

For Public Notice via Internet

REASONS FOR DECISION UNDER *ENVIRONMENT EFFECTS ACT 1978* (EES REFERRAL NUMBER 2020-07)

Title of Proposal: Inland Rail – Beveridge to Albury

Proponent: Australian Rail Track Corporation

Description of Project:

The project will upgrade the existing rail corridor from Beveridge to Albury, to enable the use of double-stacked freight trains. The project works include a combination of:

- track lowering;
- bridge raising;
- removal of footbridges;
- adjustment and alignment of existing rail track (track slewing);
- relocation and raising of signal gantries; and
- modifications to overhead powerlines.

The project is predominantly located in an existing and active rail corridor, with exception of works being undertaken for overhead powerlines which occurs mostly within electricity easements on private land.

Decision:

The Minister for Planning has decided that an Environment Effects Statement (EES) is not required for the Inland Rail – Beveridge to Albury, as described in the referral accepted on 29 April 2020, subject to the following conditions.

- a) An environment report for the project 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 (direct and indirect) on biodiversity values, particularly associated with
 - listed species (under the *Flora and Fauna Guarantee Act 1988* and *Environment Protection and Biodiversity Conservation Act 1999*)
 - disruption to habitat connectivity for listed fauna (under the FFG Act and EPBC Act) including Brush-tailed Phascogale, Squirrel Glider, Barking Owl, Swift Parrot and Regent Honeyeater
 - listed communities (under the *Flora and Fauna Guarantee Act 1988* and *Environment Protection and Biodiversity Conservation Act 1999*), including the FFG Act-listed Victorian Temperate Woodland Bird Community and EPBC Act-listed Grey Box Grassy Woodlands
 - native vegetation, including impacts to large trees and large hollow-bearing trees;
 - ii. potential cumulative impacts of nearby and coinciding infrastructure projects (such as the Shepparton Line Upgrade and the North East Rail Line Upgrade) on native vegetation and biodiversity values particularly in relation to values mentioned in a) (i);
 - iii. assessment of project design alternatives and construction techniques to avoid and minimise adverse environmental effects, including exploration of alternate proposed measures to avoid, minimise and mitigate potential impacts on native vegetation and biodiversity values examined in the report, such as 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.

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.
- 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 are relatively localised and can be readily 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 2021).

Date of Decision: 23 / 08 / 2020