

# Regional Rail Revival Gippsland Line Upgrade

RAIL PROJECTS VICTORIA

RDV-AJM-GSU-ZWD-REP-XLP-NAP-0001498  
GSU - ANNUAL EPBC ACT APPROVAL -  
(EPBC 2019/8563) COMPLIANCE REPORT  
2021-2022

8 FEBRUARY 2023  
REVISION C



# Document Control Record



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DOCUMENT CONTROL						
<b>Document Title</b>	GSU - ANNUAL EPBC ACT APPROVAL - (EPBC 2019/8563) COMPLIANCE REPORT 2021-2022					
<b>Document ID</b>	RDV-AJM-GSU-ZWD-REP-XLP-NAP-0001498	<b>Contract no.</b>	[REDACTED]			
<b>File Path</b>	[REDACTED]					
<b>Client</b>	Rail Projects Victoria				<b>Client contact</b>	[REDACTED]
<b>Rev</b>	<b>Date</b>	<b>Revision details/status</b>	<b>Prepared by</b>	<b>Author</b>	<b>Verifier</b>	<b>Approver</b>
A	05/12/2022	Issued to RPV	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
B	17/01/2023	Issued to RPV	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
C	08/02/2023	Issued to RPV	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
<b>Current revision</b>	C					

APPROVAL			
<b>Author Signature</b>	Signed at AJM JV internal Verification and Approval process	<b>Approver Signature</b>	Signed at AJM JV internal Verification and Approval process
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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
AJM JV	Aurecon Jacobs Mott Macdonald Joint Venture
Action Area	As defined in EPBC Act 2019/8563 Approval
Approval holder	Rail Projects Victoria acting on behalf of Department of Transport
Big Build	Victoria's Big Build Website
Compliant	The requirements of the condition have been carried out
CSR	Combined Services Route
CTA	Credit Trading Agreement
DAWE	Commonwealth Department of Agriculture, Water and Environment (now DCCEEW)
DCCEEW	Commonwealth Department of Climate Change, Energy, the Environment and Water (formerly known as DAWE)
DoT	Victoria's Department of Transport
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth)
GLU	Gippsland Line Upgrade
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Not Applicable	The requirements of conditions were not triggered during the reporting period or were no longer applicable to the reporting period
Offset Site Owner	Deep Lead Pty Ltd trading as Bush Blocks
OMP	Offset Management Plan
The Project	Upgrade to the railway corridor of the Gippsland Line between Pakenham and Longwarry, Victoria
Project Owner	Rail Projects Victoria acting on behalf of Department of Transport
Reporting Period (2021-2022)	Relevant to the first 12-months from commencement of the Action
RPV	Rail Projects Victoria, acting on behalf of Victoria's Department of Transport
RRR	Regional Rail Revival
SBB	Southern Brown Bandicoot
TfN	Trust for Nature

# 1. Executive Summary

The approval of Referral 2019/8563 was issued to Victoria's Department of Transport (DoT) on the 25<sup>th</sup> of June 2021 to upgrade the railway corridor of the Gippsland Line between Pakenham and Longwarry, Victoria (i.e. the Project).

In accordance with Condition 11 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) approval (EPBC 2019/8563), within 60 days of every 12-month anniversary of the commencement of construction (15<sup>th</sup> November 2021), DoT must publish a report on the Vic Big Build website addressing compliance with each of the conditions of this approval, including implementation of the conditions under the EPBC Act set out in Annexure A of the Approval Decision notice.

This compliance report addresses the current status of the Project against the conditions for approval of the EPBC Act Referral 2019/8563 for the activities carried out between 15<sup>th</sup> November 2021 and 15<sup>th</sup> November 2022. This is the first report prepared under the EPBC Act approval 2019/8563 for this project.

Works conducted during the reporting period are compliant with applicable conditions of EPBC approval 2019/8563.

# 2. Introduction

## 2.1 Overview of Project

The Gippsland Line Upgrade (GLU) is standardising and upgrading the rail line servicing the Gippsland region of eastern Victoria, as part of the Victorian Regional Rail Revival program. Rail Projects Victoria (RPV) on behalf of the State Government of Victoria is responsible for the planning and implementation of the upgrade. GLU will enable extra services on the Gippsland line and improve safety for motorists and trains at level crossings. Construction of the action commenced in 2021, with a new signalling system to become operational in 2023.

The upgrade works to the railway corridor of the Gippsland Line between Pakenham and Longwarry, Victoria (i.e. the Project) include:

- Duplication of three sections of track at Bunyip and Longwarry Stations.
- Signalling upgrades at level crossing locations between Pakenham and Longwarry East.
- Second platform and station amenity works at Bunyip Station and Longwarry station.
- Level crossing upgrades from Pakenham to Longwarry East.

An overview map of the project area can be found in Appendix A.

The Action Area spans approximately 25 kilometres along the Gippsland railway corridor located within the municipalities of Baw Baw Shire Council and Cardinia Shire Council.

# 3. Purpose of Report

The purpose of this document is to demonstrate compliance with the conditions of the EPBC approval for the Project (EPBC 2019/8563) and to satisfy Condition 11 of that approval, which states:

*The approval holder must prepare a compliance report addressing each condition of this approval for each 12 month period following the date of commencement of the action, or otherwise in accordance with an annual date that has been agreed to in writing by the Minister. The approval holder must publish each compliance report on the website within 60 business days following the relevant 12 month period, notify the department by email that a compliance report has been published on the website and provide the weblink for the compliance report within 5 business days of the date of publication, keep all compliance reports publicly available on the website until this approval expires, exclude or redact sensitive ecological data from compliance reports published on the website, where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the department within 5 business days of publication.*

This compliance report covers the reporting period between 15 November 2021 and 15 November 2022 in respect of EPBC Approval 2019/8563: Gippsland Line Upgrade, Corridor Works – Pakenham to Longwarry East, Victoria issued to the Department of Transport on 25 June 2021.

The key dates that related to the approval are detailed in Table 3.1.

**TABLE 3.1 KEY EPBC ACT APPROVAL DATES**

ACTION	KEY DATE
Commonwealth Approval Granted	25/06/2021
Commencement of action	15/11/2021
12-month Anniversary from Start of the Action	15/11/2022
Publication Date for First Compliance Report	09/02/2023

# 4. Description of Activities

## 4.1 Works undertaken during Current Reporting Period

Works undertaken in the Action Area during the 2021-2022 reporting period include:

- Construction of Combined Services Route (CSR) including maintenance and access routes at the following locations:
  - » Longwarry Princes Avenue Level Crossing to Longwarry East
  - » Garfield McIntyre Level Crossing to Bunyip Wally Road.
- Construction of V/line Car Park and station drainage South-West of Bunyip Station
- Non-Destructive Drilling (NDD) at several locations
- Utility relocations at Bunyip and Longwarry Stations
- Installation of new electrical systems at Bunyip and Longwarry Stations
- Construction of hardstands in several locations including Garfield Station, Hope Street, and Bennet Street
- Platform and bus loop upgrades at Bunyip station, including earthworks, structures, drainage, and landscape works
- Platform and bus loop upgrades at Longwarry station, including earthworks, structures, drainage, and landscape works
- Track formation at several locations including east of Hope Street, and east and west of Longwarry station



# 5. Approval Conditions Compliance Table

A summary of compliance with EPBC Act approval conditions is in Table 5.1 below.

**TABLE 5.1 CONDITIONS ATTACHED TO EPBC ACT APPROVAL (EPBC 2019/8563) AND DEMONSTRATION OF COMPLIANCE FOR REPORTING PERIOD (2021-2022)**

CONDITION NO.	APPROVAL CONDITION	IS THE PROJECT COMPLIANT WITH THIS CONDITION?	EVIDENCE / COMMENTS	APPENDICES
1	The approval holder must not: a) Clear more than 0.901 ha of Southern Brown Bandicoot habitat in the action area.	Compliant	Construction of the Gippsland Line Upgrade, Corridor Works - Pakenham to Longwarry East commenced in November 2021, and it is currently still in progress.  The Project has as of 15 November 2022 cleared approximately 0.294 ha of Southern Brown Bandicoot (SBB) habitat of the 0.901 ha allowed in this condition. It is therefore compliant with this approval condition.	Not applicable
	The approval holder must not b) Clear any Southern Brown Bandicoot habitat outside the action area.	Compliant	No clearing outside the action area undertaken within the reporting period 2021-2022  A Variation Request to Condition 1 was submitted to the Department on the 8 <sup>th</sup> of December 2022. Such variation seeks to update the action area to reflect the referral area submitted with the referral application in August 2020. Note that the variation does not intend to make changes to the quantum of impact (0.901 ha) but only to the area where such impact is allowed to better reflect the originally assessed and referred area.	Appendix B: Variation Request to EPBC Act Referral 2019/8563
2	To compensate for the loss of habitat connectivity. The approval holder must a) Install culverts in areas where the rail line will be duplicated.	Compliant	Rail duplication works have not yet commenced.	Not applicable
	The approval holder must not b) Commence construction unless a plan specifying the number and locations of culverts to be installed has been approved in writing by the Minister.	Compliant	A Southern Brown Bandicoot Culvert Construction Plan was submitted to DCCEEW on the 16 <sup>th</sup> of August 2021.  A response letter from DCCEEW approving the Southern Brown Bandicoot Culvert Construction Plan was issued to RPV on the 1 <sup>st</sup> of November 2021.	Appendix C: DCCEEW SBB culvert plan approval letter

CONDITION NO.	APPROVAL CONDITION	IS THE PROJECT COMPLIANT WITH THIS CONDITION?	EVIDENCE / COMMENTS	APPENDICES
3	<p>Within twelve months of the commencement of the action.</p> <p>The approval holder must</p> <p>a) Secure the offset area.</p>	Compliant	<p>A Letter of Understanding between RPV and the offset site owner (Deep Lead Property, trading as Bush Blocks) was signed for securing the proposed offset site: 'Loch Sport' on the 08<sup>th</sup> of August 2021.</p> <p>Following endorsement from DCCEEW in reference to the suitability of the proposed offset site, a Trust for Nature Covenant under the <i>Victorian Conservation Trust Act 1972 (Vic)</i> Credit Trade Agreement (CTA) was executed on the 26<sup>th</sup> of October 2022.</p>	<p>Appendix E -Letter of Understanding between RPV and offset site owner</p> <p>Executed Credit Trade Agreement can be provided upon request.</p>
4	<p>Within 10 business days of the offset area being secured.</p> <p>The approval holder must provide the department with:</p> <p>a) Written evidence demonstrating that the offset area has been secured.</p>	Compliant	<p>A copy of the Executed Trust for Nature Covenant under the <i>Victorian Conservation Trust Act 1972 (Vic)</i> Credit Trade Agreement (CTA) was submitted to the Department on the 10<sup>th</sup> of November 2022.</p>	Not applicable
	<p>Within 12 months of the commencement of the action</p> <p>The approval holder must provide the department with:</p> <p>b) Shapefiles and the offset attributes for the offset area.</p>	Compliant	<p>Shapefiles including offset attributes were submitted to the Department on the 10<sup>th</sup> of November 2022.</p>	Not applicable
5	<p>The approval holder must</p> <p>a) Commence implementing the Offset Management Plan for the offset area prior to the commencement of the action.</p>	Compliant	<p>The offset site has been managed continuously since July 2020. A summary of actions implemented under the OMP is included as an appendix to demonstrate compliance with this Condition.</p>	<p>Appendix F: Annual Landowner Offset Management Plan Implementation Summary for Reporting Period.</p>
	<p>The approval holder must</p> <p>b) Continue to implement the Offset Management Plan for the duration of the approval.</p>	Compliant	<p>The offset site has been managed continuously, and a summary of actions implemented under the OMP is included as an appendix to demonstrate compliance with this Condition.</p>	<p>Appendix F: Annual Landowner Offset Management Plan Implementation Summary for Reporting Period.</p>
6	<p>The approval holder must notify the department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action.</p>	Compliant	<p>Notice of commencement of construction works was provided to the DCCEEW for the project on the 15<sup>th</sup> of November 2021.</p> <p>The DCCEEW confirmed commencement of the action in correspondence to RPV on the 16<sup>th</sup> of November 2021.</p>	<p>Appendix D: Electronic notification from DCCEEW to RPV acknowledging commencement of the Action on the 15<sup>th</sup> of November 2021.</p>
7	<p>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 Minister.</p>	Compliant	<p>The Action commenced within 5 years from the date of approval. Namely the 15<sup>th</sup> of November 2021 (Approval date: 25<sup>th</sup> of June 2021).</p>	Not Applicable
8	<p>The approval holder must maintain accurate and complete compliance records.</p>	Compliant	<p>RPV is maintaining compliance records in accordance with this condition. The project is therefore compliant with this condition.</p>	Not Applicable

CONDITION NO.	APPROVAL CONDITION	IS THE PROJECT COMPLIANT WITH THIS CONDITION?	EVIDENCE / COMMENTS	APPENDICES
9	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.	Compliant	No actions to date as no requests have been received from the Department.	Not Applicable
10	The approval holder must keep the Offset Management Plan published on the website until the end date of this approval.	Compliant	The Offset Management Plan was published in June 2021 and continues to be available on the website (link below). The project is therefore compliant with this condition.  <a href="https://bigbuild.vic.gov.au/__data/assets/pdf_file/0005/606425/RRR-GLU-Protecting-the-Southern-Brown-Bandicoot-Offset-Management-Plan.pdf">https://bigbuild.vic.gov.au/__data/assets/pdf_file/0005/606425/RRR-GLU-Protecting-the-Southern-Brown-Bandicoot-Offset-Management-Plan.pdf</a>	Not Applicable
11	The approval holder must prepare a compliance report addressing each condition of this approval for each 12-month period following the date of commencement of the action, or otherwise in accordance with an annual date that has been agreed to in writing by the Minister. The approval holder must:			
	a) Publish each compliance report on the website within 60 business days following the relevant 12-month period.	Compliant	This report fulfils the requirement under Condition 11 for an annual report. This compliance report will be available on the Vic Big Build website before the due date for publishing the report (9 <sup>th</sup> February 2023). The project is therefore assumed compliant with this condition.	Not Applicable
	b) Notify the department by email that a compliance report has been published on the website and provide the weblink for the compliance report within 5 business days of the date of publication.	Compliant	The Department will be notified at such time as the report is published. The project is therefore assumed compliant with this condition.	Not Applicable
	c) Keep all compliance reports publicly available on the website until this approval expires.	Compliant	The report will remain publicly available on the website. (A link will be provided to the Department as per condition 11b). The project is therefore assumed compliant with this condition.	Not Applicable
	d) Exclude or redact sensitive ecological data from compliance reports published on the website.	Compliant	The compliance report has been reviewed to determine if any sensitive ecological data was required to be redacted. There is no sensitive ecological data associated with the compliance report.	Not Applicable
	e) Where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the department within 5 business days of publication.	Compliant	The compliance report has been reviewed to determine if any sensitive ecological data was required to be redacted. There is no sensitive ecological data associated with the compliance report.	Not Applicable

CONDITION NO.	APPROVAL CONDITION	IS THE PROJECT COMPLIANT WITH THIS CONDITION?	EVIDENCE / COMMENTS	APPENDICES
12	The approval holder must notify the department in writing of any: incident <sup>1</sup> ; non-compliance with the conditions; or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than 2 business days after becoming aware of the incident or non-compliance. The notification must specify:	Compliant	No incident, non-conformances with the conditions and commitments made in the OMP were recorded during the reporting period for notification to the Department.	Not Applicable
	a) Any condition which is or may be in breach.	Compliant	No incident, non-conformances with the conditions and commitments made in the OMP were recorded during the reporting period for notification to the Department.	Not Applicable
	b) A short description of the incident and/or non-compliance.	Compliant	No incident, non-conformances with the conditions and commitments made in the OMP were recorded during the reporting period for notification to the Department.	Not Applicable
	c) The location (including co-ordinates), date, and time of the incident and/or non-compliance. In the event the exact information cannot be provided, provide the best information available.	Compliant	No incident, non-conformances with the conditions and commitments made in the OMP were recorded during the reporting period for notification to the Department.	Not Applicable
13	The approval holder must provide to the department the details of any incident or non-compliance with the conditions or commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying:	Compliant	No incident, non-conformances with the conditions and commitments made in the OMP were recorded during the reporting period for notification to the Department.	Not Applicable
	a) Any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future.	Compliant	No incident, non-conformances with the conditions and commitments made in the OMP were recorded during the reporting period for notification to the Department.	Not Applicable
	b) The potential impacts of the incident or non-compliance.	Compliant	No incident, non-conformances with the conditions and commitments made in the OMP were recorded during the reporting period for notification to the Department.	Not Applicable
	c) The method and timing of any remedial action that will be undertaken by the approval holder.	Compliant	No incident, non-conformances with the conditions and commitments made in the OMP were recorded during the reporting period for notification to the Department.	Not Applicable
	d) The measures put in place to prevent a reoccurrence of the incident of non-compliance.	Compliant	No incident, non-conformances with the conditions and commitments made in the OMP were recorded during the reporting period for notification to the Department.	Not Applicable

<sup>1</sup> As per Referral decision definition: **Incident** means any event which has the potential to, or does, impact on one or more **protected matter(s)** other than as authorised by this approval.


CONDITION NO.	APPROVAL CONDITION	IS THE PROJECT COMPLIANT WITH THIS CONDITION?	EVIDENCE / COMMENTS	APPENDICES
14	The approval holder must ensure that an independent audit of compliance with the conditions of approval is conducted for the 36 month period starting from the commencement of the action, and thereafter that an independent audit of compliance with the conditions of approval is conducted when requested by the Minister.	Compliant	No independent audit was carried out during the reporting period and no requests have been received from the Department. The 36-month period since commencing the action (15/11/2021) has not lapsed. The project is therefore compliant with this condition.	Not Applicable
15	For each independent audit, The approval holder must:			
	a) Provide the name and qualifications of the proposed independent auditor and the draft audit criteria to the department before the end of the subject time period.	Compliant	No independent audit was carried out during the reporting period and no requests have been received from the Department. The 36-month period since commencing the action (15/11/2021) has not lapsed. The project is therefore compliant with this condition.	Not Applicable
	b) Only commence the independent audit once the audit criteria and auditor have been approved in writing by the department.	Compliant	No independent audit was carried out during the reporting period and no requests have been received from the Department. The 36-month period since commencing the action (15/11/2021) has not lapsed. The project is therefore compliant with this condition.	Not Applicable
	c) Submit an audit report to the department within the timeframe specified in the approved audit criteria.	Compliant	No independent audit was carried out during the reporting period and no requests have been received from the Department. The 36-month period since commencing the action (15/11/2021) has not lapsed. The project is therefore compliant with this condition.	Not Applicable
16	The approval holder must publish the audit report on the website within 10 business days of receiving the department's approval of the audit report and keep the audit report published on the website until the end date of this approval.	Compliant	No independent audit was carried out during the reporting period and no requests have been received from the Department. The 36-month period since commencing the action (15/11/2021) has not lapsed. The project is therefore compliant with this condition.	Not Applicable
17	Within 30 business days after whichever is the earlier of the completion of the action or 60 business days before the end date of the period for which the approval has effect  The approval holder must notify the department in writing of the date of the completion of the action and submit all completion data to the department.	Compliant	Construction of the Gippsland Line Upgrade -Pakenham to Longwarry is currently still in progress.  After completion, notification will be provided to the Department as per the condition.	Not Applicable

# Appendix A

## Project Area Overview




## Appendix B



# Variation Request EPBC 2019/8563 Gippsland Line Upgrade Corridor Works -Pakenham to Longwarry East, Victoria

## Appendix C



# Letter from DCCEEW to RPV approving the Southern Brown Bandicoot Culvert Construction Plan



# Appendix D

Notification from DCCEEW to  
RPV Acknowledging  
Commencement of the action  
15/11/2022



## Appendix E

# Letter of Understanding between RPV and Bushblocks Securing Offset Area



## Appendix F



# Annual Landowner Offset Management Plan Implementation Summary– Loch Sport Offset (EPBC 2019/8563)

