

**Esso Australia Resources Pty Ltd**

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18 April 2024

**Esso Pipeline Replacement Project, Victoria (EPBC 2014/7202)**

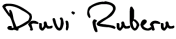
Dear Sir/Madam,

Pursuant to EPBC 2014/7202 approval condition 13, Esso Australia Resources Pty Ltd (Esso) publishes this report addressing compliance with each of the conditions of this approval over the previous 12 months.

Esso last published a report in pursuant to EPBC 2014/7202 approval condition 13 in 2019. A meeting between personnel from Esso and the Department of Climate Change, Energy, the Environment and Water took place on 26<sup>th</sup> February 2024 to discuss matters relating to EPBC 2014/7202. Under the verbal advice received from that meeting, Esso will not retrospectively publish reports for the period of 2020 to 2023.

This report serves as the latest link to last published report – Annual Compliance Report #3, and provides update to previously detailed corrective action that has now been closed.

Yours Sincerely,

DocuSigned by:  
  
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Druvi Ruberu

**Development Manager**

Esso Australia Pty Ltd

(for and on behalf of Esso Australia Resources Pty Ltd ABN 62 091 829 819)

## ESSO PIPELINE REPLACEMENT PROJECT (EPBC 2014/7202)

### ANNUAL COMPLIANCE REPORT #4

	Title	Name	Signature	Date
Prepared	Pipelines Risk, Environment & Regulatory Advisor	Liam Loh	<small>DocuSigned by:</small>  <small>881E3A455E824A0...</small>	April 17, 2024
Review	Pipelines Supervisor	Sarah Robertson	<small>DocuSigned by:</small>  <small>76CE0EE7E9459...</small>	April 17, 2024
Approved	Development Manager	Druvi Ruberu	<small>DocuSigned by:</small>  <small>26C7535BE1E5411...</small>	April 17, 2024



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## GLOSSARY OF TERMS

Term	Definition
CROW	Construction Right of Way. Established to facilitate construction of the replacement pipeline.
DCCEEW	Department of Climate Change, Energy, the Environment and Water (formerly Commonwealth Department of Environment and Energy)
DoEE	Department of Environment and Energy (formerly Department of Environment)
DoE	Department of Environment
Esso	Esso Australia Resources Pty Ltd.
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999.</i>
GIS	Geographic Information System.
KP	Kilometre Point. Represents the replacement pipeline alignment where KP0 is at the Longford Plant and KP186 is at the Long Island Point Plant.
Minister	Australian Government Minister administering the EPBC Act and includes a delegate of the Minister.
NACAP	NACAP Australia Pty Ltd (Pipeline Construction Contractor)
Project Area	The location of construction activities and temporary workspace areas including but not limited to vegetation clearance, soil disturbance, travel of pipe laying equipment, light and heavy vehicle travel, directional drilling set-up areas, pipe laydown areas, truck turning areas and soil storage areas identified and mapped in the referral information and attachments submitted to the Department on 8 May 2014 and Final Preliminary Documentation submitted to the Department on 23 April 2015.
Southern Brown Bandicoot / SBB	Endangered listed Southern Brown Bandicoot ( <i>Isoodon obesulus</i> ).
Southern Brown Bandicoot Habitat	Areas identified and mapped as Southern Brown Bandicoot Habitat in the Flora and Fauna Survey and Impact Mitigation Report prepared by Biosis for WorleyParsons in February 2014.

## 1 BACKGROUND

### 1.1 Summary of the Project

Esso Australia Resources Pty Ltd (Esso) has completed construction of the Esso Pipeline Replacement Project (Project). The Project involved installing a 350 mm diameter replacement pipeline between Longford (Kilometre Point (KP) 0) and Long Island Point (KP 186), Victoria, adjacent to existing pipelines and located within existing easements, leases and licences held by Esso.

A Construction Right of Way (CROW) was established to facilitate the construction of the replacement pipeline. The CROW includes the existing easement, approximately 25 m in width, and an additional temporary workspace area, immediately adjacent to the easement.

Season 1 construction by NACAP commenced on the Project on 19 January 2016 and continued until 7 August 2016. During this period, the pipeline was installed from Longford (KP 0) and Modella (KP 130). Season 2 NACAP construction commenced on 1 December 2016 and continued until 11 June 2017 from Modella (KP130) to Long Island Point (KP186).

Post-construction, prescribed areas of habitat were revegetated, with works completed on 11 August 2017. This was followed by a two-year revegetation maintenance period, finishing on 11 August 2019.

### 1.2 EPBC Approval

Esso submitted a referral for the Project to the Department of Environment (DoE) in May 2014 and additional information in April 2015 (EPBC Referral Final Preliminary Documentation). On the 30 June 2015, DoE granted approval under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) subject to conditions. DoE's approval and conditions are included in Appendix 1.

EPBC Approval 2014/7202 has effect until 1 July 2025.

## 2 PURPOSE OF THE REPORT

This EPBC compliance report is prepared and published to address Condition 13 of the EPBC Act approval and assessed compliance with each of the conditions of the EPBC Act approval (see Table 1).

## 3 PROJECT COMPLIANCE SUMMARY

Table 1 provides the approval conditions and compliance status, and identifies where further details can be found in either this report or published report.

**Table 1 EPBC Act conditions and compliance**

Detailed condition	Status	Section of this report documenting compliance
1. Not clear more than 18.05 hectares of Southern Brown Bandicoot habitat at the Project Area.	-	Not applicable for this report. Refer to Annual Compliance Report #1.
2. Ensure there is no mortality of the Southern Brown Bandicoot at the Project Area as a result of the proposed action.	-	Not applicable for this report. Refer to Annual Compliance Report #2.

Detailed condition	Status	Section of this report documenting compliance
3. Maintain connectivity of Southern Brown Bandicoot habitat at the Project area during construction.	-	Not applicable for this report. Refer to Annual Compliance Report #1.
4. Revegetate Southern Brown Bandicoot habitat that is lost as a result of the proposed action, and demonstrate this by meeting the following milestones as proposed by the person taking the action: <ul style="list-style-type: none"> <li>a. 80% survival of planted stock at 6 months from planting;</li> <li>b. 60% vegetation cover over 90% of the area within one year of planting; and</li> <li>c. 90% survivorship of plants after two years, post planting.</li> </ul>	-  -  Compliant	- 4a and 4b - Not applicable for this report. Refer to Annual Compliance Report #2 and #3.  - 4c Refer to Section 4.
5. Not clear more than 16 Strzelecki Gum at the Project Area.	-	Not applicable for this report. Refer to Annual Compliance Report #1.
6. Ensure no net loss of the Strzelecki Gum, and demonstrate this by: <ul style="list-style-type: none"> <li>a. Submitting a report for the Minister's approval demonstrating there will be no net loss of the Strzelecki Gum as a result of the proposed action, prior to the clearance of any Strzelecki Gum.</li> <li>b. After receiving the report under condition 6a, if the Minister is not satisfied that condition 6 has been met; the Minister may instruct the person taking the action to provide further compensation for the impacts to the Strzelecki Gum.</li> </ul>	-	Not applicable for this report. Refer to Annual Compliance Report #1.
7. Ensure there is no disturbance to Giant Gippsland Earthworm habitat the Project Area, as proposed by the person taking the action.	-	Not applicable for this report. Refer to Annual Compliance Report #1.
8. The person taking the action must ensure adequate data is collected to determine if the milestones and outcomes in conditions 1-7 are being achieved.	Compliant	Refer to Section 4.
9. The person taking the action must make monitoring results and data publicly available on their website under an open licence.	Compliant	This compliance report has been made available on Esso website.

Detailed condition	Status	Section of this report documenting compliance
<p>10. If monitoring results indicate that milestones or outcomes in conditions 1-7 have not been achieved, or are not likely to be achieved, the person taking the action must:</p> <ol style="list-style-type: none"> <li>a. advise the Department within 14 days of receiving the monitoring results; and</li> <li>b. develop and implement corrective actions, revised management measures and/or compensation measures in consultation with a suitably qualified expert and the Department.</li> </ol>	-	<p>Not applicable for this report. Refer to previous Compliance Report #1 – #3 for previous compliance to condition 10.</p>
<p>11. Within 30 days after the commencement of construction, the person taking the action must advise the Department in writing of the actual date of commencement of construction.</p>	-	<p>Not applicable for this report. Refer to Annual Compliance Report #1.</p>
<p>12. The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval. Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the Department's website. The results of audits may also be publicised through the general media.</p>	Compliant	<p>Previous reports are kept as records along with any relevant activities undertaken.</p>
<p>13. Within three months of every 12 month anniversary of the commencement of construction, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval over the previous 12 months. Documentary evidence providing proof of the date of publication must be provided to the Department at the same time as the compliance report is published. The compliance reports must remain on the website for 12 months from the date of publishing. Potential or actual contraventions of the conditions of the approval must be reported to the Department in writing within 2 business days of the person taking the action becoming aware of the actual or potential contravention. All contraventions must also be included in the compliance reports.</p>	Compliant	<p>This compliance report has been made available on Esso website.</p>



Detailed condition	Status	Section of this report documenting compliance
14. Upon the direction of the Minister, the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.	No direction given	
15. If, at any time after 5 years from the date of this approval, the person taking the action has not substantially commenced the action, then the person taking the action must not substantially commence the action without the written agreement of the Minister.	Not applicable	
16. The person taking the action must provide the Department with details of any offset areas, including written evidence that a protection mechanism is in place, offset attributes, shapefiles, textual descriptions and maps to clearly define the location and boundaries of each offset area.	-	Not applicable for this report. Refer to Annual Compliance Report #1.

#### 4 COMPLIANCE WITH EPBC CONDITION 4

A site monitoring of Caldermeade Road was conducted on 27<sup>th</sup> March 2024 to verify effectiveness of action taken in Compliance Report #3 – install rabbit exclusion fencing on the eastern roadside, undertake supplementary planting and continue routine vegetation maintenance of the site until plants are established.

Both eastern and western side of the road at site appears to be fully covered by vegetation. Previously installed rabbit exclusion fencing has been removed.

The action implemented is considered to be successful and effective.



Caldermeade Road  
site – eastern side  
road

From Compliance  
Report #3



Caldermeade Road  
site – eastern side  
road

27/03/2024 site  
monitoring





Caldermeade Road  
site – western side  
road

From Compliance  
Report #3



Caldermeade Road  
site – western side  
road

27/03/2024 site  
monitoring



**5 DECLARATION OF ACCURACY**

The declaration of accuracy is contained within Appendix 2.



**6 REFERENCES**

**Appendix 1 EPBC REFERRAL APPROVAL AND CONDITIONS**

EPBC Approval 2014/7202 dated 30/6/15.



**Approval**

**Esso Pipeline Replacement Project, Victoria (EPBC 2014/7202)**

This decision is made under sections 130(1) and 133 of the *Environment Protection and Biodiversity Conservation Act 1999*.

**Proposed action**

**Person to whom the approval is granted** Esso Australia Resources Pty Ltd

**Proponent's ABN** 62 091 829 819

**Proposed action** To install a 350mm diameter replacement pipeline between Longford and Long Island Point, Victoria, including the construction of associated infrastructure and the use of lay down areas [See EPBC Act referral 2014/7202].

**Approval decision**

Controlling Provision	Decision
Listed threatened species and communities (sections 18 & 18A)	Approved

**Conditions of approval**

This approval is subject to the conditions specified below.

**Expiry date of approval**

This approval has effect until 1 July 2025.

**Decision-maker**

**Name and position** Paula Stagg  
Acting Assistant Secretary  
South-Eastern Australia Environment Assessments Branch

**Signature**

**Date of decision**

30/6/15

## Conditions attached to the approval

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To protect the **Southern Brown Bandicoot**, the person taking the action must:

1. not clear more than 18.05 hectares of **Southern Brown Bandicoot habitat** at the **project area**.
2. ensure there is no mortality of the **Southern Brown Bandicoot** at the **project area** as a result of the proposed action.
3. maintain **connectivity** of **Southern Brown Bandicoot habitat** at the **project area** during construction.
4. revegetate **Southern Brown Bandicoot habitat** that is lost as a result of the proposed action, and demonstrate this by meeting the following milestones as proposed by the person taking the action:
  - a. 80% survival of planted stock at 6 months from planting;
  - b. 60% vegetated cover over 90% of the area within one year of planting; and
  - c. 90% survivorship of plants after two years, post planting.

To protect the **Strzelecki Gum**, the person taking the action must:

5. not clear more than 16 **Strzelecki Gum** at the **project area**.
6. ensure **no net loss** of the **Strzelecki Gum**, and demonstrate this by:
  - a. submitting a report for the **Minister's** approval demonstrating there will be **no net loss** of the **Strzelecki Gum** as a result of the proposed action, prior to the clearance of any **Strzelecki Gum**.
  - b. After receiving the report under condition 6a, if the **Minister** is not satisfied that condition 6 has been met; the **Minister** may instruct the person taking the action to provide further compensation for the impacts to the **Strzelecki Gum**.

To protect the **Giant Gippsland Earthworm**, the person taking the action must:

7. ensure there is no disturbance to **Giant Gippsland Earthworm habitat** at the **project area**, as proposed by the person taking the action.

### *Monitoring*

8. The person taking the action must ensure adequate data is collected to determine if the milestones and outcomes in conditions 1-7 are being achieved.
9. The person taking the action must make monitoring results and data publicly available on their website under an open licence.
10. If monitoring results indicate that milestones or outcomes in conditions 1-7 have not been achieved, or are not likely to be achieved, the person taking the action must:
  - a. advise the **Department** within 14 days of receiving the monitoring results; and
  - b. develop and implement corrective actions, revised management measures and/or compensation measures in consultation with a **suitably qualified expert** and the **Department**.

## *Administrative*

11. Within 30 days after the **commencement of construction**, the person taking the action must advise the **Department** in writing of the actual date of **commencement of construction**.
12. The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval. Such records may be subject to audit by the **Department** or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of approval. Summaries of audits will be posted on the **Department's** website. The results of audits may also be publicised through the general media.
13. Within three months of every 12 month anniversary of the **commencement of construction**, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval over the previous 12 months. Documentary evidence providing proof of the date of publication must be provided to the **Department** at the same time as the compliance report is published. The compliance reports must remain on the website for 12 months from the date of publishing. Potential or actual contraventions of the conditions of the approval must be reported to the **Department** in writing within 2 business days of the person taking the action becoming aware of the actual or potential contravention. All contraventions must also be included in the compliance reports.
14. Upon the direction of the **Minister**, the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the **Minister**. The independent auditor must be approved by the **Minister** prior to the commencement of the audit. Audit criteria must be agreed to by the **Minister** and the audit report must address the criteria to the satisfaction of the **Minister**.
15. If, at any time after 5 years from the date of this approval, the person taking the action has not **substantially commenced** the action, then the person taking the action must not **substantially commence** the action without the written agreement of the **Minister**.
16. The person taking the action must provide the **Department** with details of any offset areas, including written evidence that a **protection mechanism** is in place, **offset attributes**, **shapefiles**, textual descriptions and maps to clearly define the location and boundaries of each offset area.

## *Definitions*

**Commencement of construction** is the date that preparatory works are first undertaken, including but not limited to clearing of vegetation, the erection of any onsite temporary structures and the use of heavy duty equipment for the purpose of breaking the ground for infrastructure or earthworks. This does not include investigative activities such as accessing the site for surveying or planning purposes.

**Connectivity** means retaining strips of vegetation at least 20 metres wide where construction is parallel to **Southern Brown Bandicoot habitat** and limiting breaks of vegetation to no more than 50 metres where construction is perpendicular to **Southern Brown Bandicoot habitat**.

**Department** means the Australian Government Department administering the *Environment Protection and Biodiversity Conservation Act 1999*.

**EPBC Act Offsets Policy** means the Australian Government policy documents titled: *Environment Protection and Biodiversity Conservation Act 1999 environmental offsets policy* and *Offsets Assessment Guide*, Department of the Environment, 2012.

**Giant Gippsland Earthworm** means the vulnerable listed species *Megascolides australis*.

**Giant Gippsland Earthworm habitat** means the areas identified and mapped as habitat for the **Giant Gippsland Earthworm** in the *Giant Gippsland Earthworm Survey Report* prepared in January 2014 by Dr. Beverley Van Praagh.

**Minister** means the Australian Government Minister administering the *Environment Protection and Biodiversity Conservation Act 1999* and includes a delegate of the Minister.

**No net loss** means an overall outcome that improves or maintains the viability of the **Strzelecki Gum** as a result of the proposed action by securing offsets for any impacts to the **Strzelecki Gum** which meet the requirements of the **EPBC Act Offset Policy**.

**Offset attributes** is an '.xls' file capturing relevant attributes of the offset site, including the EPBC reference ID number, the physical address of the offset site, coordinates of the boundary points in decimal degrees, the EPBC protected matters that the offset compensates for, any additional EPBC protected matters that are benefiting from the offset, and the size of the offset in hectares.

**Project area** means the location of construction activities and temporary workspace areas including but not limited to vegetation clearance, soil disturbance, travel of pipe laying equipment, light and heavy vehicle travel, directional drilling set-up areas, pipe laydown areas, truck turning areas and soil storage areas identified and mapped in the referral information and attachments submitted to the Department on 8 May 2014 and Final Preliminary Documentation submitted to the Department on 23 April 2015.

**Protection mechanism** means an in perpetuity covenant or agreement on title protecting the land for conservation purposes.

**Shapefile** is an ESRI Shapefile containing '.shp', '.shx' and '.dbf' files and other files capturing attributes including at least the EPBC reference ID number and EPBC protected matters present at the relevant site. Attributes should also be captured in '.xls' format. A geographically referenced raster 'img' file/s must be provided to provide context for the shapefiles.

**Southern Brown Bandicoot** means the endangered listed species *Isoodon obesulus obesulus*.

**Southern Brown Bandicoot habitat** means the areas identified and mapped as Southern Brown Bandicoot habitat in the *Flora and Fauna Survey and Impact Mitigation* report prepared by Biosis for WorleyParsons in February 2014.

**Strzelecki Gum** means the vulnerable listed species *Eucalyptus strzeleckii*.

**Substantially commence/d** means the installation of any permanent infrastructure associated with the action excluding signage and fences.

**Suitably qualified expert** means an ecologist with relevant tertiary qualifications and at least 5 years of experience relevant to the EPBC listed species.

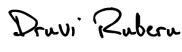


<b>ESSO PIPELINE REPLACEMENT PROJECT</b>	<b>ANNUAL COMPLIANCE REPORT</b>	
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## Appendix 2 DECLARATION OF ACCURACY

In making this declaration, I am aware that sections 490 and 491 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Signed:

DocuSigned by:  
  
26C7535BE1E5411...

Full name (please print): Druvi Ruberu

Position (please print): Development Manager

Organisation (please print including ABN/CAN if applicable): ESSO AUSTRALIA PTY LTD.

Date: April 17, 2024