

# Compliance Report – Eton Range Realignment Project, May 2019

EPBC Approval 2015/7552

May 2018 - April 2019



Australian Government

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## 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:	May 2018 – April 2019
Date Prepared:	May 2019

## 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

20/05/19

Full name

Patrick Aprile

Position

District Director (Mackay/Whitsunday District)

Organisation

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

Date

# 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)
13/05/2019	Tim Dalton	Environmental Officer	Document for Review and Approval
20/05/2019	Patrick Aprile	District Director (Mackay/Whitsunday)	Approved

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

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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 May 2018 - April 2019.

## 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 400,000m<sup>3</sup> of road excavation and 280,000 m<sup>2</sup> 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 m<sup>3</sup> 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.

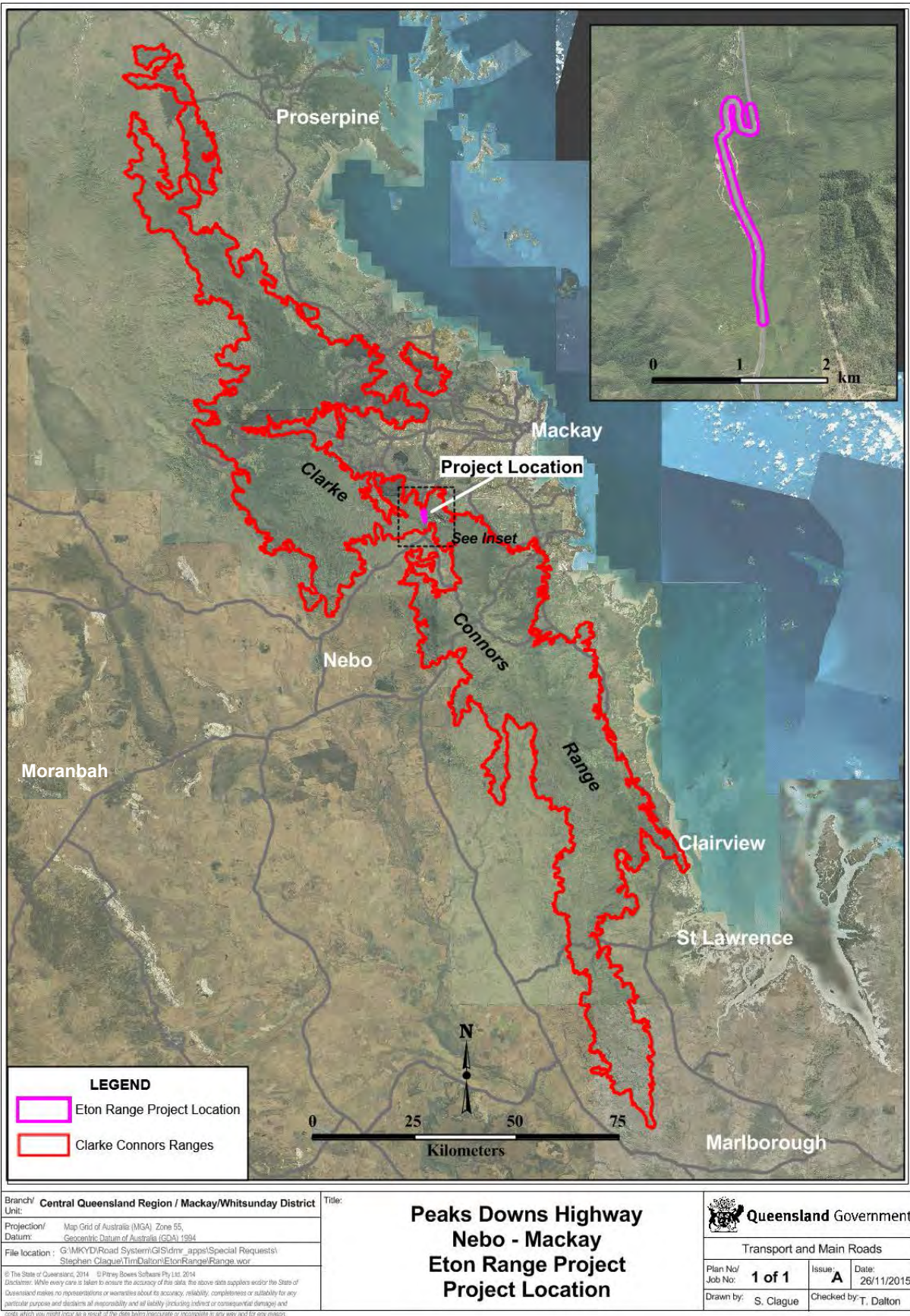


Figure 1: Project Locality

## 2.3 Project progress

Project progress between May 2018 and April 2019 includes:

- Completion of almost 98% of clearing activities;
- Installation of seventeen (17) drainage structures out of 22 in total. The major drainage structure in Cut Creek (Culvert 12A) is at 50% completion;
- Completion of 95% of temporary stabilisation and 90% of permanent stabilisation works;
- 500m of kerbing completed out of 2700m in total;
- Completion of 80% of permanent fauna exclusion fencing, with the installation of fauna crossing logs yet to commence. An additional 500m of fauna fencing that was not initially within the Project scope has also been completed;
- 28 earthworks blasts at various locations across the Project;
- Completion of 70% of earthworks with 32,000 tonnes of material imported and over 125,000m<sup>3</sup> of insitu material processed;
- 60% of permanent landscaping works completed;
- Completion of three major reinforced earth embankments (REE1, REE2, REE4);
- 50% of hand placed concrete works completed (IE bench drains, catch drains);
- 1500m of cast in situ barrier completed;
- 30% of electrical and ITS works completed;
- 20% of pavement works (Cement Treated Base application) completed; and
- 20,000m<sup>3</sup> concrete placed to date.

Upcoming significant project milestones include:

- Minor Peak Downs Highway traffic switch (Culvert 12A) scheduled for July 2019;
- Major Peak Downs Highway traffic switch (Stage 1, REE hairpin) scheduled for September 2019; and
- Stage 2 clearing (final project clearing activity) to be done in late September 2019.

## 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 during the reporting period.

**Table 1 Compliance with EPBC Approval**

Condition number	Condition	Compliance				Evidence/comments/notable events
		Compliant	Observation	Non-Compliant	Non Applicable	
1	During <b>construction</b> , there must be no <b>koala</b> mortality attributable to <b>construction activity</b> .	✓				No koala fatalities have occurred during clearing or project related activities. 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. No koala fatalities occurred on the existing Peak Downs Highway in the vicinity of the Project during the reporting period.
2	The <b>approval holder</b> must not clear <b>koala</b> habitat outside the <b>project clearing limits</b> shown in the clearance plans at Appendix 1.	✓				29.961ha of the approved 30.741ha has been cleared (97.5%). No clearing was undertaken in the reporting period. Final clearing works will be undertaken after the major traffic switch in September 2019.
3	For the ongoing protection of the <b>koala</b> in the <b>project area</b> , the <b>approval holder</b> must design, construct and implement <b>koala</b> protection measures, including fencing and a fauna underpass, prior to <b>completion</b> . These protection measures must be maintained by the <b>approval holder</b> for the <b>life of approval</b> .	✓				Construction continues on the dedicated fauna underpass. Fauna exclusion fencing erection is nearing completion. Maintenance works are required along fence line to manage vegetation regrowth.
4	To inform adaptive management after <b>completion</b> , the <b>approval holder</b> must monitor the use of the fauna underpass and road kill within the <b>project area</b> , sufficient to assess the level of <b>koala</b> mortality from road strike and the ability of <b>koalas</b> to safely cross the Peak Downs Highway within the <b>project area</b> .				✓	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.

Condition number	Condition	Compliance				Evidence/comments/notable events
		Compliant	Observation	Non-Compliant	Non-Applicable	
6	<p>To compensate for residual impacts to the <b>koala</b>, the <b>approval holder</b> must within two years of <b>commencement</b>, provide a financial contribution of not less than \$270,942 for research and research related work by <b>suitably qualified experts</b> that will contribute to the better protection and long term conservation of the <b>koala</b>. The research and research related work must include, but is not limited to:</p> <p>a. The provision of \$47,300 to study <b>koala</b> population management units across the Clarke-Connors Range.</p> <p>b. The provision of \$64,468 to undertake landscape analysis and modelling to predict future <b>koala</b> road-kill hotspots along the Nebo stretch of the Peak Downs Highway.</p> <p>c. The provision of \$138,014 to study <b>koala</b> habitat use and movement patterns in the vicinity of the Eton-Nebo stretch of the Peak Downs Highway.</p> <p>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.</p>	✓				<p>Research and research related work commenced on the 21st July 2016. On ground surveys began in August 2016 and were completed in September 2018. TMR received the drafted koala research reports from CQ University in November 2018. The final CQ University invoice was processed upon receipt of these drafted reports. A total of \$287,442.00 was provided to CQ University for the research project.</p>
7	<p>Within six months of <b>commencement</b>, the <b>approval holder</b> must provide to the <b>Department</b> a time-line of the proposed expenditure on research and research related work described in Condition 6.</p>	✓				<p>The time-line of proposed expenditure was provided to DoE on the 16<sup>th</sup> June 2016.</p>
8	<p>During the conduct of the research and research related work, progress must be reported to the <b>Department</b> annually and published on the <b>approval holder's</b> website.</p>	✓				<p>Research commenced in July 2016. The first annual report was published in July 2017. No summary report was published after the completion of the second and final year of the research as the data was to be shortly included in the published reports.</p>

Condition number	Condition	Compliance				Evidence/comments/notable events
		Compliant	Observation	Non-Compliant	Non-Applicable	
9	The <b>approval holder</b> must provide the results of the research and research related work to the <b>Department</b> and publish a summary of the results of the research on the <b>approval holder's</b> website within 12 months of the completion of the research. The summary of the results of the research must remain on the <b>approval holder's</b> website for the <b>life of approval</b> .	✓				Data collection and on ground surveys were completed in September 2018. Drafted reports were provided to TMR for review in November 2018. Finalised reports were submitted to TMR in March 2019 (which is considered formal completion of the research). The reports were distributed to stakeholders and uploaded to TMR's website in April 2019  <a href="https://www.tmr.qld.gov.au/Projects/Name/E/Eton-Range-Peak-Downs-Highway/Eton-Range-Realignment-Koala-Research-Project">https://www.tmr.qld.gov.au/Projects/Name/E/Eton-Range-Peak-Downs-Highway/Eton-Range-Realignment-Koala-Research-Project</a>
10	The research described under Condition 6 must be peer reviewed.				✓	First draft manuscripts for peer reviewed publication are anticipated for late 2019/early 2020.
11	To compensate for residual impacts to the <b>koala</b> , the <b>approval holder</b> 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.	✓				A total of \$120,064.15 was spent in March/April 2019 installing fauna exclusion fencing along the Peak Downs Highway at Denison Creek as recommended by the undertaken koala research.  Remaining funding will be spent at another prioritised location (as noted within the koala research reports) along the Peak Downs Highway within the next 10 months.
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 expenditure of funds required under Condition 11.

Condition number	Condition	Compliance				Evidence/comments/notable events
		Compliant	Observation	Non-Compliant	Non Applicable	
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 monitoring.
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 <sup>th</sup> 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.
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 third compliance report for the Project and will be published on TMR's website.

Condition number	Condition	Compliance				Evidence/comments/notable events
		Compliant	Observation	Non-Compliant	Non-Applicable	
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 <sup>th</sup> April 2016.

## 4. Site Photos



Figure 2: The Project's major Reinforced Earth Embankment (REE) is now complete and landscaped



Figure 3: View of the Project, looking from the north. The upcoming traffic switches will move the Peak Downs Highway traffic onto the northbound (outer) carriageway.



Figure 4: View from the south with the existing Peak Downs Highway right of picture and the new northbound alignment left of picture





Figure 5: Successful organic blanket treatment on road batter



Figure 6: Concrete works at Culvert 6A.



Figure 7: Completed shocrete and CTB correction at Cut 107



Figure 8: Application of organic blanket at a REE



Figure 9: Pavement works at Cut 107



Figure 10: Looking at landscaped REE from Culvert 6C



Figure 11: Recent organic blanket treatment on a road cut adjacent to fauna exclusion fencing under construction.



Figure 12 and 13: Koala sighted in August 2018 adjacent to the existing Peak Downs Highway safety ramp



Figure 14: Fauna exclusion fencing erected adjacent to Denison Creek in April 2019, directing animals to pass underneath the bridge



Figure 15: Fauna exclusion fencing at Denison Creek constructed in compliance with 2015/7552 Condition 11.