

EPBC Act referral



Australian Government

Department of Agriculture, Water and the Environment

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Title of proposal	2020/8710 - Inland Rail- Beveridge to Albury - Beaconsfield Parade, Glenrowan
Section 1	
Summary of your proposed action	
1.1 Project industry type	Transport - Land
1.2 Provide a detailed description of the proposed action, including all proposed activities	<p>The Proposed Action is to redevelop the Beaconsfield Parade Overbridge at Glenrowan. The Proposed Action forms part of the Beveridge to Albury section of the Inland Rail Project and the proposed works to redevelop the Beaconsfield Parade Overbridge are required to establish the necessary clearance to accommodate double-stacked freight trains to pass underneath the Beaconsfield Parade Overbridge at Glenrowan. A new bridge is proposed to be constructed to replace the existing Beaconsfield Parade rail over with a new overpass with the requisite 7.1 m clearance for double-stacked freight trains.</p> <p>The current bridge lies diagonally off the Beaconsfield Parade alignment and is within the National Heritage List Place at Glenrowan (refer to the map of the Glenrowan Heritage Precinct at Attachment A). The Glenrowan Heritage Precinct was the site of the Glenrowan siege in 1880 (refer to Attachment C and D for further detail on the siege). The place has outstanding heritage value to the nation because of the place's importance in the course, or pattern, of Australia's natural or cultural history. The current bridge encroaches into the public reserve on the station side of the railway corridor. The replacement bridge is proposed to run straight along the Beaconsfield Parade road alignment. In this location, the boundary of the registered curtilage of the heritage precinct would be parallel and in-line with the centre line of the replacement bridge, placing half of the bridge outside the registered extent of the Glenrowan Heritage Precinct. The Project Area for the Proposed Action is shown at Attachment A.</p> <p>Scope of works</p> <p>The key features of the Proposed Action are works required to provide the necessary horizontal and vertical clearance for double-stacked freight trains, including:</p> <ul style="list-style-type: none">• Construction of a new replacement bridge generally in-line with Beaconsfield Parade, immediately west of the existing bridge• Decommissioning and removal of the existing bridge and associated embankment• Raising adjacent roads to suit proposed road levels• Adjusting property driveways to suit proposed road levels• Providing retaining walls on the bridge approaches to minimise earthwork impacts to adjacent land• Closing Siege St (east) / Beaconsfield Parade intersection to the northeast• Converting Siege St (west) into a one-way road accessible from Church Street.• Removing the existing disused siding track. <p>The design of the new bridge structure will be open providing retaining walls on the bridge approaches to minimise earthworks impact to adjacent land (consistent with heritage impact assessment).</p> <p>Ancillary work would include signalling and communications, signage and fencing, and services and utilities within.</p> <p>Works proposed within the Glenrowan Heritage Precinct have been minimised to the extent practicable. To facilitate safe construction, the establishment of site compounds and laydown areas required within the Glenrowan Heritage Precinct. During detailed design, an additional assessment will be undertaken to identify opportunities to further avoid and minimise impacts on the Glenrowan Heritage Precinct. Locations of site compounds and laydown areas will be selected to avoid impacts by the heritage interpretation.</p> <p>Key Construction Activities</p> <p>The Proposed Action is proposed from June 2021. Routine maintenance, as well as major civil construction works in active rail corridors, are largely undertaken during rail occupations (or possessions) when trains do not operate on the rail corridor. For the ARTC operated rail track from Albury to Melbourne, there is a maximum possession window of 60 hours, once each year. There is limited capacity to extend these possession windows without significantly impacting the movement of freight around the country or impacting regional passenger services. Works in the rail corridor need to be planned to utilise the possession windows as far as practicable to minimise disruption to existing services. Minor works in the railway corridor that minimise disruption and only require short track occupancy durations, can be completed on a Sunday night through to Monday morning for 9 hours – providing for 7 hours of work with minimal disturbance to train services.</p> <p>The following provides an overview of the construction activities associated with the works for the Proposed Action:</p> <p>Site Establishment</p>



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- installation of site fencing, no-go zones, and temporary signage for restricted access and temporary vehicle traffic diversion around site entry/exit points (if required)
- installation of erosion and sediment controls
- establish site access locations, compound and stockpile sites
- vegetation clearing or grubbing.

Bridge Replacement

- piling operations
- erect formwork and place reinforcement
- erect pre-cast concrete girders
- pour concrete for decks
- landscaping, including the planting of vegetation in the road reserve
- sealing the bridge approaches
- signposting and line marking
- upon completion of the new bridge, removal of the existing bridge structure
- roadworks to the surrounding road network including raising adjacent roads and adjusting property driveways to suit proposed road levels
- site re-establishment:
 - removal of the compound, stockpile and ancillary sites
 - removal of site environmental and erosion and sedimentation controls
 - site clean-up and demobilisation

Design development process

The Proposed Action has been subject to a comprehensive design development and options review process. This has resulted in options reviews leading to several changes in design solutions to facilitate positive heritage, environmental and community outcomes. A detailed transport assessment was also completed to understand the likely transport implications of the proposed bridge modifications (refer to Attachment G) In regards to avoiding and mitigating potential MNES impacts, this review process has resulted in significant changes to the proposed design to avoid any significant impact on the Glenrowan Heritage Precinct.

The Proposed Action is considered to be the only feasible option for the proposed works at the Beaconsfield Parade Overbridge at Glenrowan and given the significance of the Inland Rail Project, the 'no project' option is not considered feasible. Heritage Victoria has provided in-principle support for the Proposed Action (refer to Attachment E) and no alternative actions are being referred for consideration as part of this referral.

Overall, the Proposed Action is expected to have a positive impact on the Glenrowan Heritage Precinct and will result in the least disruption to road and rail users and minimise other environmental impacts.

1.3 What is the extent and location of your proposed action?

See Appendix B

1.5 Provide a brief physical description of the property on which the proposed action will take place and the location of the proposed action (e.g. proximity to major towns, or for off-shore actions, shortest distance to mainland)

Beaconsfield Parade Overbridge is a three-span structure, crossing the ARTC West and East Main lines and Siding Track (disused) to the south-west of Wangaratta in the town of Glenrowan, Victoria. The site is located within the Glenrowan Heritage Precinct which is a National Heritage List Place (105729). The disused Glenrowan Station is located approximately 60m on the Albury side of the bridge and will not be impacted by the works.

The existing bridge is currently secured with chain wire fencing on steel posts with 'W-beam' type guard fence on the bridge approaches. An existing pedestrian ramp to the north connects the bridge footpath to the Ned Kelly siege site and existing disused Glenrowan Station.

The current bridge lies diagonally off the Beaconsfield Parade alignment and encroaches into the public reserve on the station side of the railway corridor. The bridge connects one side of town to the other and provides pedestrian and vehicular access into the siege site.

1.6 What is the size of the proposed action area development footprint (or work area) including disturbance footprint and avoidance footprint (if relevant)?

The Beaconsfield Parade Overbridge, Glenrowan project area is 3.4 ha. Of this, 1.04 ha is within the land zoned Public Use Zone 4, associated with the existing railway and 1.205 ha intersects the Glenrowan Heritage Precinct (Place ID 105729).



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1.7 Proposed action location					
Lot - Road reserves largely make up the project area, and these have no property title. Lots within the					
1.8 Primary jurisdiction	Victoria				
1.9 Has the person proposing to take the action received any Australian Government grant funding to undertake this project?					
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
1.9.1 Provide detail					
The Australian Government has committed \$9.3 billion for ARTC to develop and build Inland Rail, including the Proposed Action.					
1.10 Is the proposed action subject to local government planning approval?					
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
1.10.1 Is there a local government area and council contact for the proposal?					
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No					
1.10.1.0 Council contact officer details					
1.10.1.1 Name of relevant council contact officer	Mr. Stephen Swart				
1.10.1.2 E-mail	s.swart@wangeratta.vic.gov.au				
1.10.1.3 Telephone Number	03 5722 0888				
1.11 Provide an estimated start and estimated end date for the proposed action	<table> <tr> <td>Start Date</td> <td>01/11/2021</td> </tr> <tr> <td>End Date</td> <td>29/04/2022</td> </tr> </table>	Start Date	01/11/2021	End Date	29/04/2022
Start Date	01/11/2021				
End Date	29/04/2022				
1.12 Provide details of the context, planning framework and state and/or local Government requirements					
<p>Victorian Planning Context</p> <p>The Project Area is subject to the Wangaratta Planning Scheme and affected by the Public Use Zone 4 (Transport) and the Township Zone. The requirements of Clause 52.17 Native Vegetation may apply to the Proposed Action and a Heritage Overlay and a Vegetation Protection Overlay affect parts of the Project Area. Subject to detailed design, planning permission may be required for the Proposed Action under the Wangaratta Planning Scheme. If so, planning permission may be obtained in the form of a planning permit or by amendment of the Wangaratta Planning Scheme to introduce a project-specific Incorporated Document to authorise use and development of the Proposed Action.</p> <p>Victorian Heritage Context</p> <p>The Project Area is partly located within the Victorian Heritage Register site (H2000) associated with the Glenrowan Heritage Precinct, and a permit for works will be required from Heritage Victoria in accordance with the Heritage Act 2017, which then exempts permit requirements under the heritage overlays.</p> <p>Regulatory Framework</p> <p>In addition to the Victorian Planning and Heritage legislative requirements, the Transport Integration Act, Crown Land (Reserves) Act, Flora and Fauna Guarantee Act, Water Act, Climate Change Act, Road Management Act 2004, Aboriginal Heritage Act 2006 will also be considered.</p> <p>Policy Framework</p> <p>In the context of improving freight networks and transport planning, the following State-wide policies are particularly relevant to the Victorian section of the Inland Rail project.</p> <p>Transport Policy (Victorian Planning Provisions)</p> <p>Clause 18.01 Integrated Transport / Clause 18.01-1S Land use and transport planning</p> <p>Obj: To create a safe and sustainable transport system by integrating land use and transport.</p> <p>Key policy documents include the Victorian Transport Plan (Victorian Government, 2008) – Strategy 4.2 seeks to improve national, regional and cross-town freight connections whereby the Victorian Government aims to improve inter-regional and interstate connections. Priority actions identified within the Victorian Transport Plan include upgrading the interstate rail network, as agreed with the Federal Government and Australian Rail Track Corporation, to reduce travel times between Melbourne and Sydney (i.e. Inland Rail).</p> <p>Clause 18.01-2S Transport System</p> <p>Obj: To coordinate the development of all transport modes to provide a comprehensive transport system.</p> <p>Key policy documents include Freight Futures: Victorian Freight Network Strategy for a more prosperous and liveable</p>					



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Victoria (Victorian Government, 2008). Key goals identified within the Freight Futures document include Maintain and improve the efficiency of the freight network – ensuring that the road and rail links, ports, terminals and related facilities for handling and moving goods around our cities, towns and State are operating to their maximum efficiency to support Victoria's continued economic growth.

Clause 18.05 Freight / Clause 18.05-1S – Freight Links

Obj: To develop the key Transport Gateways and freight links and maintain Victoria's position as the nation's premier logistics centre. Key strategies applicable to the inland rail project include:

1. Improve the freight and logistics network to optimise freight handling and maintain the efficiency and effectiveness of the network.

2. Plan for improved freight connections that are adaptable to commodity, market and operating changes.

3. Facilitate increased capacity of Interstate Freight Terminals, both in regional areas and Metropolitan Melbourne.

4. Minimise negative impacts of freight movements on urban amenity.

Plan Melbourne 2017-2050: Metropolitan Planning Strategy

In terms of strategies applicable to the Inland Rail project, Outcome 3 of Plan Melbourne outlines the following:

5. Melbourne has an integrated transport system that connects people to jobs and services and goods to market.

Whilst policy 3.1.4 seeks to:

6. Provide guidance and certainty for land-use and transport development through Principal Public Transport Network and the Principal Freight Network.

Strategic policy considerations applicable to improving the efficiency and effectiveness of freight networks in Victoria are reflected in the Planning Policy Framework and are supportive of the Inland Rail project.

Victoria's 30-year Infrastructure Strategy (Infrastructure Victoria, Dec 2016) and the Victorian Infrastructure Plan (DPC, Sept 2018)

7. Increase the capacity and connectivity of Victoria's freight network.

8. The requirement for further scoping and planning for the delivery of the Inland Rail Project in the next 0-5 years.

9. Potential benefits include productivity improvements from double-stacked containers (noting that construction of an intermodal facility for double-stacked containers would be required).

10. Another benefit would be decreased transit time between Melbourne and Brisbane and reduced reliance on road-based haulage.

1.13 Describe any public consultation that has been, is being or will be undertaken, including with Indigenous stakeholders

Consultation undertaken for Inland Rail (including the Proposed Action) to date has included engagement with Federal and State Members, State government departments and agencies (e.g. the Department of Environment, Land, Water and Planning, the Department of Transport: Rail Projects Victoria, VicRoads & V-Line), councils, adjoining landholders, emergency services, businesses, community groups and the general community.

No engagement has been undertaken with indigenous stakeholders to date. Inland Rail will be commencing engagement with indigenous stakeholders as part of the Cultural Heritage Management Plan process after June 2020.

Several community engagement sessions have been held in Glenrowan and Wangaratta to present the design options for the Proposed Action and receive feedback from the community. Early engagement with the community focussed on an alternative option to lower the track under the Beaconsfield Parade bridge. Feedback from stakeholders and the community of Glenrowan indicated areas of concern, opportunity and identified potential impact associated with a track lower. This included, but was not limited to, concern about the potential for visual and landscape impacts to the heritage precinct. It also provided an understanding of the current connection at Beaconsfield Parade and its value to the cross-corridor connection for the community and its emergency services. In response to the feedback, further options were considered and shared with the community and key stakeholders.

A heritage impact assessment was completed on short-listed design options and identified the current preferred bridge replacement solution as being the most preferable on heritage, stakeholder, property and ecological grounds. Heritage Victoria has provided written in-principle support (Attachment E) for the Proposed Action to replace the existing Beaconsfield Parade Bridge. The preferred bridge replacement solution has been presented to the community and specific interest groups and the feedback has been very positive. Further consultation will be held during detailed design and as part of the heritage permit process under the Heritage Act 2017.

1.14 Describe any environmental impact assessments that have been or will be carried out under Commonwealth, State or Territory legislation including relevant impacts of the project

Under Victoria's Environment Effects Act 1978, projects that could have a 'significant effect' on Victoria's environment must be referred to the Minister of Planning for a decision as to whether an Environment Effects Statement (EES) is required. The Beveridge to Albury Project (including the Glenrowan site) was referred to the Minister for Planning on 21 April 2020 and accepted on 29 April 2020. A decision has not been provided yet by the Minister for Planning on the assessment pathway.

The works in the Glenrowan Heritage precinct will require a heritage permit from Heritage Victoria. Further assessment will



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be required as part of the heritage permit process under the Heritage Act.

The works are not considered to cause a significant impact. However, if a controlled action decision is made, an accredited heritage permit process could be used under the bilateral agreement with the State to assess the heritage impact of the Proposed Action.

1.15 Is this action part of a staged development (or a component of a larger project)?

Yes No

1.15.1 Provide information about the larger action and details of any interdependency between the stages/components and the larger action

The Beveridge to Albury Project is presently the only confirmed part of Inland Rail in Victoria. There is the potential that future works may be required to the rail line south of Beveridge, and although some investigations have been carried out between Tottenham and Beveridge, whether any works will be required between Tottenham and Beveridge will only be determined once it has been decided whether an intermodal freight terminal will be developed at Beveridge.

This referral is made as a 'split referral'. Due to significant programming constraints, two separate (split) EPBC referrals will be submitted for consideration:

- Inland Rail - Beveridge to Albury - Beaconsfield Parade, Glenrowan (the Proposed Action).
- Inland Rail Beveridge to Albury (sites from Beveridge to Albury excluding Glenrowan).

This referral includes the Proposed Action where works are planned within the National Heritage to redevelop the Beaconsfield Parade Overbridge at Glenrowan. There are no ecological matters of national environmental significance within the Project Area for the Proposed Action and as such, there is no potential for a significant impact to an ecological matter of national environmental significance at this site.

A separate referral will be made for all other Inland Rail sites from Beveridge to Albury (excluding the Proposed Action at Glenrowan). At these other sites, there are no heritage matters of national environmental significance present. However, these sites include ecological matters of national environmental significance. This approach to splitting the referrals was discussed with Department officers at a pre-referral meeting held on 8 October 2019 and then subsequently on 3 March 2020 and no objection to the approach has been raised.

The following considerations support the proposed 'split referral' approach:

- The purpose of the split referral? Construction of the Proposed Action and the other Inland Rail sites between Beveridge to Albury must largely be completed within a limited 60-hour annual possession window available from 2021 until first Inland Rail train is scheduled to run in 2026. The investigations and design of the works proposed as part of the Proposed Action at Glenrowan are further advanced and there are distinct impacts on MNES compared to other sites. The 'split referral' will decouple the Proposed Action from the approval process for the other Inland Rail sites between Beveridge to Albury for the purpose of enabling the Proposed Action to be separately approved and for works to commence sooner; significantly mitigating the risk of project delay.

- Does splitting the referral mean that all relevant impacts of an action are not assessed? No, all Inland Rail sites between Beveridge to Albury where there is a potential for a significant impact to a matter of national environmental significance will be referred for consideration. Therefore, splitting the referrals does not reduce the ability to achieve the objects of the EPBC Act.

- Geographical relationship between referred actions. The Project Area for the Proposed Action is approximately 1km from the next nearest Inland Rail work site between Beveridge and Albury (which is a single overhead powerline relocation). There are no other National Heritage places at the other discrete sites from Beveridge to Albury and there is no potential for cumulative effects to a MNES.

- Could the impacts of each individual part of the action be deemed to not be significant, whereas consideration of the action in its entirety could result in the action being found to have a significant impact on matters protected under the EPBC Act? The approach of the splitting of the referrals does not reduce the ability of the Minister to achieve the objects of the Act. No MNES, other than the Glenrowan Heritage Precinct, are present within the Project Area for the Proposed Action and there are no other National Heritage List places at the other Inland Rail sites from Beveridge to Albury. It is, therefore, possible for the impacts of the Proposed Action and the impacts of the other Inland Rail sites from Beveridge to Albury to be separated referred and assessed under the EPBC Act.

1.16 Is the proposed action related to other actions or proposals in the region?

Yes No

1.16.1 Identify the nature/scope and location of the related action (Including under the relevant legislation)

The Albury to Illabo (A2I) project is the next Inland Rail project located to the north in Southern New South Wales. The A2I project includes discrete sites where works are required to provide the horizontal and vertical clearance for double-stacked freight trains along 185km of track in southern NSW.



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The A2I project is subject to a separate assessment and approvals process and will be delivered independently of the Victorian section.



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Section 2

Matters of national environmental significance

2.1 Is the proposed action likely to have any direct or indirect impact on the values of any World Heritage properties?

Yes No

2.2 Is the proposed action likely to have any direct or indirect impact on the values of any National Heritage places?

Yes No

Place

Glenrowan Heritage Precinct - Place ID 105729

Impact

The significance of the eight-hectare Glenrowan Heritage Precinct stems from it being the location of the siege that resulted in the capture of Ned Kelly and the deaths of the other three members of the Kelly Gang in 1880. The railway at Glenrowan is pivotal to the events of the siege, as well as key sites such as Anne Jones's Inn (which police burnt to the ground) and the site of Ned Kelly's fall and capture (the 'Kelly Log' site). The site allows visitors access to the actual location where the pivotal siege events unfolded. Additionally, while outside the heritage precinct the Station Masters House may hold archaeological deposits of potential significance at a state level.

Three options were short-listed and subject to a heritage impact assessment, covering both archaeological and built heritage values (see Attachment C and D for further details on the options assessed). The heritage impact assessment identified the bridge replacement option at Beaconsfield Parade as the preferred option.

Heritage Victoria has provided written in-principle support for the proposed option to replace the existing Beaconsfield Parade Bridge (refer to Attachment E).

The proposal involves replacing the existing Beaconsfield Parade rail over bridge) with a new overpass with the requisite 7.1m clearance. The current bridge lies diagonally off the Beaconsfield Parade alignment and encroaches into the public reserve on the station side of the railway corridor. The replacement of the Beaconsfield Parade overpass maintains the ongoing presence of a modern road structure in the heritage precinct.

The proposed action is unlikely to result in a significant impact to the heritage values of the Glenrowan Heritage Precinct site, with the proposed overpass realignment opening up views to the siege site, reinforcing the visual relationship between the siege site and the surrounding landscape. The Proposed Action will reinstate the road to the location of the earlier level crossing and in this way, the original western boundary of the siege site will be reinstated. The Proposed Action represents an opportunity to install a new road structure that is more sympathetic to the Glenrowan Heritage Precinct site, that is designed to be an open structure and allows for viewing of nearly all locations significant to the siege, which the existing bridge does not currently provide.

The removal of the existing bridge, embankments and pedestrian ramp may cause disturbance to original ground surfaces and elements in the rail reserve including the original creek line, fence lines, level crossing and objects related to the siege within the Project Area.

The Station Masters House lies outside the Glenrowan Heritage Precinct (the VHR listing states the building was relocated to 16 Siege Street – however, the evidence for this needs further investigation) but any archaeological deposits of the building would be of high significance at a state level. Further consultation with Heritage Victoria will be undertaken in relation to potential archaeological deposits within the Project Area as part of the approvals process under the Heritage Action 2017. Deposits may include foundations of the building and occupation deposits such as cesspits, rubbish pits and subfloor deposits generated during the occupation of the building before, during and after the siege. It is unlikely that items directly attributable to the siege would be within this assemblage.

2.2.2 Do you consider this impact to be significant?

Yes No



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2.3 Is the proposed action likely to have any direct or indirect impact on the ecological character of a Ramsar wetland? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.4 Is the proposed action likely to have any direct or indirect impact on the members of any listed species or any threatened ecological community, or their habitat? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.5 Is the proposed action likely to have any direct or indirect impact on the members of any listed migratory species or their habitat? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.6 Is the proposed action to be undertaken in a marine environment (outside Commonwealth marine areas)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.7 Is the proposed action likely to be taken on or near Commonwealth land? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.8 Is the proposed action taking place in the Great Barrier Reef Marine Park? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.9 Is the proposed action likely to have any direct or indirect impact on a water resource from coal seam gas or large coal mining development? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.10 Is the proposed action a nuclear action? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.11 Is the proposed action to be taken by a Commonwealth agency? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.12 Is the proposed action to be undertaken in a Commonwealth Heritage place overseas? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2.13 Is the proposed action likely to have any direct or indirect impact on any part of the environment in the Commonwealth marine area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No



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Section 3

Description of the project area

3.1 Describe the flora and fauna relevant to the project area

Flora

The Project Area is located with the regional town of Glenrowan. The vegetation is primarily grassed parkland with planted and remnant eucalypts. There are also roadside plantings of native trees along with the nearby road reserves.

There are patches of woodland recorded at the western end of the Project Area, to the north of the rail line. Additionally, further east outside the Project Area, patches of the EPBC Act listed White box-Yellow box-Blakely's red gum grassy woodland was recorded. This area does not form part of the Project Area to avoid impacts on the threatened ecological community.

Woodland habitat recorded on the western side of the Beaconsfield Parade bridge and north of the rail line is of low quality, with an old ballast stockpile area and past management of (now redundant) powerlines removing the tree layer in the rail reserve. This patch of woodland habitat has some diversity of native understorey, however, there is a high cover of highly threat weeds, including blackberry (*Rubus fruticosus*), blue periwinkle (*Vinca major*) and African lovegrass (*Eragrostis curvula*). There are also some large trees in adjacent private land and road reserve with native understorey.

On the eastern side of the bridge, the area is a public open grassy area used as parkland around the old station. Vegetation is limited to occasional large remnant Blakely's red gum (*Eucalyptus Blakelui*), with some scattered planted indigenous trees, amongst mown parkland.

Fauna

Fauna species observed within the Project Area were common bird species. Species included the indigenous species little raven (*Corvus mellori*), magpie (*Gymnorhina tibicen*), galah (*Eolophus roseicapilla*), noisy minor (*Manorina melanocephala*), rainbow lorikeet (*Trichoglossus moluccanus*), sulphur-crested cockatoo (*Cacatua galerita*), welcome swallow (*Hirundo neoxena*) and the exotic species European starling (*Sturnus vulgaris*), house sparrow (*Passer domesticus*), common myna (*Acridotheres tristis*), rock dove (*Columba livia*) and spotted turtle-dove (*Streptopelia chinensis*).

No threatened fauna species were recorded or observed during the ecological investigations, with limited habitat present.

Habitat

As the majority of the vegetation within the Project Area is within managed public parks, road and rail reserves, habitat is limited to the trees present within the parks and along roads and the rail corridor.

The landscape surrounding Glenrowan has larger areas of native vegetation and habitat, including the Warby Ranges and Glenrowan Bushland Nature Reserve. The vegetation within the Project area is only likely to be used for occasional foraging by bird species that move through the disturbed landscape.

3.2 Describe the hydrology relevant to the project area (including water flows)

The Proposed Action is located within the jurisdiction of the Goulburn Broken Catchment Management Authority.

The Proposed Action is adjacent to a tributary associated with Show Creek. There are no works proposed that will impact upon any this waterway.

3.3 Describe the soil and vegetation characteristics relevant to the project area

Soils along with the rail alignment range in clay content, moisture retention, drainage, acidity and fertility. Preliminary geotechnical investigations have been completed within the Project Area and identified fill material to depths between 0.2 m and 1.95 m, overlaying Quaternary Colluvium soil types with clays, silts and sands present.

The Project Area is located in a modified environment, adjacent to high activity areas for road and rail maintenance around bridges, level crossings and stations. Around Glenrowan rail station, the area has been subject to significant disturbance, from intensive rail activities, storing of ballast and other materials and car parking.

The Project Area is located in the Northern Inland Slopes bioregion. With vegetation generally represented by disturbed and modified environments, consisting of woodlands and grassland habitats. Refer to Section 3.1 for further details on vegetation characteristics of the Project Area.

3.4 Describe any outstanding natural features and/or any other important or unique values relevant to the project area

Part of the Project Area is affected by the Glenrowan Heritage Precinct. The significance of the eight-hectare Glenrowan Heritage Precinct stems from it being the location of the siege that resulted in the capture of Ned Kelly and the deaths of the other three members of the Kelly Gang in 1880. The railway at Glenrowan is pivotal to the events of the siege, as well as key



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sites such as Anne Jones's Inn (which police burnt to the ground) and the site of Ned Kelly's fall and capture (the 'Kelly Log' site). The site allows visitors access to the actual location where the pivotal siege events unfolded. Additionally, while outside the heritage precinct the Station Masters House may hold archaeological deposits of potential significance at a state level.

3.5 Describe the status of native vegetation relevant to the project area

A total of 0.216 ha of Ecological Vegetation Class (EVC) 803: Plains Woodland was recorded within the Project Area and has the potential to be impacted by the Proposed Action. This EVC has a bioregional conservation significance of Endangered, however, is not listed under Victorian Flora and Fauna Guarantee Act 1988 and is not listed under the EPBC Act.

This vegetation is not consistent with the White box-Yellow box-Blakley's red gum grassy woodland, which as noted above, was recorded in the surrounding area (outside of the Project Area). This is due to the disturbing nature of the understorey and historic and long-term removal of the tree layer from beneath powerlines.

Some or all of this roadside vegetation is likely to be amenity planting that is exempt from planning permission under clause 52.17 of the Victorian Planning Provisions.

3.6 Describe the gradient (or depth range if action is to be taken in a marine area) relevant to the project area

The gradient of the Project Area is consistently low, as is preferred for an operational rail corridor.

3.7 Describe the current condition of the environment relevant to the project area

The Project Area is located along the operational railway line and adjacent roads within the regional town of Glenrowan. The condition of the environment relevant to the Project Area is generally modified and managed, a function of the immediate adjacent urban land uses and the intensity of activities within the site, for instance, railway stations and surrounding parks are generally modified environments.

3.8 Describe any Commonwealth Heritage places or other places recognised as having heritage values relevant to the project

Part of the Project Area is affected by the Glenrowan Heritage Precinct (Place ID 105729).

The significance of the Glenrowan Heritage Precinct stems from it being the location of the siege that resulted in the capture of Ned Kelly and the deaths of the other three members of the Kelly Gang on 28 June 1880, after almost two years of roaming Victoria's northeast as outlaws and evading capture by the Victorian Police. It was the aim of the Kelly Gang to lure a special police train to Wangaratta and derail the train on a bend on the rail embankment to the east of Glenrowan. The intention was then to slaughter all survivors of the derailment in the wreckage.

The presence of the gang was revealed when they were unable to lift the track and sought the assistance of local railway fitters. The police train was also late in arriving and in order to contain information of their presence in the town, lest an alert is raised, the gang took all passers-by hostage in Jones' Glenrowan Inn. The inn was located on what is now the intersection of Beaconsfield Parade and Siege Street, just to the east of the former level crossing on Beaconsfield Parade road alignment. The Stationmaster's residence, which was located to the west of the level crossing on the north side of the rail corridor, was also used to hold hostages, mostly women and children. Despite the efforts of the Kelly Gang to avoid alerting the oncoming train of their presence, the train was stopped by the town's school teacher, Thomas Curnow, who had been freed from the Inn. The police disembarked at the Glenrowan Railway Station, taking up position in a creek gully opposite the Glenrowan Inn. Following his capture, Kelly was taken to the Stationmaster's residence before being taken to Melbourne by train.

The railway at Glenrowan is pivotal to the events of the siege, as well as key sites such as Anne Jones's Inn (which police burnt to the ground) and the site of Ned Kelly's fall and capture (the 'Kelly Log' site). The site allows visitors access to the location where the pivotal siege events unfolded.

The Kelly story and the Siege specifically is seen as an important foundation story of Victoria and Australia.

3.9 Describe any Indigenous heritage values relevant to the project area

The Yorta Yorta Nation Aboriginal Corporation is the Registered Aboriginal Party (RAP) for the Project Area.

There are no Indigenous Cultural Heritage places located within the Project Area.

A low-density artefact distribution, consisting of a single silcrete flake, is recorded at the Glenrowan Inn, adjacent to the



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Project Area.

3.10 Describe the tenure of the action area (e.g. freehold, leasehold) relevant to the project area

The majority of the Project Area occurs within existing road or rail corridor. Some public land located immediately adjacent to roads and rail corridors is proposed to be utilised for temporary construction purposes.

3.11 Describe any existing or any proposed uses relevant to the project area

The majority of the Project Areas is used for routine rail and road operations.



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Section 4

Measures to avoid or reduce impacts

4.1 Describe the measures you will undertake to avoid or reduce impact from your proposed action

The Proposed Action proposes to reinstate the alignment of the Beaconsfield Parade road bridge to the location of the earlier level crossing that was in place at the time of the siege. Reinstating the crossing back to this point will have the effect of reinstating the original western boundary of the siege site.

With regard to the current overpass, the conservation policy in the Conservation and Landscape Management Plan (draft) prepared by Lovell Chen in 2018, suggests that the preferred outcome for the structure would be its removal from the site and the western edge of the site be defined by a timber fence of similar treatment to that shown in historic images of the place. However, the policy displays a high degree of pragmatism in recognising that the bridge in this location provides safe vehicle and pedestrian access over the rail line; that its relocation outside the Glenrowan Heritage Precinct would be costly and that no other similarly convenient location is readily available. In response, the conservation policy instead suggests that the bridge “work harder” in terms of interpretation of the site. Meaning that the bridge provides a platform for a comprehensive interpretation program to thoroughly inform visitors of the history of the site and the location of the events of the siege. The conservation policies from the Lovell Chen plan (2018) are provided in Attachment B – Table C.1.

Opportunities for interpretation including the best location for interpretation will be further explored during detailed design and through further consultation with the community.

The proposed replacement bridge design will seek to avoid constructing solid approaches, whether of earth or a concrete retaining structure, which would persist in obstructing views to the west along the railway line. The design will seek to provide an open structure to lighten the visual impact of the structure and allow a visual connection to the site of the former station masters building that sits to the west of the existing bridge.

The proposed option avoids impacts to the nationally threatened White box-yellow box-Blakely’s red gum. Impacts on the heritage values have been reduced through the selection of the bridge replacement and realignment option.

Pre-construction Archaeological Investigations

A preliminary archaeological assessment of the Project Area has been undertaken (Attachment C). Heritage permit applications will be submitted to Heritage Victoria regarding the proposed works at Glenrowan Heritage Precinct. These regulatory processes will be supported by further detailed assessment of the project works by a heritage specialist, engagement and consultation with affected community’s including heritage interest groups, and Heritage Victoria.

Heritage Interpretation

ARTC have been, and continue to consult closely with the local community, Wangaratta City Council and Heritage Victoria in regard to the Proposed Action and the opportunity to realise improved heritage outcomes for this site (Attachment B). A heritage interpretation strategy will be prepared with a focus on providing future visitors to the site the ability to better understand the location and sequences of events of the Siege.

Inland Rail has an overall Landscape & Rehabilitation Framework (0-0000-900-ELE -00-GU-0001_0) document that supports the Landscape and Rehabilitation Strategy (0-000-ELE-00-ST-0001)(The Strategy). The Framework provides guidance for Inland Rail projects in detailed design and construction. Performance outcomes outlined in this Framework are to inform subsequent project-specific completion criteria, which are to be developed by the appointed designer team during the detailed design. The Framework and Strategy documents will form part of the Urban Design Framework (UDF) and Guidelines (UDG) documents developed specifically for the Project. The aim of these documents is to achieve high-quality urban design outcomes which support the social, cultural, economic and environmental health and well-being of communities along the North East Rail Line, whilst minimising adverse impacts which may result from the proposed works.

Construction

A construction environmental management plan will be developed to ensure management and mitigation measures and conditions of approval are clearly documented and are implemented during the construction phase of the Proposed Action. This will include a definition of no-go zones, requirements for post-work rehabilitation, and scheduling of works where necessary to minimise impacts to the local community.

4.2 For matters protected by the EPBC Act that may be affected by the proposed action, describe the proposed environmental outcomes to be achieved

To date, endeavours to avoid and reduce impacts to MNES and other environmental values have been a key factor in option assessment and design considerations.

Identification of heritage and other environmental values has directly informed the design and has prompted design changes to reduce impacts to matters of national environmental significance protected by the EPBC Act. This includes the design change from a track lower solution to a bridge replacement at Beaconsfield Parade Overbridge to avoid a significant impact to the National Heritage List place and provide a solution that is sympathetic to both the landscape setting and the heritage context of the Glenrowan Heritage Precinct.

Development of heritage interpretation strategy for the Glenrowan Heritage Precinct is a key environmental outcome for this component of the Inland Rail project.



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Section 5

Conclusion on the likelihood of significant impacts

5.1 You indicated the below ticked items to be of significant impact and therefore you consider the action to be a controlled action

- World Heritage properties
- National Heritage places
- Wetlands of international importance (declared Ramsar wetlands)
- Listed threatened species or any threatened ecological community
- Listed migratory species
- Marine environment outside Commonwealth marine areas
- Protection of the environment from actions involving Commonwealth land
- Great Barrier Reef Marine Park
- A water resource, in relation to coal seam gas development and large coal mining development
- Protection of the environment from nuclear actions
- Protection of the environment from Commonwealth actions
- Commonwealth Heritage places overseas
- Commonwealth marine areas

5.2 If no significant matters are identified, provide the key reasons why you think the proposed action is not likely to have a significant impact on a matter protected under the EPBC Act and therefore not a controlled action

The project works forming the Proposed Action have been designed to minimise impacts to the National Heritage Place and impacts are not considered significant (refer to conclusions in Attachment C and D).

An assessment of the Proposed Action against National Heritage List criteria as set out in the EPBC Act Significant Impact Guidelines 1.1: National Heritage places with cultural heritage values has been undertaken. The assessment concluded that the Proposed Action is unlikely to have a significant or detrimental impact on the national heritage values of the Glenrowan Heritage Precinct. The results of the assessment are set out in Table 4.1 and Sections 4.2.3 and 4.2.4 of Appendix B.

No significant heritage fabric is proposed to be impacted by the Proposed Action. The removal and replacement of the Beaconsfield Parade overbridge will reduce physical and visual obstructions that currently inhibit the full appreciation of the heritage site. The proposed new bridge will provide for better opportunities to understand the story of the Kelly siege by providing improved views and more sympathetic design response to key sites within the siege area.

Given that the Proposed Action involves works which are focused on the existing road corridor with limited works proposed within the rail reserve, it is unlikely that the proposed works will impact previously unidentified significant archaeological features and/or deposits, within the Glenrowan Heritage precinct or Station Masters House (located outside the precinct). In any event, the works will be subject to approval under the Heritage Act 2017 which will ensure that the works are managed in a way to minimise and mitigate any potential impacts.

Overall, the Proposed Action is expected have a positive impact on the Glenrowan Heritage Precinct and the impacts on the cultural heritage values of the Glenrowan Heritage Precinct are not predicted to be detrimental or significant for the purposes of the EPBC Act.



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Section 6

Environmental record of the person proposing to take the action

6.1 Does the person taking the action have a satisfactory record of responsible environmental management? Explain in further detail

ARTC is a national rail operator. Through the implementation of ARTC's Environmental Policy, Environmental Management System, and Project specific Construction Environmental Management Plan and Operation Management Plans, ARTC has maintained a satisfactory record of responsible environmental management.

6.2 Provide details of any past or present proceedings under a Commonwealth, State or Territory law for the protection of the environment or the conservation and sustainable use of natural resources against either (a) the person proposing to take the action or, (b) if a permit has been applied for in relation to the action – the person making the application

No proceeding under Commonwealth or State Legislation have been taken against ARTC in the past.

6.3 If it is a corporation undertaking the action will the action be taken in accordance with the corporation's environmental policy and framework?

Yes No

6.3.1 If the person taking the action is a corporation, provide details of the corporation's environmental policy and planning framework

Please see Attachment H for more details.

6.4 Has the person taking the action previously referred an action under the EPBC Act, or been responsible for undertaking an action referred under the EPBC Act?

Yes No

6.4.1 EPBC Act No and/or Name of Proposal

Inland Rail projects: Parkes to Narromine(NSW); Narrabri to North Star (NSW); Helidon to Calvert (Qld); Albury to Illabo (NSW).



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Section 7

Information sources

Reference source

KBR 2019, Tottenham to Illabo Biodiversity Assessment

Reliability

A biodiversity assessment consisting of desktop searches and field survey over two periods, summer 2017/2018 and winter 2019.

Uncertainties

Presence/absence of threatened species was determined through further targeted field survey for the project area, however, no threatened flora or fauna are predicted to occur within the Beaconsfield Parade Overbridge project area.

Reference source

Andrew Long and Associates 2019, Glenrowan Archaeological Impacts Assessment Report

Reliability

A desktop archaeological assessment.

Uncertainties

As stated in the archaeological report further site-based investigations are recommended to understand archaeological issues and constraints.

Reference source

Jacobs 2019, Historic Heritage Impact Assessment

Reliability

A desktop heritage assessment.

Uncertainties

As stated in the report.

Reference source

Lovell Chen 2018, the Glenrowan Heritage Precinct Conservation and Landscape Management Plan, Report to the City of Wangaratta

Reliability

The assessment report documented the cultural heritage values of the Glenrowan Heritage Precinct and clarified what is significant about the place.

Uncertainties

As Stated in the document.

Reference source

GTA Consultants 2020, Transport Assessment

Reliability

Transport assessment to understand impact to vehicle and pedestrian movements during construction and operation.

Uncertainties

As stated in the report.



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Section 8

Proposed alternatives

Do you have any feasible alternatives to taking the proposed action?

Yes



No



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Section 9

Person proposing the action

9.1.1 Is the person proposing the action a member of an organisation?

Yes No

Organisation

Organisation name AUSTRALIAN RAIL TRACK CORPORATION LIMITED
 Business name ARTC
 ABN 75081455754
 ACN
 Business address 39 Bakehouse Rd, Kensington, 3031, VIC, Australia
 Postal address
 Main Phone number 0417 431 801
 Fax
 Primary email address MFeher@ARTC.com.au
 Secondary email address

9.1.2 I qualify for exemption from fees under section 520(4C)(e)(v) of the EPBC Act because I am:

Small business
 Not applicable

9.1.2.2 I would like to apply for a waiver of full or partial fees under Schedule 1, 5.21A of the EPBC Regulations *

Yes No

9.1.3 Contact

First name Marisa
 Last name Feher
 Job title Environment Manager - Victoria
 Phone
 Mobile 0417 431 801
 Fax
 Email MFeher@ARTC.com.au
 Primary address 39 Bakehouse Rd, Kensington, 3031, VIC, Australia
 Address

Declaration: Person proposing the action

I, Marisa Feher, declare that to the best of my knowledge the information I have given on, or attached to the EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence. I declare that I am not taking the action on behalf or for the benefit of any other person or entity.

Signature: [Signature] Date: 29/06/2020

I, Marisa Feher, the person proposing the action, consent to the designation of Ed Walker on behalf of ARTC as the proponent for the purposes of the action described in this EPBC Act Referral. Inland Rail

Signature: [Signature] Date: 29/06/2020



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Proposed designated proponent

9.2.1 Is the proposed designated proponent a member of an organisation?

Yes No

Organisation

Organisation name	AUSTRALIAN RAIL TRACK CORPORATION LIMITED
Business name	ARTC
ABN	75081455754
ACN	
Business address	180 Ann St, Brisbane City, 4000, QLD, Australia
Postal address	
Main Phone number	1800732761
Fax	
Primary email address	MFeher@ARTC.com.au
Secondary email address	

9.2.2 Contact

First name	Ed
Last name	Walker
Job title	General Manager Victoria Projects
Phone	0447 340 287
Mobile	0447 340 287
Fax	
Email	EWalker2@ARTC.com.au
Primary address	97-99 Bakehouse Rd, Kensington, 3031, VIC, Australia
Address	

Declaration: Proposed Designated Proponent

I, Ed Walker, the proposed designated proponent, consent to the designation of myself as the proponent for the purposes of the action described in this EPBC Act Referral.

Signature: Ed Walker Date: 26/06/2020



Note: PDF may contain fields not relevant to your application. These fields will appear blank or unticked. Please disregard these fields.

Referring party (person preparing the information)

9.3.1 Is the referring party (person preparing the information) a member of an organisation?

Yes No

Organisation

Organisation name AUSTRALIAN RAIL TRACK CORPORATION LIMITED
Business name
ABN 75081455754
ACN
Business address 39 Bakehouse Rd, Kensington, 3031, VIC, Australia
Postal address
Main Phone number 0417 431 801
Fax
Primary email address MFeher@ARTC.com.au
Secondary email address

9.3.2 Contact

First name Marisa
Last name Feher
Job title Environment Manager - Victoria
Phone 0417 431 801
Mobile
Fax
Email MFeher@ARTC.com.au
Primary address 39 Bakehouse Rd, Kensington, 3031, VIC, Australia
Address

Declaration: Referring party (person preparing the information)

I, Marisa Feher, declare that to the best of my knowledge the information I have given on, or attached to this EPBC Act Referral is complete, current and correct. I understand that giving false or misleading information is a serious offence.

Signature: Date: 29/06/2020



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Appendix A	
Attachment	
Document Type	File Name
action_area_images	Attachment A - Project Area.pdf
public_consultation_reports	Attachment B - Consultation Summary Report 2017 to 2019.pdf
supporting_tech_reports	Attachment C Glenrowan Archaeological Impacts Assessment.pdf
supporting_tech_reports	Attachment D Historic Heritage Impact Assessment_Part A.pdf
supporting_tech_reports	Attachment D Historic Heritage Impact Assessment_Part C.pdf
supporting_tech_reports	Attachment D Historic Heritage Impact Assessment_Part B.pdf
supporting_tech_reports	Attachment E Heritage Victoria letter.pdf
flora_fauna_investigation	Attachment F Biodiveristy Assessment.pdf
flora_fauna_investigation	Attachment F Biodiveristy Assessment_Appendix_A_maps 1 to 7.pdf
flora_fauna_investigation	Attachment F Biodiveristy Assessment_Appendix_A_maps 8 to 16.pdf
flora_fauna_investigation	Attachment F Biodiveristy Assessment_Appendix_A_maps 17 to 25.pdf
flora_fauna_investigation	Attachment F Biodiveristy Assessment_Appendix_A_maps 26 to 34.pdf
flora_fauna_investigation	Attachment F Biodiveristy Assessment_Appendix_B.pdf
flora_fauna_investigation	Attachment F Biodiveristy Assessment_Appendix_C_Part A.pdf
flora_fauna_investigation	Attachment F Biodiveristy Assessment_Appendix_C_Part B.pdf
flora_fauna_investigation	Attachment F Biodiveristy Assessment_Appendix_C_Part C.pdf
flora_fauna_investigation	Attachment F Biodiveristy Assessment_Appendix_D_maps 1 to 13.pdf
impact_reduction_docs	Attachment F Biodiveristy Assessment_Appendix_D_maps 14 to 25.pdf
impact_reduction_docs	Attachment F Biodiveristy Assessment_Appendix_D_maps 26 to 39.pdf
impact_reduction_docs	Attachment F Biodiveristy Assessment_Appendix_E.pdf
impact_reduction_docs	Attachment F Biodiveristy Assessment_Appendix_F-G.pdf
impact_reduction_docs	Attachment F Biodiveristy Assessment_Appendix_H_Part A.pdf
impact_reduction_docs	Attachment F Biodiveristy Assessment_Appendix_H_Part B.pdf
impact_reduction_docs	Attachment F Biodiveristy Assessment_Appendix_I_1 to 18.pdf
impact_reduction_docs	Attachment F Biodiveristy Assessment_Appendix_I_19 to 37.pdf
impact_reduction_docs	Attachment G Transport Assessment.pdf
corp_env_policy_docs	Attachment H IR-Enviro_Sustainability-Policy.pdf

Appendix B
Coordinates
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Area 4



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