

Compliance Report 01 – Bruce Highway Upgrade Cooroy to Curra Section D, December 2021

EPBC Approval 2017/7941

October 2020 – October 2021

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Departmental approvals

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

Date	Name	Position	Action required (Review/endorse/approve)
03/12/2021	Justin Sanderson	Senior Environmental Officer	Initial draft – review
14/12/2021	Justin Sanderson	Senior Environmental Officer	Final – approved

Prepared by	Justin Sanderson
Title	Senior Environmental Officer
District & Region	Wide Bay Burnett, Southern Queensland Region
Branch & Division	PDO
Project/program	Bruce Highway Upgrade Cooroy to Curra Section D
Project number	686965
Project location	Gympie
Status	Revision 01 – final
DMS ref. no.	450/01458

Proponent and Approval Action

Detail	Applicable Details
EPBC Reference Number:	2017/7941
Project Name:	Bruce Highway Upgrade – Cooroy to Curra Section D
Proponent:	Department of Transport and Main Roads
ABN:	390 407 690 291
Proposed Action:	To upgrade and realign an existing 26-kilometre section of the Bruce Highway, including a bypass between Cooroy and Curra, east of Gympie, Queensland.
Location of Action:	Between Woondum and Curra, east of Gympie, Queensland.
Reporting Period:	October 2020 - October 2021
Date Prepared:	December 2021

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

Mark Asang

Position

Project Director

Organisation

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

Date

15/12/2021

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1. Introduction

1.1 Purpose of this Report

The Department of Transport and Main Roads (TMR) is constructing a new 26km upgrade of the Bruce Highway between Woondum and Curra, east of Gympie, termed the Cooroy to Curra Section D Project (hereafter referred to as “the Project”). The Project consists of a four-lane divided highway bypassing Gympie township to the east and is the final stage in a broader upgrade of the Bruce Highway between Cooroy and Curra. The Project comprises two contracts: Woondum Interchange to Sandy Creek Road (Contract 1) and Sandy Creek Road to Curra Interchange (Contract 2). TMR has awarded Contract 1 to Bielby BMD Joint Venture (hereafter referred to as “BBJV”) and Contract 2 to CPB Contractors (hereafter referred to as “CPB”) as transport infrastructure construct only (TI-CO) contracts.

The Project was referred to the Department of Environment in May 2017 for determination of whether the Project was likely to have a significant impact on Matters of National Environmental Significance (MNES). Projects likely to cause a significant impact on MNES require approval under the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act). The Project was deemed a controlled action in June 2017 and was approved, subject to conditions, on 24 September 2019 (reference number 2017/7941). Subsequently, the approval conditions were varied effective 7 September 2020. The variation of conditions are provided in Appendix A of this report.

Condition 20 of the EPBC Act approval requires that TMR prepare and publish an annual compliance report on their website that addresses compliance with each of the conditions of the approval for each 12-month period following the date of commencement. This report is the first annual compliance report for the Project for the period October 2020 to October 2021.

1.2 Matters of National Environmental Significance

Under the EPBC Act, a project must be referred for actions that are likely to have a significant impact on matters protected under chapter 2 of the EPBC Act. These are known as controlling provisions. This Project triggered one controlling provision: potential impacts to ‘listed threatened species and ecological communities’ (Section 18 and Section 18A). The action is likely to have a significant impact on the following matters protected by the EPBC Act:

- Lowland Rainforest of Subtropical Australia
- Koala (*Phascolarctos cinereus*)
- Black-breasted Button-quail (*Turnix melanogaster*)
- Pineapple zamia (*Macrozamia pauli-guilielmi*)

2. Description of Activity

2.1 Project Location

The Project area is located within the Gympie Regional Council (GRC) Local Government Area. The upgrade to the Bruce Highway is a new bypass of the Gympie township being undertaken between Woondum and Curra, to the east of Gympie, Queensland.

2.2 Description of the Project

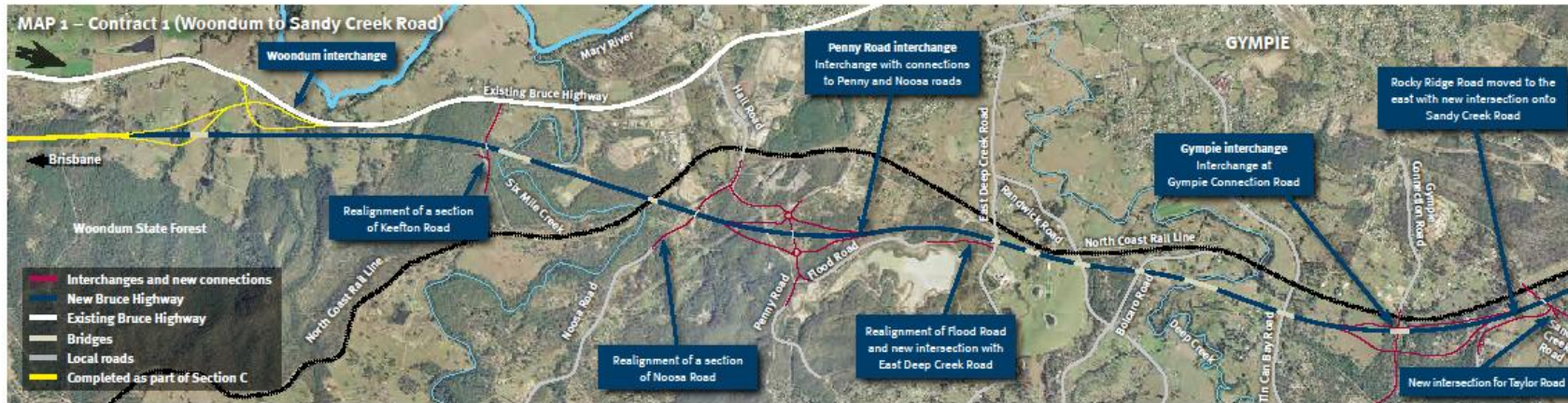
The Project consists of a new 26km, 4 lane divided highway between Woondum and Curra, and includes major upgrades to local roads. The Project will include the following key features:

- Improve traffic flow, as the upgrade will avoid 53 intersections (including 9-signalised intersections) and 106 property accesses which contribute to current safety and congestion issues on the existing the Bruce Highway.
- Improve safety and capacity through the separation of long-distance traffic from local traffic. This will reduce traffic volumes on the highway travelling through Gympie, with approximately 50% less heavy vehicles.
- Greatly reduce head-on crashes by providing a divided 4-lane highway.
- Significantly improve flood immunity compared with the old highway, which has traditionally experienced frequent closures in the Gympie CBD and north and south of Gympie due to flooding.
- Improve travel times by having the new highway posted at 110km/h (current highway is 80km/h and 60km/h through Gympie).

Figure 1 provides an overview of the project area.

Section D: Woondum to Curra

Final design layout



The project forms part of the Australian and Queensland governments \$12.6 billion, 15-year (2013–14 to 2027–28) Bruce Highway Upgrade Program, aimed at improving safety, flood resilience and capacity from Brisbane to Cairns.



Figure 1: Bruce Highway Upgrade – Cooroy to Curra Section D

2.3 Project Progress

As the award of the two construction contracts was staged, vegetation clearing is still ongoing in the Contract 2 area whilst the bulk of clearing has been completed in the Contract 1 area. Bulk earthworks are in progress across the whole project and are at various stages of completion. Structures work for bridges and drainage are ongoing.

It is anticipated that construction should be complete mid-2024 weather permitting.

2.4 Approval History

The date of the EPBC Act approval, and the compliance reporting dates, and status of the annual compliance reports are provided in Tables 1 and 2.

Table 1: Relevant Dates for EPBC Act Approval

Approval Number	Date of Decision	Expiry Date
EPBC 2017/7941	24 September 2019	30 June 2040
EPBC 2017/7941 – variation 01	07 September 2020	30 June 2040

Table 2: Chronology of Compliance Reports

Reporting Dates	Report No.	Status
October 2020 – October 2021	01	Completed (this report)

3. Condition Compliance

Table 3 provides an overview of the conditions and compliance status. Where additional information is required, reference has been made to relevant sections of this report for further evidence of compliance.

Table 3: Summary of Compliance with EPBC Act Approval Conditions

No.	Condition	Timeframe	Status	Summary of Compliance
1	<p>Project requirements</p> <p>1. Within the impact site, the approval holder must not clear more than:</p> <p>a. 2 hectares of Lowland rainforest;</p> <p>b. 8.08 hectares of Black-breasted Button-quail habitat; and</p> <p>c. 135.83 hectares of Koala habitat.</p>	Progressive - for the period of construction.	Ongoing	<p>Clearing quantities to October 2021:</p> <p>(a) Lowland rainforest: 0 ha</p> <p>(b) Black-breasted Button-quail habitat: 8.04 ha</p> <p>(c) Koala habitat: 72.31 ha</p> <p><i>Section 4.1 provides additional information.</i></p>
2	<p>Prior to commencement, a suitably qualified person must undertake a baseline survey to determine the extent (in hectares) and quality of Lowland rainforest in the riparian area of Six Mile Creek. Surveys must be undertaken in accordance with the best practice guidelines in effect at the time of the surveys. The approval holder must publish the results of the baseline surveys in the first annual compliance report required under condition 20.</p>	Prior to commencement.	Completed	<p>The baseline survey was undertaken in May 2020. The report concluded the Lowland rainforest ecological community was no longer present in the riparian area of Six Mile Creek as it did not meet the Lowland rainforest listing advice.</p> <p><i>Full report provided in Appendix B.</i></p>
3	<p>To encourage the continued ecological value of the Lowland rainforest in the riparian area of Six Mile Creek, the approval holder must, within four years of commencement, provide at least \$75 000 of funding to extend the duration and/or extent of the Cat's Claw Creeper Survey and Control Program.</p>	Within 4 years of commencement.	Ongoing	<p>The existing contract with the Mary River Catchment Coordination Committee (MRCCC) for Cats Claw Creeper control in the Six Mile Creek catchment was increased by \$394,020 (incl of GST) on 9/6/2021.</p> <p><i>Purchase order provided in Appendix C.</i></p>
4	<p>Prior to operation of the action, the approval holder must establish fauna connectivity structures and fauna exclusion fencing. Once established, the fauna connectivity structures, and fauna exclusion fencing must be maintained by the approval holder for the duration of the approval. Exclusion fencing must include gates that are secured at all times with padlocks or a similar break-proof securing mechanism.</p>	<p>Prior to operation.</p> <p>For the duration of the approval.</p>	Ongoing	<p>As the Project is in various stages of construction fauna connectivity structures and fauna exclusion fencing are yet to be completed. These components are part of the permanent design and will be completed prior to operation.</p>

No.	Condition	Timeframe	Status	Summary of Compliance
5	<p>Prior to any translocation of Pineapple zamia plants, the approval holder must:</p> <p>a. record the number of viable adult Pineapple zamia plants at the impact site;</p> <p>b. collect enough seeds from Pineapple zamia plants at the impact site and, if necessary, from alternative sites, to enable replacement of no less than 48 per cent of the number of adult Pineapple zamia plants at the impact site; and</p> <p>c. legally secure the translocation site.</p>	<p>Prior to translocation</p>	<p>(a) Completed</p> <p>(b) Completed</p> <p>(c) Completed</p>	<p>(a) 35 viable adult Pineapple zamia plants were recorded at the impact site. Note several 'clumps' of adult plants were separated during translocation resulting in a total of 40 adult plants.</p> <p>(b) Collection of seed has occurred over several seasons and is ongoing. Approximately 70 seedlings are currently in tube-stock with additional seed yet to germinate.</p> <p>(c) The recipient site 878 MCH1061 was legally secured via Voluntary Declaration under the <i>Vegetation Management Act 1999</i> on 21/08/2020.</p> <p><i>Translocation report provided in Appendix D.</i></p> <p><i>Seed collection and propagation notes provided in Appendix E.</i></p> <p><i>Voluntary Declaration notice provided in Appendix F.</i></p>
6	<p>Prior to commencement of Contract 2, the approval holder must translocate every Pineapple zamia plant from the impact site to the translocation site. Within 20 business days of removing the last Pineapple zamia plant from the impact site, the approval holder must notify the Department of the date the last Pineapple zamia plant was removed and the total number of Pineapple zamia plants removed (specifying the number of adult Pineapple zamia plants removed and the number of seedling Pineapple zamia plants removed).</p>	<p>Prior to commencement of Contract 2.</p> <p>Within 20 business days from removing the last Pineapple zamia plant from the impact site.</p>	<p>Completed</p>	<p>A total of 35 adults and 242 seedlings were translocated from the impact site to the recipient site. The translocation was completed on the 16/12/2020. Note several 'clumps' of adult plants were separated during translocation resulting in a total of 40 adult plants.</p> <p>Notification was provided to the Department via email on 16/12/2020.</p> <p><i>Translocation report provided in Appendix D.</i></p>

No.	Condition	Timeframe	Status	Summary of Compliance
7	The approval holder must ensure any adult Pineapple zamia plant that suffers mortality at the translocation site, within 5 years of the date the last Pineapple zamia plant was removed from the impact site, is replaced by 4 Pineapple zamia plants. Replacement plants must be sourced from propagation of seeds collected from the impact site or from alternative sites. Replacement plants must be planted within 3 years of the mortality of the plant they are replacing.	Any mortality within 5 years of translocation operation to be replaced. Replacement within 3 years of mortality of translocated plant.	Ongoing	Monitoring of the translocated Pineapple zamia plants is ongoing. No confirmed mortality of translocated adult plants recorded to date. <i>Monitoring report provided in Appendix G.</i>
8	By one year before the end date of this approval, the approval holder must ensure that the number of Pineapple zamia plants that exist at the translocation site is at least 1.5 times the number of Pineapple zamia plants translocated from the impact site, as reported under condition 6.	One year before the end date of the approval.	Ongoing	Translocation monitoring and seed propagation ongoing. <i>Seed collection and propagation notes provided in Appendix E.</i> <i>Monitoring report provided in Appendix G.</i>
9	To compensate for the loss of 135.83 hectares of Koala habitat and 8.08 hectares of Black-breasted Button-quail habitat, the approval holder must, prior to commencement, legally secure a minimum of 280.36 hectares at the Koala offsets areas and 32.15 hectares at the Black-breasted Button-quail offset area. Within 20 business days of securing the Koala offset areas and Black-breasted Button-quail offset area, and prior to commencement, the approval holder must provide the Department with evidence of the date(s) on which the Koala offset areas and Black-breasted Button-quail offset area were legally secured and electronic spatial data (shapefiles) and offset attributes of the Koala offset areas and Black-breasted Button-quail offset area.	Prior to commencement. Within 20 business days of securing the offset areas and prior to commencement.	Completed	The offset areas were legally secured via Voluntary Declaration under the <i>Vegetation Management Act 1999</i> on 21/08/2020. Existing koala habitat secured: 280.61ha Existing Black-breasted Button-quail habitat secured: 32.68ha Notification and evidence were provided to the Department via email on 31/08/2020. <i>Voluntary Declaration notice provided in Appendix F.</i>
10	Within 6 months of legally securing the Koala offset areas and Black-breasted Button-quail offset area, the approval holder must complete baseline surveys of the entire Koala	Within 6 months of legally securing offset areas.		

No.	Condition	Timeframe	Status	Summary of Compliance
	<p>offset areas and Black-breasted Button-quail offset area. The baseline surveys must be conducted by a suitably qualified person in accordance with the most recently published version of the Department 's survey guidelines and include details of:</p> <p>a. the quality of Black-breasted Button-quail habitat and Koala habitat;</p> <p>b. weed infestation;</p> <p>c. Koala density and Black-breasted Button-quail presence; and</p> <p>d. pest abundance.</p>		<p>(a) Completed</p> <p>(b) Completed</p> <p>(c) Completed</p> <p>(d) Completed</p>	<p>(a) Habitat quality surveys undertaken in September 2020.</p> <p>(b) Weed infestation surveys undertaken in September 2020.</p> <p>(c) Koala density thermal drone surveys were undertaken between June 2020 and January 2021. Black-breasted Button-quail presence surveys undertaken September 2020.</p> <p>(d) Pest animal abundance surveys undertaken February 2021.</p> <p>Baseline Assessment Report provided to the Department via email on 25/08/2021.</p> <p><i>Pest animal baseline monitoring report provided in Appendix H.</i></p>
11	<p>Within 1 year of legally securing the Koala offset areas and Black-breasted Button-quail offset area, the approval holder must publish on the website and provide to the Department a report detailing:</p> <p>a. the results of the baseline surveys required under condition 10;</p> <p>b. management measures, prepared by a suitably qualified person and subsequently reviewed by an independent suitably qualified person, (including timing, frequency and longevity) that will be implemented to deliver the outcomes required by condition 12, including:</p> <p>i. performance and completion criteria for evaluating the success of the management measures and criteria for triggering remedial action (if necessary);</p> <p>ii. a program, including timelines, to monitor (capable of timely detection of triggers for corrective action) and report</p>	Within 1 year of legally securing offset areas.	<p>(a) Completed</p> <p>(b) Completed</p>	<p>(a) Baseline Assessment Report published on the Project website and provided to the Department via email on 25/08/2021.</p> <p>(b) Offset Management Plan published on the Project website and provided to the Department via email on 25/08/2021.</p> <p>Link to the Project website:</p> <p>https://www.tmr.qld.gov.au/projects/bruce-highway-cooroy-to-curra/bruce-highway-cooroy-to-curra-section-d</p>

No.	Condition	Timeframe	Status	Summary of Compliance
	<p>on the effectiveness of the management measures, and progress against the performance and completion criteria;</p> <p>iii. remediation measures to be implemented where monitoring of the performance criteria indicate failure to achieve the outcomes of condition 12; and</p> <p>iv. a description of potential risks to the successful implementation of the management measures and a description of the control measures that would be implemented to mitigate against these risks and residual risk ratings.</p>			
12	<p>The approval holder must:</p> <p>a. For the duration of the approval, ensure no net loss in the quality and extent of Black-breasted Button-quail habitat and the Koala habitat within the Koala offset areas and Black-breasted Button-quail offset area compared to the baseline survey data reported under condition 11a;</p> <p>b. Within 12 months of completing the baseline surveys required by condition 11a for the Koala offset areas, commence implementation of an ongoing Koala food tree replanting program in the Koala offset areas. The replanting program must be undertaken by a suitably qualified person and include measures to ensure the maintenance and survival of new Koala food trees in the Koala offset areas;</p> <p>c. Within 15 years of completing the baseline surveys required by condition 11a, demonstrate a 20% increase in Koala food tree recruitment over the entire Koala offset areas compared to the baseline survey results reported as required under condition 11a;</p>	<p>(a) For the duration of the approval.</p> <p>(b) Within 12 months of completing baseline surveys.</p> <p>(c) Within 15 years of completing baseline surveys.</p>	<p>(a) Ongoing</p> <p>(b) Ongoing</p> <p>(c) Ongoing</p>	<p>(a) An ecological restoration contract has commenced with Ecosure for weed management, assisted regeneration and koala food tree planting across the offset areas.</p> <p><i>Contract specific restoration plan provided in Appendix I.</i></p> <p>(b) An ecological restoration contract has commenced with Ecosure for koala food tree planting across the offset areas. Tree planting is scheduled to commence in March 2022 when favourable planting conditions exist.</p> <p><i>Contract specific restoration plan provided in Appendix I.</i></p> <p>(c) An ecological restoration contract has commenced with Ecosure for assisted regeneration and koala food tree planting across the offset areas. In addition to the secured 280.61ha of existing koala habitat, approximately 28ha non-remnant vegetation</p>

No.	Condition	Timeframe	Status	Summary of Compliance
	<p>d. Demonstrate the following reductions in weed infestation in all of the Koala offset areas and the Black-breasted Button-quail offset area compared to the baseline data reported as required under condition 11a:</p> <p>i. 50% reduction within 3 years of completing the baseline surveys required by condition 11a;</p> <p>ii. 90% reduction within 10 years of completing the baseline surveys required by condition 11a;</p> <p>e. Within 15 years of completing the baseline surveys required by condition 11a, demonstrate that an increase of at least 50% of Koala density has been achieved across the entirety of the Koala offset areas compared to the baseline data reported under condition 11a. To determine progress towards this outcome, Koala density surveys must be undertaken across the entirety of the Koala offset areas by a suitably qualified person within both 5 and 10 years respectively of completing the baseline surveys required by condition 11a. Contingency measures must be implemented to increase Koala density across the entire Koala offset areas where the results of these surveys indicate no or minimal increases in Koala density;</p> <p>f. Demonstrate a reduction across each of the Koala offset areas and the Black-breasted Button-quail offset area, maintained for at least 10 consecutive years from completion of the baseline surveys required by condition</p>	<p>(d)(i) Within 3 years of completing baseline surveys.</p> <p>(ii) Within 10 years of completing baseline surveys.</p> <p>(e) Within 15 years of completing the baseline surveys.</p> <p>Within 5 and 10 years respectively of completing the baseline surveys.</p> <p>(f) Annually for 10 consecutive years.</p>	<p>(d) (i) Ongoing</p> <p>(ii) Ongoing</p> <p>(e) Ongoing</p> <p>(f) Ongoing</p>	<p>has been secured for assisted regeneration of koala food trees and a further 29ha of cleared land secured for koala food tree planting.</p> <p><i>Contract specific restoration plan provided in Appendix I.</i></p> <p>(d) An ecological restoration contract has commenced with Ecosure for weed management across the offset areas.</p> <p><i>Contract specific restoration plan provided in Appendix I.</i></p> <p>(e) TMR have undertaken a Koala Monitoring Program as part of the Projects construction phase. This program will provide insight into the health of the local koala population and the carrying capacity of the local environment. As the program is ongoing this data will be considered in future compliance reports.</p> <p>Density surveys will be undertaken at 5, 10 and 15 years respectively.</p> <p>Contingency measures are discussed in the Offset Management Plan submitted to the Department under condition 11.</p> <p>(f) A pest animal control and monitoring contract has commenced with Ecosure across the offset areas.</p> <p><i>Pest animal survey design and control program design provided in Appendix J and K.</i></p>

No.	Condition	Timeframe	Status	Summary of Compliance
	<p>11a, in pest abundance compared to the baseline data reported under condition 11a;</p> <p>g. Report to the Department in each compliance report required under condition 20, matters required under condition 11b, and progress towards and achievement of the outcome milestones specified in this condition 12.</p>	(g) Annually for duration of approval.	(g) Ongoing	(g) Baseline surveys have been undertaken and the first offset monitoring event is due to commence in early 2022. Contracts to implement the management measures required under condition 11b and progress towards the condition 12 milestones have been established as detailed in sections above.
13	<p>To compensate for the loss of 2 hectares of Lowland rainforest, the approval holder must submit an Offset Strategy prepared by a suitably qualified person in accordance with the Environmental Management Plan Guidelines and the principles of the EPBC Act Environmental Offsets Policy. The action must not commence until the Offset Strategy has been approved by the Minister in writing. The approved Offset Strategy must be implemented and published on the website. The Offset Strategy must:</p> <p>a. provide a written description and map that clearly defines the location and boundaries of the proposed offset area(s) for Lowland rainforest and includes offset attributes and shapefiles;</p> <p>b. include timelines and mechanisms for legally securing the offset area(s);</p> <p>c. demonstrate the presence of Lowland rainforest in the proposed offset area(s) and the quality of the Lowland rainforest in the proposed offset area(s), including evidence that it meets the threshold criteria for Lowland rainforest;</p>	Approved prior to commencement of the action.	Completed	<p>The Lowland Rainforest Offset Strategy was approved by the Department on the 31/08/2020 and subsequent revision approved on the 30/04/2021.</p> <p>The offset strategy is published on the project website:</p> <p>https://www.tmr.qld.gov.au/projects/bruce-highway-cooroy-to-curra/bruce-highway-cooroy-to-curra-section-d</p> <p>An Offset Management Plan was subsequently developed from the approved strategy.</p> <p>Sunshine Coast Council and Ecosure have been engaged to manage the Lowland rainforest offset areas in accordance with the Offset Strategy and Offset Management Plan.</p> <p><i>Lowland Rainforest Offset Management Plan provided in Appendix L.</i></p> <p><i>Lowland Rainforest Offset Baseline Survey provided in Appendix M.</i></p>

No.	Condition	Timeframe	Status	Summary of Compliance
	<p>d. commit to ecological outcomes and offset completion criteria for Lowland rainforest and the timeframes in which these will be achieved;</p> <p>e. include time bound performance and completion criteria for evaluating that ecological outcomes have been achieved and criteria for triggering remedial action;</p> <p>f. commit to a program to monitor and report on progress against the performance and completion criteria.</p>			<p><i>Contract specific restoration plan provided in Appendix I.</i></p>
14	<p>If, at any time during the life of the approval, the Minister is not satisfied that the outcomes required under conditions 3, 8 or 12 are likely to be achieved, or is not satisfied there is sufficient evidence that the outcomes required under conditions 3, 8 or 12 are likely to be achieved (including on the basis of information provided in compliance reports and or audit(s) under these conditions of approval), the Minister may require the approval holder to submit a corrective action plan for the Minister's approval, to monitor, manage, avoid, mitigate, offset, record or report on, impacts to Pineapple zamia, Lowland rainforest, the Black-breasted Button-quail and/or the Koala.</p> <p>a. The Minister may set a timeframe in which the corrective action plan must be submitted and may specify that the corrective action plan must be prepared or reviewed by a suitably qualified person (or another specified person).</p> <p>b. If the Minister approves the corrective action plan, the approval holder must implement the approved corrective action plan.</p>	Duration of the approval.	Not applicable	The Minister has not requested a corrective action plan to date.
15	The approval holder must notify the Department in writing of the date of commencement within 10 business days after the date of commencement.	Within 10 business days of commencement.	Completed	The action commenced on the 19/10/2020 and the Department was notified via email on the 20/10/2020.

No.	Condition	Timeframe	Status	Summary of Compliance
16	The approval holder must maintain accurate and complete compliance records.	Duration of the approval.	Ongoing	<p>Compliance records for all activities to date have been provided with this compliance report.</p> <p>Additional contract material such as offset agreements, progress reports, progress meeting minutes and other correspondence is also maintained and available upon request.</p>
17	If the Department makes a request in writing, the approval holder must provide electronic copies of compliance records to the Department within the timeframe specified in the request.	Duration of the approval.	Not applicable	The Department has not requested compliance records to date.
18	<p>The approval holder must:</p> <p>a. submit plans electronically to the Department for approval by the Minister;</p> <p>b. publish each plan on the website within 20 business days of the date the plan is approved by the Minister or of the date a revised plan is submitted to the Minister, unless otherwise agreed to in writing by the Minister;</p> <p>c. exclude or redact sensitive ecological data from plans published on the website or provided to a member of the public; and</p> <p>d. keep plans published on the website until the end date of this approval.</p>	Publish within 20 business days of approval of a plan by the Minister.	Completed	The Lowland Rainforest Offset Strategy was the only plan required to be approved by the Minister under this approval. Refer to condition 13.
19	The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required the conditions of this approval, is prepared in accordance with the Department's Guidelines for biological survey and mapped data (2018) and submitted electronically to the Department with the relevant plan.	Duration of the approval.	Ongoing	Monitoring data to date has been prepared in accordance with the Department's guidelines and submitted electronically.

No.	Condition	Timeframe	Status	Summary of Compliance
20	<p>The approval holder must prepare a compliance report for each 12-month period following the date of commencement, or as otherwise agreed to in writing by the Minister. The approval holder must:</p> <ul style="list-style-type: none"> a. publish each compliance report on the website within 60 business days following the relevant 12 month period; b. notify the Department by email that a compliance report has been published on the website within 5 business days of the date of publication; c. keep all compliance reports publicly available on the website until this approval expires; d. exclude or redact sensitive ecological data from compliance reports published on the website; and e. where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within 5 business days of publication. 	Annually for the duration of the approval.	Ongoing	<p>This is the first compliance report for the approval. As such this report will be published on the project website concurrently with notification to the Department.</p> <p>There is no sensitive ecological data excluded from the report.</p>
21	<p>The approval holder must notify the Department in writing of any: incident; non-compliance with the conditions; or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than 5 business days after becoming aware of the incident or non-compliance. The notification must specify:</p> <ul style="list-style-type: none"> a. the condition which is or may be in breach; and b. a short description of the incident and or non-compliance. 	Duration of the approval.	Not applicable	No incidents or non-compliance with respect to the approval conditions have been identified to date.
22	The approval holder must provide to the Department the details of any incident or non-compliance with the conditions or commitments made in plans as soon as	Duration of the approval.	Not applicable	No incidents or non-compliance with respect to the approval conditions have been identified to date.

No.	Condition	Timeframe	Status	Summary of Compliance
	<p>practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying:</p> <p>a. any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;</p> <p>b. the potential impacts of the incident or non-compliance; and</p> <p>c. the method and timing of any remedial action that will be undertaken by the approval holder.</p>			
23	The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister.	Duration of the approval.	Not applicable	The Minister has not requested an independent audit to date.
24	<p>For each independent audit, the approval holder must:</p> <p>a. provide the name and qualifications of the independent auditor and the draft audit criteria to the Department ;</p> <p>b. only commence the independent audit once the audit criteria have been approved in writing by the Department ; and</p> <p>c. submit an audit report to the Department within the timeframe specified in the approved audit criteria.</p>	Duration of the approval.	Not applicable	The Minister has not requested an independent audit to date.
25	The approval holder must publish the audit report on the website within 10 business days of receiving the Department 's approval of the audit report and keep the audit report published on the website until the end date of this approval.	Within 10 business days of the Department 's approval of audit report.	Not applicable	The Minister has not requested an independent audit to date.

No.	Condition	Timeframe	Status	Summary of Compliance
26	The approval holder may choose to revise a plan or strategy approved by the Minister under condition 13, by submitting an application in accordance with the requirements of section 143A of the EPBC Act. If the Minister approves the plan then, from the date specified, the approval holder must implement the plan in place of the previous plan.	From the date specified.	Ongoing	The Lowland Rainforest Offset Strategy revision 01 was approved by the Minister and has been implemented. Refer to condition 13.
27	Within 20 business days after completion, the approval holder must notify the Department in writing and provide completion data.	Within 20 business days after completion.	Not applicable	The action is programmed to be completed in mid-2024 weather permitting.

4. Additional Supporting Information

4.1 Condition 1

Condition 1 of the EPBC Act approval states:

'Project requirements

1. Within the impact site, the approval holder must not clear more than:

a. 2 hectares of Lowland rainforest;

b. 8.08 hectares of Black-breasted Button-quail habitat; and

c. 135.83 hectares of Koala habitat.'

As the Project is being delivered in two contracts, each of which is at various stages of completion, an estimation of clearing quantities up to October 2021 has been calculated using a combination of as-built survey data and modelled quantities for areas which have not yet been surveyed for as-built clearing. Under each construction contract the Contractor is required to submit a modelled clearing plan for approval by the Contract Administrator to ensure the clearing quantities are agreed and within the specified approval limits prior to clearing occurring in any stage. A figure displaying the clearing quantities to October 2021 is presented in Appendix N and the survey data is discussed further in the sections below.

4.1.1 Lowland rainforest

The baseline survey to determine the extent and quality of Lowland rainforest in the riparian area of Six Mile Creek determined that the ecological community was no longer present as it did not meet the Lowland rainforest listing advice. This was largely due to the 82% ground cover and 54% canopy cover of exotic species (Cats Claw Creeper). The full baseline survey report is provided in Appendix B. It should be noted that the community was previously present on unallocated state land (below high banks) and privately owned and leased properties.

The Lowland rainforest impact area was solely contained within the Contract 1 area and this clearing has been completed. Despite the lack of the threatened ecological community Lowland rainforest the project has restricted clearing in the riparian area of Six Mile Creek to 1.99ha (as-built data) of direct and indirect (within 50m) impact with regards to the former area of Lowland rainforest, and in accordance with Attachment G 'Six Mile Creek Lowland rainforest riparian area' of the approval variation dated 7 September 2020 (Appendix A). This is in compliance with condition 1.

A sketch of the direct and indirect impact (to former Lowland rainforest community) at Six Mile Creek riparian area is provided in Appendix N.

4.1.2 Black-breasted Button-quail

The Black-breasted Button-quail habitat impact area was solely contained within the Contract 1 area and this clearing has been completed, the as-built post clearing survey confirmed 8.04ha of habitat was cleared, compliant with condition 1.

A sketch of the impact area is provided in Appendix N.

4.1.2 Koala

Early works to relocate public utility plant (PUP) such as services cables were undertaken prior to the main contracts of works. The as-built clearing quantity for these works was 0.19ha.

Koala habitat is contained across both contract areas and as such a combination of both as-built clearing data and approved clearing plan data has been used to estimate the amount of clearing

undertaken to October 2021. The quantity is estimated at 72.12ha. The total quantity of koala habitat clearing is 72.31ha, compliant with condition 1. The complete as-built clearing quantity for the whole project will be provided in the next annual compliance report.

A sketch of the impact area is provided in Appendix N.

5. Conclusion

The C2CD Project is well underway with the current focus being predominantly on the remaining clearing in Contract 2 and bulk earthworks, bridges, and drainage construction across both contracts. The Project is expected to reach practical completion by mid-2024, weather permitting. The Project has displayed general compliance with the conditions of the EPBC approval, noting that this is the first reporting year establishing the baseline conditions in the offset areas. Various contracts are in place to execute the commitments made in the approval and associated documents and TMR anticipate ongoing compliance with the approval conditions.

6. List of Appendices

- a. EPBC act post approvals variation notice 01
- b. Six Mile Creek Lowland rainforest baseline survey report
- c. Mary River Catchment Coordination Committee purchase order
- d. Pineapple zamia translocation report
- e. Pineapple zamia propagation memo
- f. Vegetation Management Act voluntary declaration notice
- g. Pineapple zamia monitoring report
- h. Pest animal baseline survey report
- i. Ecosure Restoration Plan
- j. Pest animal monitoring program
- k. Pest animal control plan
- l. Offset Management Plan Lowland rainforest
- m. Lowland Rainforest Offset Baseline Survey
- n. MNES clearing sketch

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