

For Public Notice via Internet

REASONS FOR DECISION UNDER *ENVIRONMENT EFFECTS ACT 1978*

Title of Proposal: **Shepparton Line Upgrade**

Proponent: **Rail Projects Victoria**

Description of Project:

The project will upgrade the existing Shepparton railway line between Donnybrook and Shepparton to improve transport services and allow modern V-Locity trains to travel to and from Shepparton, including in particular:

- Up to 59 level crossing upgrades between Donnybrook and Shepparton
- Platform extension and minor station upgrades at Nagambie, Murchison East and Mooroopna
- Crossing loop at Murchison East
- New stabling facility at Shepparton.

The project is predominantly located in an existing VicTrack rail corridor. Construction areas would be established within and adjacent to the rail corridor. The works are associated with stage two of three proposed stages to upgrade the Shepparton railway line.

Decision:

The Minister for Planning has decided that an Environment Effects Statement (EES) is not required for the Shepparton Line Upgrade, as described in the referral accepted on 15 November 2019, subject to the following conditions:

- a) An environment report for the Shepparton Line Upgrade must be prepared in consultation with DELWP and completed to the satisfaction of the Minister for Planning, prior to the commencement of works. The report needs to examine and document the following:
 - i. The predicted impacts on native vegetation and biodiversity values, particularly large trees and listed communities and species of flora and fauna (under the *Flora and Fauna Guarantee Act 1988* and *Environment Protection and Biodiversity Conservation Act 1999*);
 - ii. Potential cumulative impacts on native vegetation and biodiversity values associated with Shepparton Line Upgrade stages two and three, and other known infrastructure works planned to occur along this corridor;
 - iii. the proposed measures to avoid, minimise and mitigate potential impacts on native vegetation and biodiversity assets and values examined in the report, including no go zones;
 - iv. mapping that clarifies the potential locations of proposed project infrastructure, works and construction, as well as predicted environmental impacts and key environmental assets and values to be avoided (e.g. environmental control points and no-go zones); and
 - v. targeted surveys and ecological investigations undertaken by suitably qualified persons in accordance with relevant survey guidelines in consultation with DELWP, to inform the prediction of potential environmental impacts of the project on native vegetation and biodiversity values.
- b) An environmental management framework (EMF), informed by the findings and conclusions of the environmental report, must be completed by the proponent to the satisfaction of the Minister for Planning prior to the commencement of works. The EMF needs to be prepared in consultation with DELWP and include a statement of all environmental commitments for the project.
- c) A noise assessment report must be prepared to the satisfaction of the Minister for Planning, in consultation with the Environment Protection Authority, prior to the commencement of works for the construction of a new stabling yard within the McGill Street industrial area (should this option proceed). This report needs to include:
 - i. Assessment of predicted noise levels for construction and operation of the stabling yard; and

- ii. Suitable noise mitigation measures, for locations in the vicinity of the proposed works where sensitive receptors are likely to be exposed to noise levels exceeding the relevant noise standards; and
- iii. A procedure for notifying residents in advance of night and evening works, as well as a complaint handling procedure for construction and operations.

Reasons for Decision:

- There are no practical alternatives for the location of the project and with the exception of potential adverse effects on native vegetation and biodiversity values, the environmental effects of the project are unlikely to have the extent and/or complexity to warrant an Environment Effects Statement.
- Uncertainties remain regarding both the extent of potential adverse environmental effects on native vegetation and biodiversity values, as well as the feasibility and effectiveness of avoidance and mitigation measures.
- Uncertainties remain regarding the potential for amenity impacts from noise associated with construction and operation of a new stabling yard being considered for this project.
- The conditions set out through this decision provide the most appropriate means for examining these potentially significant effects and related uncertainties, including the development of adequate measures to avoid and mitigate impacts in the context of relevant policy and regulatory requirements.
- Potential adverse effects on Aboriginal cultural heritage and historical heritage values can be addressed through the statutory requirements under the *Aboriginal Heritage Act 2006* and *Heritage Act 2017*.
- Other residual potential effects should be readily addressed through respective statutory requirements, under the *Planning and Environment Act 1987* and *Environment Protection Act 1970* (to be superseded by the *Environment Protection Amendment Act 2018* from 1 July 2020).

Date of Decision:

18/1/20