliance with the original condition.</p>
6	To minimise noise disturbance to the Southern Brown Bandicoot, construction activities at night time (between sunset and sunrise), must not occur within 100m of Southern Brown Bandicoot habitat.	Compliant	<p>The Contractor incorporated into the Construction Environmental Management Plan control measures to delineate the construction work area 100 metres away from the 3 key Southern Brown Bandicoot habitat areas listed in the FMP, when undertaking night time works.</p> <p>At the end of construction (May 2015), no construction works had been undertaken between sunset and sunrise within 100 metres of the 3 key habitat areas.</p>
7	To minimise impacts on the Australian Grayling, Southern Brown Bandicoot and Growling Grass Frog from construction	Compliant	a) The following preconstruction and construction programs have been undertaken as per the FMP:



Condition Number	Condition	Compliance Status	Evidence / Comments
	<p>activities, the person taking the action must implement the Fauna Management Plan; and:</p> <p>a) ensure the implementation of the Fauna Management Plan, including the fauna monitoring program and predator control program, begins prior to commencement of construction activities and continues over a period of at least 5 years; and ensure the Annual Report under condition 11, documents the results of the Fauna Management Plan (including results of preconstruction surveys, capture and release operations, and ongoing monitoring), in accordance with the reporting protocols at section 8 of the Fauna Management Plan. Survey results must be accompanied with a shapefile of the survey results.</p>		<ul style="list-style-type: none"> • Southern Brown Bandicoots and Pre-Construction Predator Baseline Surveys - Ecology Australia (17 April – 21 May 2013). • Growling Grass Frog and Swamp Skink Baseline Survey – Ecology Australia (December 2011 to February 2012). • Predator control program - Abzeco (May 2013 – May 2014). • Construction phase Fauna monitoring program - Mal's Environment and Ecological Services (commenced January 2014) • Koo Wee Rup Bypass Predator Control Program July-August 2014 • Koo Wee Rup Bypass Predator Control Program September-October 2014 • Koo Wee Rup Bypass Predator Control Program December-January 2014-15 • Koo Wee Rup Bypass Predator Control Program March 2015 • Koo Wee Rup Bypass Predator Control Program May 2015 • Koo Wee Rup Bypass Construction Phase GGF Monitoring Program - Spring-Summer 2014-2015 • Koo Wee Rup Bypass Construction Phase SBB Monitoring Program - Spring 2014 • Koo Wee Rup Bypass Construction Phase SBB Monitoring Program - Autumn 2015 • Koo Wee Rup Bypass Post-construction Monitoring, Southern Brown Bandicoot - Autumn 2016 • Koo Wee Rup Bypass Post-construction Monitoring, Southern Brown Bandicoot - Spring 2016 • Koo Wee Rup Bypass Growling Grass Frog Post-construction Monitoring - 2015/2016 season • Koo Wee Rup Bypass Growling Grass Frog post-construction monitoring - 2016/2017 season • Koo Wee Rup Bypass Predator Control Program – Summer 2017



Condition Number	Condition	Compliance Status	Evidence / Comments
			<ul style="list-style-type: none"> • Koo Wee Rup Bypass Predator Control Program – Autumn 2017 • Koo Wee Rup Bypass Predator Control Program – Winter 2017 • Koo Wee Rup Bypass Predator Control Program- Winter Spring 2017 • Koo Wee Rup Bypass Predator Control Program- Spring 2017 • Koo Wee Rup Bypass Predator Control Program – Summer 2018 • Koo Wee Rup Bypass Predator Control Program – Autumn 2018 • Koo Wee Rup Southern Brown Bandicoot Monitoring- Autumn 2017 • Koo Wee Rup Southern Brown Bandicoot Monitoring- Summer 2017 <p>Compliance with the Fauna Management Plan, including the fauna monitoring program and predator control program, over a period of at least 5 years, was achieved during the 2017/18 reporting period. No further action or reporting against the Fauna Management Plan is required in this reporting period.</p>
8	<p>To compensate for the loss of 2.53 hectares of Southern Brown Bandicoot habitat, the person taking the action must:</p> <p>a) enter into an Agreement under section 173 of the Planning and Environment Act 1987 to secure the Koo Wee Rup Bypass Offset, within 24 months of the date of this approval, and:</p> <ol style="list-style-type: none"> I. provide the department with a signed copy of the Agreement and evidence of lodgement with the Titles Office, within 2 weeks of lodgement; II. provide the department with the offset attributes, shapefile and map clearly defining the location and boundaries of the Koo Wee Rup Bypass Offset, within 2 weeks of lodgement; and 	Compliant	<p>All the bandicoot habitat revegetation required by the Offset Management Plan is established on land acquired by VicRoads for the Koo Wee Rup Bypass project. VicRoads requested Department of Environment to extend the timeframe for entering into a section 173 agreement for the land parcels and the timeframe was extended till 10 June 2018. VicRoads entered into the section 173 agreement with Cardinia Shire Council and notified Department of Environment on 4 June 2018.</p> <p>Compliance with requirements of the agreement is discussed in Condition 8 (c) below.</p>



Condition Number	Condition	Compliance Status	Evidence / Comments
	III. ensure that the Agreement is registered on the title on which the Koo Wee Rup Bypass Offset is located, and provide the department with evidence of registration, within 2 weeks of registration.		
8	b) ensure the Offset Management Plan is implemented. Implementation of the Offset Management Plan, including the fauna monitoring program and predator control program, must begin prior to commencement of construction activities and continue to be implemented over a period of at least 5 years; and	Compliant	<p>Compliance with the Offset Management Plan, including the fauna monitoring program and predator control program, over a period of at least 5 years, was achieved during the 2017/18 reporting period. No further reporting against the Offset Management Plan is required in this reporting period.</p> <p>The fauna monitoring and predator control programs are detailed in Condition 7 above.</p>
8	c) ensure the Annual Report under condition 11, documents the outcomes of the Offset Management Plan against the performance indicators (for habitat restoration and revegetation, wetland and drain establishment, predator control, fauna-proof fences and other infrastructure) as per section 3 of the Offset Management Plan.	Compliant	<p>Clause 4.1.2 of the Koo Wee Rup Bypass Offset Agreement, made under section 173 of the Planning and Environment Act 1987, requires the owner to secure, protect and maintain the parts of the Land upon which the offsets are located for the purposes of the offsets consistent with the Offset Management Plan in perpetuity, including (a) reducing and minimising weeds, (b) maintaining fauna-proof fences, (c) controlling pest animals; and (d) not undertaking or allowing any development that would adversely impact upon the part of the Land that is used for the purpose of offsets under the Offset Management Plan.</p> <p>The following work was undertaken during the reporting period in accordance with the agreement requirements:</p> <p>(A) Reducing and minimising weeds. Indigenous Design Ecological Management Pty Ltd targeted woody weeds, primarily blackberry and broom, across the entire site, utilising foliar herbicide spraying, and cut and paint method near wetland areas, on</p>



Condition Number	Condition	Compliance Status	Evidence / Comments
			<p>27 to 28 February 2025 (4-person team), 9 May 2025 (4-person team), 13 to 16 May 2025 (4-person team), 19 May 2025 (4-person team), 4 June 2025 (2-person team), 5 June 2025 (6 -person team), and 10 June 2025 (2-person team).</p> <p>Targeted areas are displayed in Figure 12.</p> <p>(B) Maintaining fauna-proof fences. TM Road Maintenance Services Pty Ltd repaired and replaced sections of damaged fauna fence between 4 and 6 August 2025. Repaired and replaced sections of fence are displayed in Figure 13.</p> <p>(C) Controlling pest animals. Timberscope Pty Ltd delivered a fox trapping program at the site between 31 March 2025 and 28 April 2025. The program comprised one week of pre-program free feed and monitoring, and a three-week trapping period; 17 monitoring locations, 24 rubber-padded leghold traps, and two confinement (cage) traps were established. Throughout the trapping period, traps were checked daily. Nine target species were captured: four foxes and five feral cats. No non-target species were captured. Targeted areas are displayed in Figure 11.</p>



Condition Number	Condition	Compliance Status	Evidence / Comments
			(D) Not undertaking or allowing any development that would adversely the site. The land is well secured, not subject to any adverse development impacts, and is inspected six times a year.
9	Within 30 calendar days after the commencement of construction activities, the person taking the action must advise the department in writing of the actual date of commencement of construction activities.	Compliant	Written notification was sent to the department on 19 November 2013, advising that construction activities commenced on site on 18 November 2013.
10	The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement management plans/programs 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 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.	Compliant	Management plans and programs can be found on the DTP website for the Koo Wee Rup Bypass project. https://www.vic.gov.au/epbc-commitments#koo-wee-rup-bypass



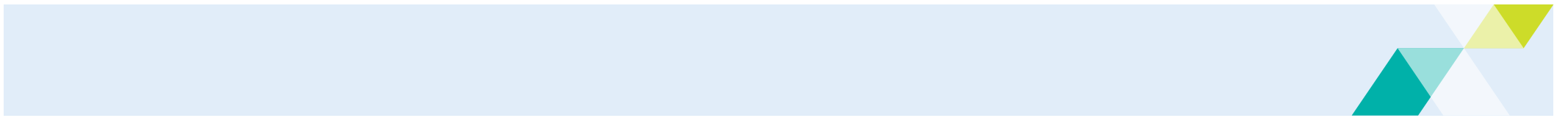
Condition Number	Condition	Compliance Status	Evidence / Comments
11	Within three months of June 30 each year following the commencement of construction activities, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans/programs as specified in the conditions. Documentary evidence providing proof of the date of publication must be provided to the department at the same time as the compliance report is published. Non-compliance with any of the conditions of the approval must also be reported to the department within 2 business days of becoming aware of the non-compliance.	Compliant	DTP published this report, on 23 September 2025, on the DTP EPBC Commitments website. Documentary evidence providing proof of the date of publication was provided to the Department (DCCEEW) at the same time. The website can be accessed via the following hyperlink: https://www.vic.gov.au/epbc-commitments#koo-wee-rup-bypass
12	Upon the direction of the Minister, the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.	Compliant	No directions have been received from the Minister for an independent audit of compliance.
13	If the person taking the action wishes to carry out any activity otherwise than in accordance with the management plans/programs as specified in the conditions, the person taking the action must submit to the department for the Minister's written approval a revised version of that management plan/program. The varied activity shall not commence until the Minister has approved the varied management plan/program in writing. The Minister will not approve a varied management plan/program unless the revised management plan/program would result in an	Compliant	Three variations to the EPBC conditions of approval for the Koo Wee Rup Bypass have been approved. Two variations for changes to the Bunyip River Works Area have been discussed in Condition 2(b) above. A variation to allow piling within the Bunyip River Works Area to extend into July has been discussed in Condition 5 above.



Condition Number	Condition	Compliance Status	Evidence / Comments
	equivalent or improved environmental outcome over time. If the Minister approves the revised management plan/program, that management plan/program must be implemented in place of the management plan/program originally approved.		
14	If the Minister believes that it is necessary or convenient for the better protection of Wetlands of international importance (sections 16 & 17B) or Listed threatened species and communities (sections 18 & 18A) to do so, the Minister may request that the person taking the action make specified revisions to the management plans/programs specified in the conditions and submit the revised management plans/programs for the Minister's written approval. The person taking the action must comply with any such request. The revised approved management plans/programs must be implemented. Unless the Minister has approved the revised management plans/programs then the person taking the action must continue to implement the management plans/programs originally approved, as specified in the conditions.	Compliant	No requests have been received from the Minister.
15	If, at any time after 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.	Compliant	Construction activity commenced on 18 November 2013.
16	Unless otherwise agreed to in writing by the Minister, the person taking the action must publish all management plans/programs referred to in these	Compliant	Earlier versions of the FMP and Draft OMP had been on the VicRoads website for the planning of the upgrading of the Healesville-Koo Wee Rup Road since public information sessions about the project were undertaken in July 2012. The



Condition Number	Condition	Compliance Status	Evidence / Comments
	conditions of approval on their website within 1 month of this approval. Any variations to management plans/programs must be published on the website within 1 month of the variation being approved by the Minister		final versions of these plans were uploaded to the VicRoads Koo Wee Rup Bypass Project website in November 2013.



APPENDIX A – MAP OF PROJECT AREA

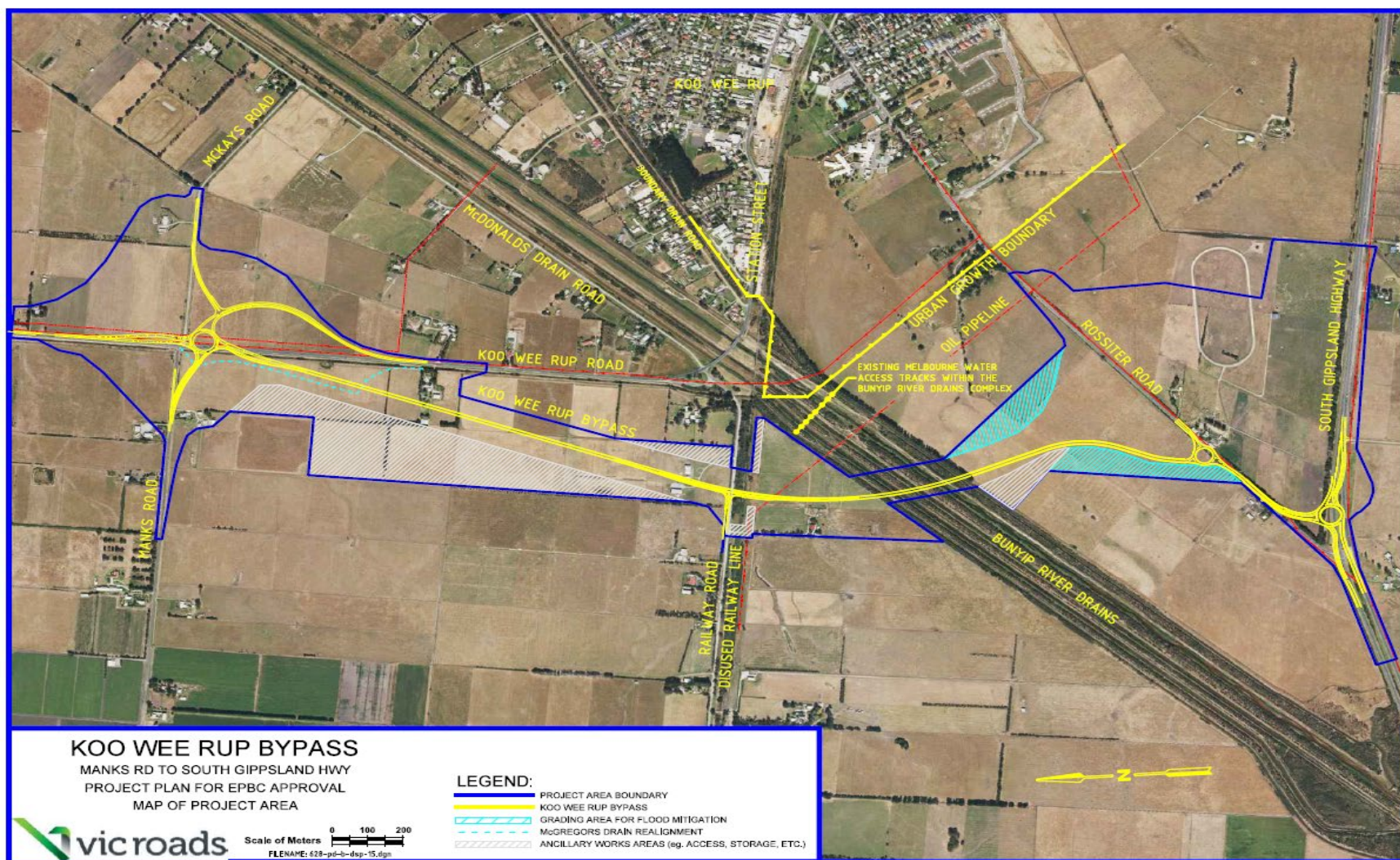
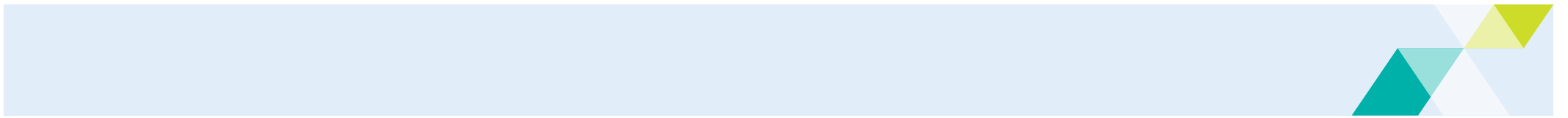


Figure 1: Map of project area, including all bypass and ancillary works.



APPENDIX B – AERIAL IMAGERY OF THE OFFSET SITE

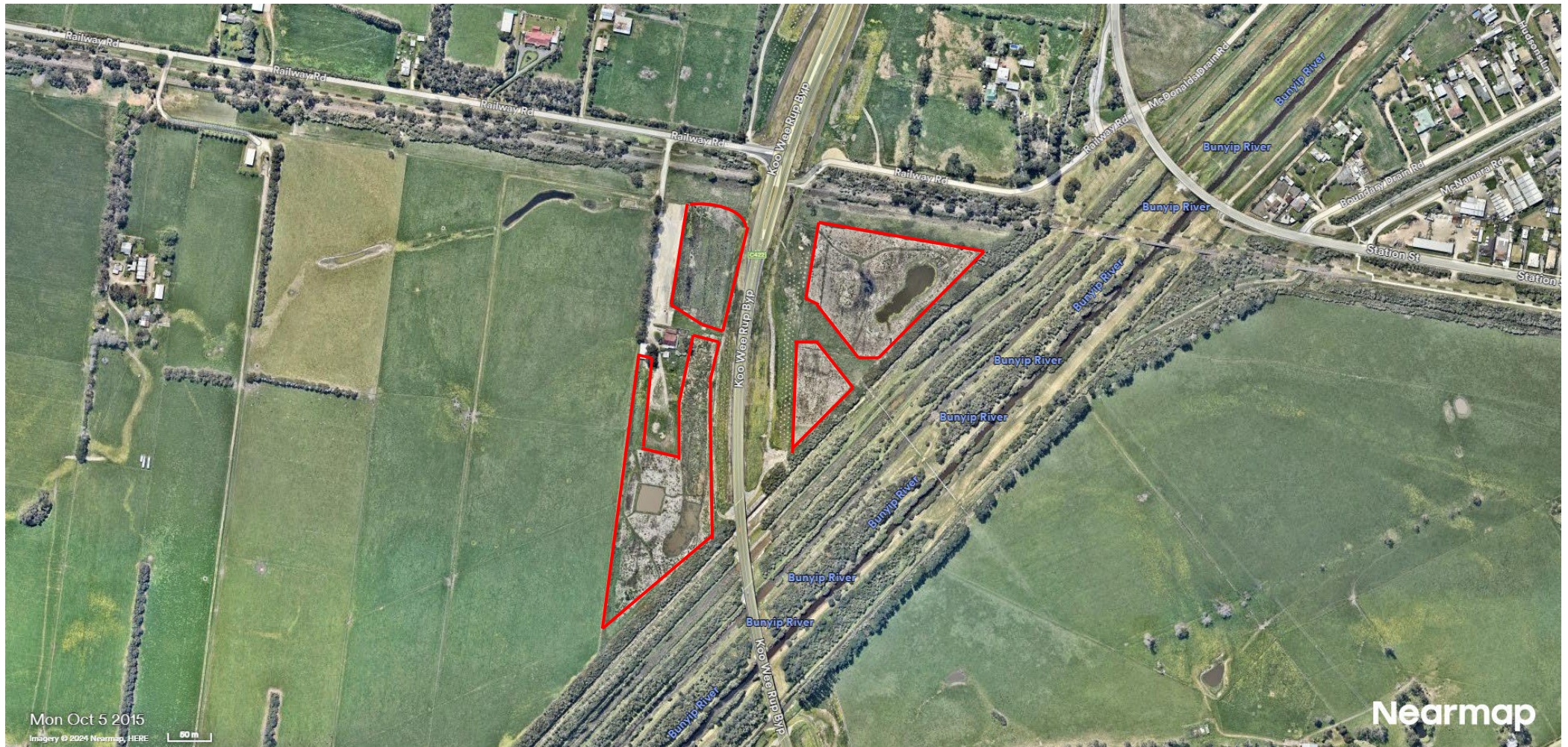


Figure 2: Aerial imagery of the offset site on October 5, 2015. Approximate offset site boundaries are highlighted in red. Offset area contains minimal native vegetation or habitat.

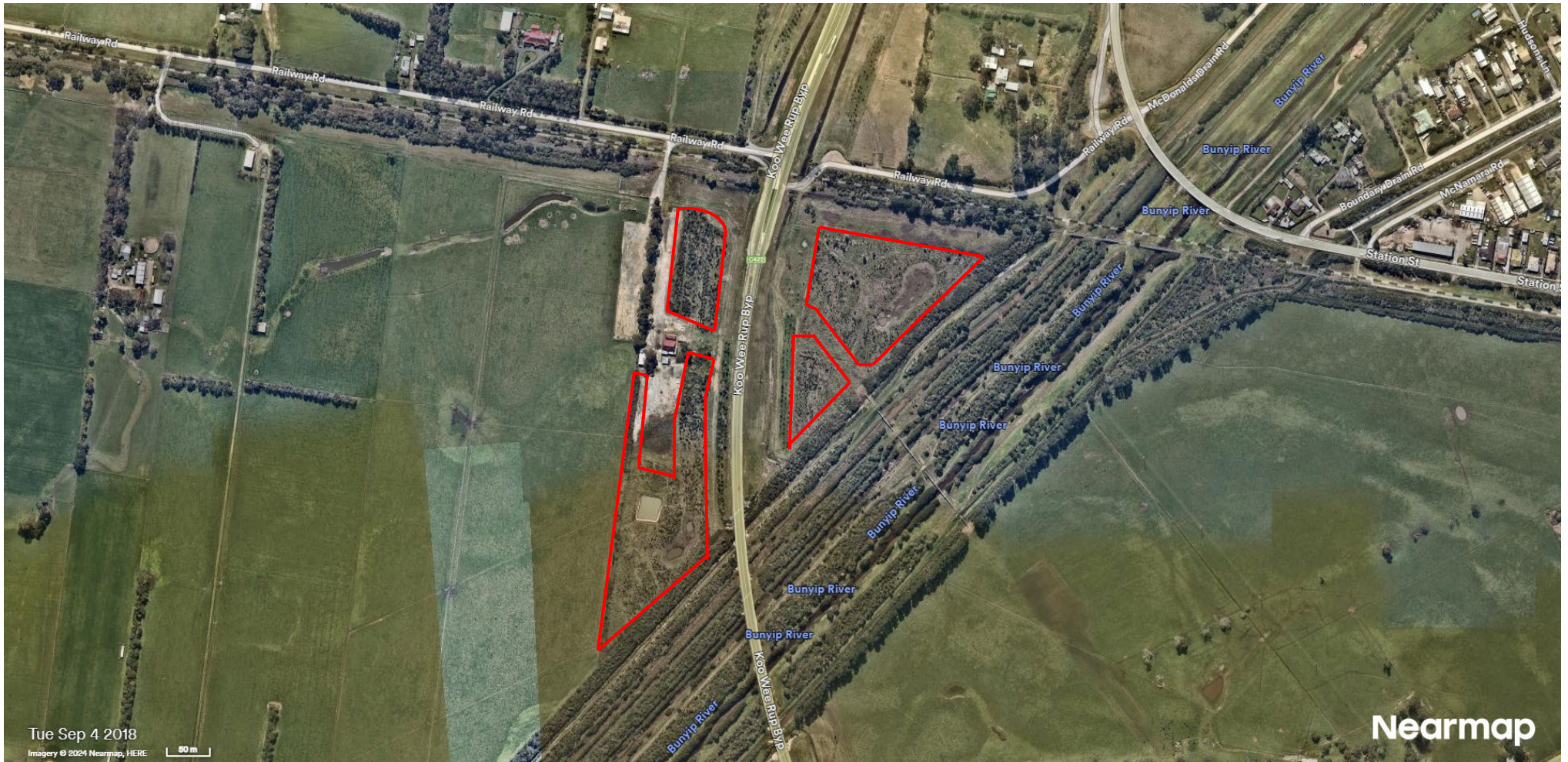
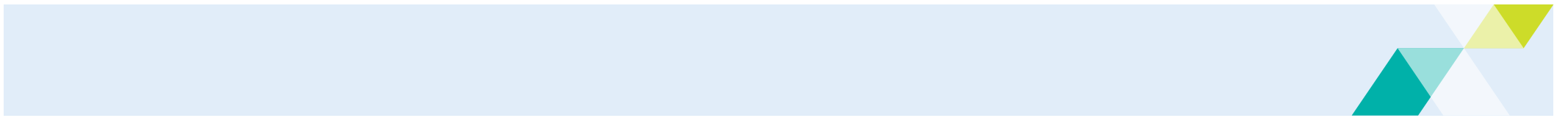


Figure 3: Aerial imagery of the offset site on September 4, 2018, at the end of the Offset Management Plan timeframe. Approximate offset site boundaries are highlighted in red. The offset site has evidence of satisfactory native vegetation recruitment and retention across the site.



Figure 4: Aerial imagery of the offset site on 11 August 2024. Approximate offset site boundaries are highlighted in red. The offset site has evidence of widespread native vegetation recruitment and retention across the site, indicating an improvement over the Offset Management Plan period.



APPENDIX C – PHOTOS OF CURRENT OFFSET SITE CONDITION



Figure 5: Photo of the gate at the entrance to the property. The fence is well secured and prevents any adverse development or trespassing that would adversely impact upon the land used as offsets under the Offset Management Plan.



Figure 6: Photo of the well-maintained fauna-proof boundary fencing, and the establishment of the replanted native vegetation. Native vegetation was planted before July 2014 as a requirement of the Offset Management Plan.



Figure 7: Photo of a well-maintained portion of fauna-proof boundary fencing, and the establishment of the replanted native vegetation. Native vegetation was planted before July 2014 as a requirement of the Offset Management Plan.



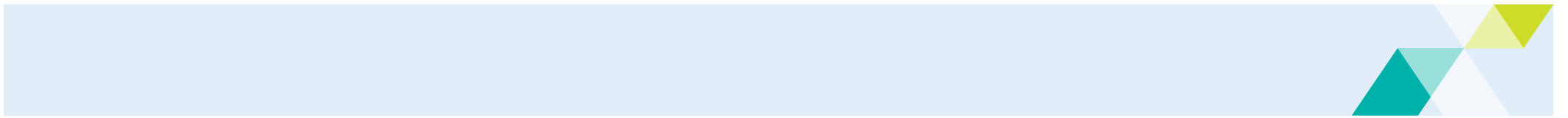
Figure 8: Photo of the well-maintained portion of fauna-proof boundary fencing, and evidence of successful revegetation and natural regeneration.



Figure 9: Photo of recently replaced fauna-proof fence.



Figure 10: Photo of controlled Blackberry.



APPENDIX D – WORK PLANS



Figure 11: Predator control completed during the reporting period.



Figure 12: Weed control completed during the reporting period.



Figure 13: Fencing completed during the reporting period.