

# Compliance Report - Bruce Highway Cooroy to Curra Section C (Traveston to Woondum), January 2017

EPBC Approval 2014/7394

December 2015 - December 2016



Australian Government

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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)	Due
09/01/17	Madeleine Page	Senior Environmental Officer	Draft for Review and Approval	09/01/17
10/01/17	Don Pitt	Project Director	Endorsed	10/01/17
11/01/17	Stephen Mallows	District Director (Wide Bay/Burnett)	Approved	11/01/17

## Risk level

- GACC major       GACC minor       High risk (but not GACC)       Medium risk

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<b>Title</b>	Senior Environmental Officer
<b>District &amp; Region</b>	Wide Bay
<b>Branch &amp; Division</b>	PDO
<b>Project/program</b>	Bruce Highway Cooroy to Curra (Section C: Traveston to Woondum)
<b>Project number</b>	WBVD-1142 232/10A/5
<b>Project location</b>	Gympie
<b>Status</b>	Revision 1 Final
<b>DMS ref. no.</b>	450/01061 95399

# Proponent and Approved Action

Detail	Applicable details
EPBC Reference Number:	2014/7394
Project Name:	Bruce Highway Upgrade Cooroy to Curra (Section C: Traveston to Woondum)
Proponent:	Department of Transport and Main Roads
ABN:	39 407 690 291
Proposed Action:	To upgrade and re-align approximately 11.5 km of the Bruce Highway between the Traveston Road interchange and Woondum, south of Gympie, Queensland.
Location of the Action:	Between Traveston and Woondum, south of Gympie, South East Queensland
Reporting Period:	December 2015 – December 2016
Date Prepared:	January 2017

## 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 Stephen Mallows

Position District Director (Wide Bay/ Burnett)

Organisation (please print including ABN/ ACN if applicable)

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

Date

11/1/17

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# 1. Introduction

The Department of Transport and Main Roads (TMR) is currently constructing the Bruce Highway Cooroy to Curra Section C (Traveston to Woondum) 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 Environment and Energy (DEE)) for impacts to matters of national environmental significance (MNES) under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) on 3 December 2014.

A decision on the assessment of the referral was delivered by the DoE on 7 January 2015 which determined the Project (the proposed action) to be a 'controlled action' due to the likelihood of significant impacts on MNES protected under Section 18 and 18A, Part 3 of the EPBC Act. Sections 18 and 18A relate to actions with significant impact on listed threatened species. The determination required the proposed action to be assessed by the submission of preliminary documentation. Approval for the Project with conditions was granted on 24 December 2015 (approval number EPBC 2014/ 7394).

Condition 12 of the approval requires that TMR prepares and publishes an annual report that demonstrates compliance with each of the conditions of the approval. This Compliance Report is prepared for the period from December 2015 to December 2016.

## 2. Description of Activity

### 2.1 Project location

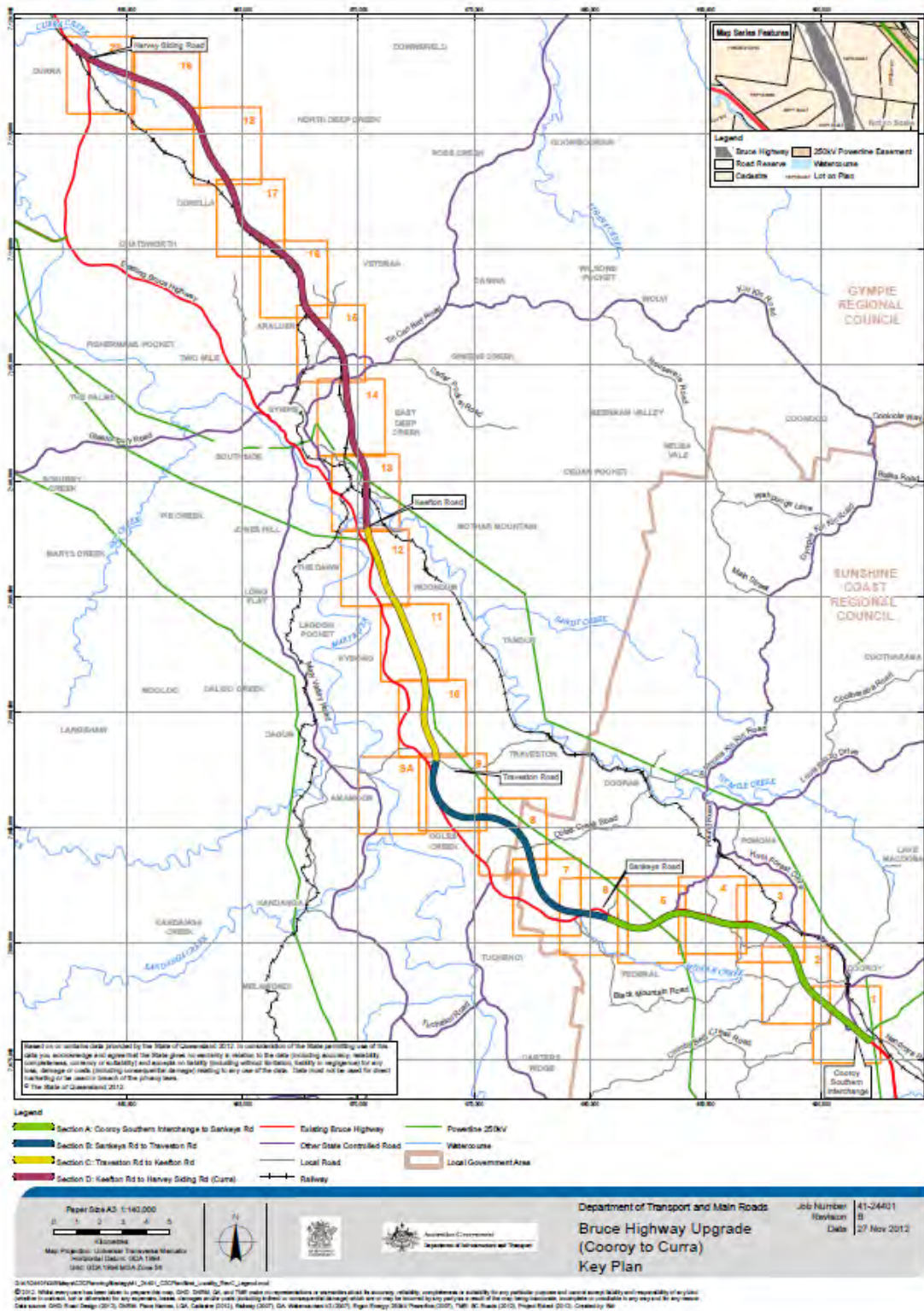
The Project is located south of the city of Gympie. It is the third section of a 61 km upgrade of the Bruce Highway between the townships of Cooroy and Curra to be constructed. The Project will join the completed Section B: Federal to Traveston in the south at the existing Traveston interchange and the yet to be constructed Section D: Woondum to Curra, in the north (refer to Figure 1).

### 2.2 Description of the Project

Key elements of Section C Project include the following:

- Northbound and southbound ramps connecting from the proposed alignment to the existing roundabouts at the Traveston Road Interchange.
- 8.8 km's of four lane formation to accommodate four lanes of pavement and associated earthworks from Traveston Road Interchange to the proposed Woondum Road overpass with allowance for a future six-lane formation.
- 1.7 km's of upgrade of the existing Bruce Highway to the southern approach of the existing Six Mile Creek bridge.
- Partial realignment and reconstruction of Woondum and Tandur Roads to accommodate the newly formed Bruce Highway.
- Grade separation at Tandur and Woondum Roads, with the highway bridging over the local roads.
- Three span bridge over Traveston Creek requiring realignment of 142 m of Traveston Creek.
- Two span bridge over Kybong Creek requiring the realignment of 173 m of Kybong Creek.
- Three span bridge over Cobbs Gully requiring realignment of 163.4m of Cobbs Gully.
- Three span bridge over Jackass Creek requiring realignment of 119m of Jackass Creek.

Figure 1 Plan of Cooroy to Curra Project



## 2.3 Project progress

The Project has completed the following activities:

- Clearing of the 10.5km alignment is complete.
- Boundary fencing is approximately 65% complete.
- Bulk earthworks are more than 90% complete with over 1.5 million cubic meters of earth moved.
- “Super T” girders have been placed on bridges over Traveston Creek, Kybong Creek, Tandur Road and Cobbs Gully.
- In-stream works are complete for Traveston Creek and Kybong Creek bridges and the haul road has been removed.
- To enable excavation of hard rock in the cuttings, seven low impact blasts have occurred to date at three locations.
- Construction of all major drainage structures under the main highway carriageway are complete.
- All four creek diversions at Traveston, Kybong and Jackass creeks and Cobbs Gully are complete.
- Landscaping is in progress with progressive topsoiling and hydromulching of batters being undertaken to stabilise the site.
- Installation of koala proof fencing along the new highway is in progress.

## 2.4 Matters of national environmental significance

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

- Koala (*Phascolarctos cinereus*)
- Grey-headed flying-fox (*Pteropus poliocephalus*)
- Mary River cod (*Maccullochella mariensis*)
- Mary River turtle (*Elusor macrurus*)
- White-throated snapping turtle (*Elseya albagula*)

Following the commencement of construction a wallum sedge frog (*Litoria olonburensis*) was identified during a survey in a dam on site. An exclusion zone and temporary frog fencing was installed around the dam whilst consultation with state and federal regulators was undertaken. Approval was granted by DoE to proceed with the works, in accordance with the Species Management Program prepared for the Project.



### 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	Is the Project compliant with this condition?	Evidence/ comments
1	The <b>approval holder</b> must not <b>clear</b> more than 45.9 hectares of <b>habitat for Matters of National Environmental Significance located</b> inside the <b>Project area</b> .	Compliant	As at 24 December 2016 the Project has cleared 34.56 ha of koala habitat.
2	To prevent <b>impacts to water quality</b> the <b>approval holder</b> must ensure that during <b>normal flow events</b> :	-	-
2 (a)	water quality monitoring is conducted in accordance with the Erosion and Sedimentation Control specifications, including the location of water sampling points, weekly for the duration of construction, and quarterly for five (5) years after the completion of construction;	Compliant	Water quality monitoring is being conducted on a weekly basis during construction and following rain events greater than 10mm. The construction contractor records all results of the monitoring.
2 (b)	There must be no <b>construction</b> related <b>impacts to water quality</b> between upstream and downstream <b>water sampling points</b> during <b>construction</b> and for five (5) years after the completion of <b>construction</b>	Non-compliant	On Friday 2 <sup>nd</sup> December 2016, following a rainfall event totalling 53.2 mm rain, a sediment basin on the Project site was prepared for discharge. On opening the discharge valve a failure occurred causing the pipe to break and water to discharge for the basin. Whilst the water in the basin was compliant, at the location of the break in the pipe the water eroded material from the basin’s embankment and became turbid. Dirty water was discharged off site and into Cobbs Gully, an ephemeral waterway comprising a series of intermittent pools. At the time of the discharge a number of other sediment basins were being released and there was a minor flow of clean water in the waterway. The dirty water flowed downstream and into a dam on a private property. The construction contractor (CPB Contractors) undertook immediate action to manage the discharge and undertook an investigation into the cause of the event.  The incident was reported to DEE by telephone and in writing and no further action was required.
2 (c)	During construction any water released from sediment basins must not contain less than 50% dissolved oxygen.	Compliant	Water during a controlled release from sediment basins has not contained less than 50% dissolved oxygen.

3	During <b>construction</b> there must be no <b>koala or grey-headed flying-fox</b> mortality attributable to <b>construction</b> activities within the <b>Project area</b> , monitored daily.	Compliant	There have been no koala or grey-headed flying-fox mortalities attributable to construction activities within the Project area. The construction contractor undertakes daily observations on site which includes details of any interactions with fauna, including koala and grey-headed flying-fox.
4	For the ongoing protection of the koala, the approval holder must implement protection measures including fencing and passages that must be designed, placed, maintained and actively monitored (at least monthly), to ensure that no koala mortality from vehicle strike occurs within the Project area and that the ability for koalas to cross safely is maintained where the road passes through Traveston State Forest, for the life of the approval.	Compliant	Construction of koala fencing and fauna underpasses has commenced. As of the 24 December 2016, 2377m of koala fencing had been installed. Monthly monitoring of the fence and underpasses will commence once construction is complete in early 2018. During construction daily inspections are undertaken of the site which includes monitoring of the fauna fencing and sightings of any fauna.
5	If monitoring results indicate that outcomes in conditions 2-4 have not been achieved or are not likely to be achieved, the approval holder must:	Not-applicable	
5 (a)	investigate why the outcomes will not be achieved and determine if it is a result of the action, failure to maintain fencing and passages, or other circumstances;	Compliant	An investigation was undertaken to determine the cause of the incident that occurred on 2 <sup>nd</sup> December 2016 outlined above under Condition 2(b). A report was submitted to DEE. A confirmation email was received from the department on 13 December 2016 with no specific actions required other than to ensure that all records of the incident are maintained.
5 (b)	where caused by the action, or failure to maintain fencing and passages, advise the Department within 14 days of receiving the monitoring results; and	Compliant	DEE was notified by telephone and in writing within 14 days of the incident outlined in Condition 2(b) occurring.
5 (c)	develop and implement corrective actions, revised management measures and/or compensation measures in consultation with a suitably qualified expert and the Department.	Compliant	Revised management measures were developed and implemented and reported to DEE. . A confirmation email was received from the department on 13 December 2016 with no specific actions required other than to ensure that all records of the incident are maintained.
6	To compensate for residual significant impacts to the koala, the approval holder must provide a financial contribution of \$663 000 over a five-year timeframe for research that will contribute to the better protection and long term conservation of the koala. The research must include, but is not limited to:	Compliant	The koala research project is in progress. A progressive payment structure has been implemented.
6 (a)	provision of \$550 000 for a research program that will:  measure the long-term effects of habitat fragmentation on koala health dynamics and how these may be mitigated by the introduction of corridors.	Compliant	The research project is in progress. Identification of rehabilitation parcels is in progress and monitoring of these sites has commenced.

	measure the long-term recolonisation patterns of koalas into rehabilitated landscapes to assess whether rehabilitated landscapes can support sustainable populations of koalas.	Compliant	The research project is in progress.
6 (b)	provision of \$88 000 for the training of koala detection dogs to be used in the study.	Compliant	The funding has been provided and the first koala scat detection dog has been identified, assessed and is fully trained. The second dog is currently being assessed.
	The <b>approval holder</b> must provide the results of the research program to the <b>Department</b> and make them publically available, within twelve (12) months of completion of the research. The results of the research program must be peer reviewed. During the implementation of the research program, research results and progress must be reported to the <b>Department</b> annually.	Not-applicable	To date there are no results available to publish.  The first annual report for the research project will be due in March 2017.
7	The <b>approval holder</b> must submit to the <b>Department</b> for the approval of the <b>Minister</b> , a research proposal detailing how condition 6 will be achieved, within 3 months of the date of the approval decision. The research proposal must address how the research proposal complies with Appendix A of the <b>EPBC Act Environmental Offsets Policy</b> and must include clear timeframes in which the financial contributions described in condition 6 will be paid.	Compliant	A research proposal was submitted to DoE on 19 February 2016 and was approved by the Minister on 27 March 2016.
8	For the protection of the <b>koala</b> , the <b>approval holder</b> must provide \$25 000 to the Gympie Regional Council to be used for the management of feral dogs within the council area within three (3) months of the date of this approval decision. Within ten (10) business days of provision of the funds the <b>approval holder</b> must advise the <b>Department</b> in writing that this has occurred.	Compliant	The funding has been provided and the program of work has been completed by Gympie Regional Council.
9	In the event that the research proposal referred to in condition 7 is not submitted within 12 months of the approval date, and approved; or the approved research program is not delivered to the satisfaction of the <b>Minister</b> within five (5) years of entering into the research program set out in condition 6, the <b>approval holder</b> must secure an appropriate direct offset to compensate for the loss of 45.9ha of habitat critical to the survival of the koala, in accordance with the <b>Department's EPBC Act Offsets Policy</b> and to be secured by a legally binding conservation protection mechanism.	Not applicable	

10	Within 10 days after the <b>commencement</b> of the action, the <b>approval holder</b> must advise the <b>Department</b> in writing of the actual date of <b>commencement</b> of the action.	Compliant	Notification was provided to DoE on the day the action commenced, 1 February 2016.
11	The <b>approval holder</b> must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval and make them available upon request to the <b>Department</b> . Such records may be subject to audit by the <b>Department</b> 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 <b>Department's</b> website. The results of audits may also be publicised through the general media.	Compliant	All monitoring records are maintained by the construction contractor. At completion of construction all documentation will be transferred to TMR. The records are available for review at any time and TMRs contract administrator regularly inspects and audits the documentation.
12	Within one (1) month of every 12 month anniversary of <b>commencement</b> , the <b>approval holder</b> must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions and effectiveness of fencing and passages in preventing koala mortality due to vehicle strike. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the <b>Department</b> at the same time as the compliance report is published.	Compliant	This report is the first compliance report for the Project and will be published on TMR's website.
13	Upon the direction of the <b>Minister</b> , the <b>approval holder</b> must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the <b>Minister</b> . The independent auditor must be approved by the <b>Minister</b> prior to the commencement of the audit. Audit criteria must be agreed to by the <b>Minister</b> and the audit report must address the criteria to the satisfaction of the <b>Minister</b> .	Not applicable	To date, there has been no direction from the Minister to complete an independent audit.
14	If, at any time after two (2) years from the date of this approval, the <b>approval holder</b> has not <b>commenced</b> the action, then the <b>approval holder</b> must not <b>commence</b> the action without the written agreement of the <b>Minister</b> .	Not applicable	The Project commenced on 1 February 2016.
15	Unless otherwise agreed to in writing by the <b>Minister</b> , the <b>approval holder</b> must publish all reports and agreements referred to in these conditions of approval on their website. Each report and agreement must be published on the website within one (1) month of being approved by the <b>Minister</b> .	Compliant	The research proposal referred to in Condition 7 is published on TMR's website.

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