

Compliance Report – Eton Range Realignment Project, May 2018

EPBC Approval 2015/7552

April 2017 - April 2018



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Document control options

Departmental approvals

Refer to the appropriate Risk Assessment Tool for relevant reviewer and approver

Date	Name	Position	Action required (Review/endorse/approve)
28/05/2018	Tim Dalton	Environmental Officer	Document for Review and Approval
	Patrick Aprile	District Director (Mackay/Whitsunday)	Approved

Prepared by	Tim Dalton
Title	Environmental Officer
District & Region	Mackay/Whitsunday
Branch & Division	PDO
Project/program	Eton Range Realignment Project
Project number	242/33B/8
Project location	Mackay Regional Council
Status	Revision 1
DMS	450/642

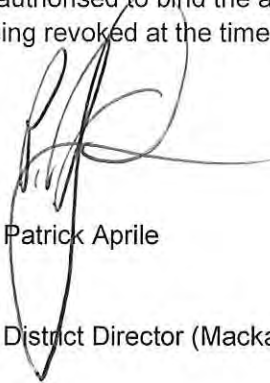
Proponent and Approved Action

Detail	Applicable details
EPBC Reference Number:	2015/7552
Project Name:	Eton Range Realignment Project
Proponent:	Department of Transport and Main Roads
ABN:	39 407 690 291
Proposed Action:	To realign the Peak Downs Highway at Eton Range between Mackay and Nebo, Queensland
Reporting Period:	April 2017 – April 2018
Date Prepared:	May 2018

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



Full name Patrick Aprile

Position District Director (Mackay/Whitsunday District)

Organisation

Department of Transport and Main Roads (ABN - 39 407 690 291)

Date

30/05/18

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1. Introduction

The Department of Transport and Main Roads (TMR) is currently constructing the Eton Range Realignment Project (herein referred to as 'the Project'). TMR submitted a referral for the Project to the former federal Department of the Environment (DoE) (now Department of the Environment and Energy) for impacts to matters of national environmental significance (MNES) under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) on 27 August 2015.

In September 2015 DoE determined the Project a controlled action under the EPBC Act due to potential significant impacts MNES protected under Section 18 and 18A, Part 3 of the EPBC Act. In March 2016 DoE granted the Project approval with conditions. Construction commenced on the 4 April 2016.

Condition 16 of the approval requires that TMR prepares and publishes an annual report that assesses compliance with each of the conditions of the approval. This report is prepared for the period from April 2017 - April 2018.

2. Description of Activity

2.1 Project location

The Project is located approximately 35km south west of Mackay on the Peak Downs Highway. The Peak Downs Highway is part of the State Strategic Road Network in recognition of its importance to the economy of both Mackay and Queensland. The highway is part of the Emerald to Mackay freight corridor supporting the mining and agricultural industries of the Bowen and Galilee Basins (refer to Figure 1). The Eton Range is the main transport corridor across the Clarke – Connors Range.

2.2 Description of the Project

Key elements of the Project include the following:

- Sequential clearing of vegetation and ground preparation works to accommodate construction activities;
- Installation of drainage infrastructure including new culverts ranging in size from 1/600RCP to 3/2100RCP, as well as a culvert specifically for use as a fauna passage;
- General bulk earthworks which include approximately 400,000m³ of road excavation and 280,000 m² of road embankment;
- Installation of complex longitudinal drainage systems in the centre median ranging in size from 1/450 RCP to 1/1500RCP, approximately 1 km long, with numerous branch pits and grated inlet pits;
- Excavation and concrete lining of an elaborate surface catch and batter drainage system to intercept and direct overland flow to controlled outlet points, over 3200 m³ of reinforced concrete;
- Rehabilitation of approximately 950 m of existing roadway;
- Installation of an elaborate barrier system which includes w-beam, thriebeam and concrete barriers and other road furniture including road signs; and
- 6.4 hectares of landscaping/revegetation works, with approximately 4 hectares of 1:1 slope to stabilise and vegetate.

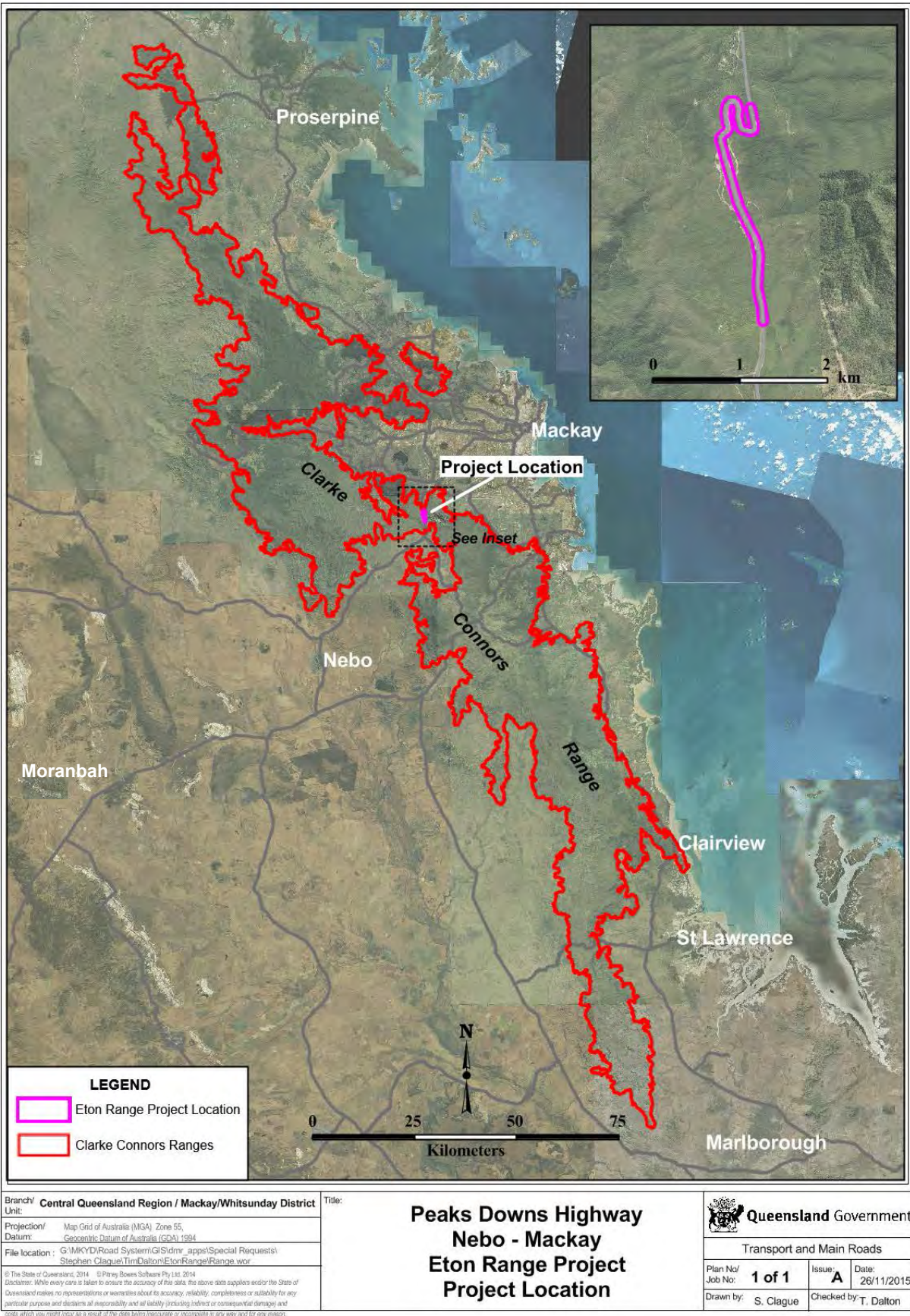


Figure 1: Project Locality

2.3 Project progress

Project progress between April 2017 and April 2018 includes:

- Completion of almost 98% of clearing activities;
- Installation of eight (8) drainage structures out of 22 in total;
- Completion of 95% of temporary stabilisation and 60% of permanent stabilisation works;
- 500m of kerbing completed out of 2700m in total;
- Completion 80% of permanent fauna exclusion fencing, with the installation of fauna crossing logs yet to commence;
- 22 blasts at various locations across the Project;
- Completion of 50% of earthworks with 14,000 tonnes of material imported and over 125,000m³ of insitu material processed;
- 30% of permanent landscaping works completed;
- The completion of one major reinforced earth embankment (REE1) and 50% of another REE completed (REE2); and
- Ongoing site rehabilitation and clean-up activities after Cyclone Debbie crossed the Mackay and Whitsunday Coast in March 2017.

2.4 Matters of national environmental significance (MNES)

The Project was assessed as having the potential to have a significant impact on the following MNES:

- Koala (*Phascolarctos cinereus*).

3. Compliance with Approval Conditions

Table 1 provides details of the compliance with the Project’s EPBC Act approval conditions.

Table 1 Compliance with EPBC Approval

Condition number	Condition	Compliance				Evidence/comments/notable events
		Compliant	Observation	Non-Compliant	Non-Applicable	
1	During construction , there must be no koala mortality attributable to construction activity .	✓	✓			<p>No koala fatalities have occurred during clearing or project related activities.</p> <p>A number of koalas have been sighted within the Project extent during earthworks and other construction activities. Management actions specified within the Project’s Fauna Management Plan have been enacted and in each case the animal has self-relocated voluntarily.</p> <p>Two koala fatalities occurred on the existing Peak Downs Highway in the vicinity of the Project (11/10/2017 and 27/12/2017). Both roadkill incidents happened during the night while no activities were occurring onsite. Similar to an incident last year, the October fatality occurred adjacent to temporary safety barriers installed as a part of the Project at the range’s most significant hairpin. Parrawebbing had been retrofitted to the barrier in this location to assist animals climbing over the temporary concrete barriers, however this control was not effective in this instance. To minimise the risk of this happening again, a temporary fauna fence was erected on the opposite side of the highway to the concrete barrier. This fence is intended to limit the opportunity for animals to access the section of the existing highway with temporary concrete barriers.</p>
2	The approval holder must not clear koala habitat outside the project clearing limits shown in the clearance plans at Appendix 1.	✓				29.961ha of the approved 30.741ha has been cleared (97.5%). All clearing has been undertaken within areas specified in the approved Project clearance plans.
3	For the ongoing protection of the koala in the project area , the approval holder must design, construct and implement koala protection measures, including fencing and a fauna underpass, prior to completion . These protection measures must be maintained by the approval holder for the life of approval .	✓				Construction has commenced on the dedicated fauna underpass. The erection of fauna exclusion fencing is nearing completion. Works will shortly commence on the installation of fauna logs and resting poles.

Condition number	Condition	Compliance				Evidence/comments/notable events
		Compliant	Observation	Non-Compliant	Non Applicable	
4	To inform adaptive management after completion , the approval holder must monitor the use of the fauna underpass and road kill within the project area , sufficient to assess the level of koala mortality from road strike and the ability of koalas to safely cross the Peak Downs Highway within the project area .				✓	Required to be undertaken after Project completion.
5	For the duration of the monitoring undertaken under Condition 4, the approval holder must publish the results of the monitoring for koala at least annually on the approval holder's website.				✓	Required to be undertaken after Project completion.
6	To compensate for residual impacts to the koala , the approval holder must within two years of commencement , provide a financial contribution of not less than \$270,942 for research and research related work by suitably qualified experts that will contribute to the better protection and long term conservation of the koala . The research and research related work must include, but is not limited to: a. The provision of \$47,300 to study koala population management units across the Clarke-Connors Range. b. The provision of \$64,468 to undertake landscape analysis and modelling to predict future koala road-kill hotspots along the Nebo stretch of the Peak Downs Highway. c. The provision of \$138,014 to study koala habitat use and movement patterns in the vicinity of the Eton-Nebo stretch of the Peak Downs Highway. d. The provision of \$21,160 for investment planning for the installation of wildlife barriers and underpasses on the Peak Downs Highway between Eton and Nebo.	✓	✓			Research and research related work commenced on the 21st July 2016. On-ground surveys began in August 2016 and will be completed in September 2018. Ten (10) adult animals were tracked adjacent to the Peak Downs Highway during the 2016 breeding season. DNA samples were also collected across the wider Clarke-Connors Ranges to assist in determining the genetic variability of the regional population. Initial reporting of the findings of the surveys has commenced. Expenditure of the financial contribution has varied slightly from TMR's time-line of proposed expenditure previously provided to DoE. Milestones 1 - 4 have been met and currently TMR has spent \$205,706.50 of the total offset value. The final \$65,235.50 invoice from CQuni that was originally forecasted for April 2018 has been pushed back until completion of the interim summary report, likely to be received in September/October 2018. Notification of this delay in offset expenditure was sent to DoEE via email on the 15/05/2018.

Condition number	Condition	Compliance				Evidence/comments/notable events
		Compliant	Observation	Non-Compliant	Non Applicable	
7	Within six months of commencement , the approval holder must provide to the Department a time-line of the proposed expenditure on research and research related work described in Condition 6.	✓				The time-line of proposed expenditure was provided to DoE on the 16 th June 2016.
8	During the conduct of the research and research related work, progress must be reported to the Department annually and published on the approval holder's website.	✓				Research commenced in July 2016. The first annual report was published in July 2017. An interim summary report of the research is scheduled for September/October 2018.
9	The approval holder must provide the results of the research and research related work to the Department and publish a summary of the results of the research on the approval holder's website within 12 months of the completion of the research. The summary of the results of the research must remain on the approval holder's website for the life of approval .				✓	Formal completion of the research is anticipated for September/October 2018. An interim summary report of the findings will be published upon completion.
10	The research described under Condition 6 must be peer reviewed.				✓	First draft manuscripts for peer reviewed publication are anticipated for early 2019.
11	To compensate for residual impacts to the koala , the approval holder must, within 12 months of the research being completed, expend not less than \$200,000 in applying the findings of the research and research related work described under Condition 6 by designing, constructing, and implementing wildlife protection and/or diversion infrastructure on existing parts of the Peak Downs Highway between Eton and Nebo.				✓	Required to be undertaken after formal completion of research.

Condition number	Condition	Compliance				Evidence/comments/notable events
		Compliant	Observation	Non-Compliant	Non Applicable	
12	Within 12 months of expending funds to design, construct and implement wildlife protection and/or diversion infrastructure as described under Condition 11, the approval holder must provide to the Department and publish on the approval holder's website, a report on the nature of the wildlife protection and/or diversion infrastructure funded and a plan for monitoring and assessing the effectiveness of this infrastructure in delivering a conservation gain for the koala. The published report must remain on the approval holder's website for the life of approval.				✓	Required to be undertaken after formal completion of research.
13	Within six months of the conclusion of monitoring activity under the plan described under Condition 12, the approval holder must provide to the Department and publish on the approval holder's website, a report on the outcomes of the monitoring and assessment in delivering conservation gain (if any) for the koala. The published report must remain on the approval holder's website for the life of approval.				✓	Required to be undertaken after formal completion of research.
14	Within 20 days after the commencement of construction, the proponent must advise the Department in writing of the actual date of commencement of construction.	✓				TMR advised DoE on the 4 th April 2016 of the date of construction commencement.
15	The approval holder must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval and make them available upon request to the Department. 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.	✓				All records are maintained by the construction contractor and are being summarised and reported to TMR on a monthly basis. At completion of construction all documentation will be transferred to TMR. The records are available for review at any time and TMR's Contract Administrator and Environmental Officer regularly inspect and audit the documentation.

Condition number	Condition	Compliance				Evidence/comments/notable events
		Compliant	Observation	Non-Compliant	Non Applicable	
16	Within three months of every 12 month anniversary of the commencement of construction, the approval holder must publish a report on their website addressing compliance with each of the conditions of this approval over the previous 12 months. The published report must remain on the approval holder's website for the life of approval. Non-compliance with any of the conditions of this approval must be reported to the Department at the same time as the compliance report is published.	✓				This report is the second compliance report for the Project and will be published on TMR's website.
17	Upon the direction of the Minister, the approval holder 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.				✓	To date, there has been no direction from the Minister to complete an independent audit.
18	If, at any time after five years from the date of this approval, the approval holder has not commenced construction, then the approval holder must not commence construction without the written agreement of the Minister.	✓				The Project commenced on the 4 th April 2016.

4. Site Photos



Figure 2: Significant earthworks, including rock hammering, at MCC002 cutting



Figure 3: Shotcrete applied at the end of Cut 107



Figure 4: Permanent kerb and table drain works at Cut 215



Figure 5: MC002 extension of fauna fence undertaken in February 2018



Figure 6: Permanent landscaping at reinforced earth embankment (REE 2)



Figure 7: Retained vegetation within the project area



Figure 8: Vegetated batter at trial REE (landscaping undertaken in December 2015)



Figure 9: February 2018 drone footage of REE2 at the upper hairpin



Figure 10: February 2018 drone footage of Cut 107 to the west



Figure 11: February 2018 drone footage of Cut 107 to the south



Figure 12: February 2018 drone footage of MC002 alignment, looking north



Figure 13: Culvert extension works at Cut Creek