

Compliance Report 03 (December 2023) – Bruce Highway Upgrade - Cooroy to Curra, Section D

EPBC Approval 2017/7941

October 2022 – October 2023

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Departmental approvals

Date	Name	Position	Action required (Review/endorse/approve)
12/12/2023	Cameron Vacher	Senior Environmental Officer	Initial draft – review
14/12/2023	Cameron Vacher	Senior Environmental Officer	Final – approved
19/12/2023	Mark Asang	Project Director (Cooroy to Curra)	Declaration of Accuracy - signed

Risk level

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

Prepared by	Cameron Vacher
Title	Senior Environmental Officer
District & Region	Wide Bay Burnett, Southern Queensland Region
Branch & Division	Program Delivery and Operations
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 26 kilometres of the Bruce Highway, including a bypass between Woondum and Curra, east of Gympie, Queensland.
Location of Action:	Between Woondum and Curra, east of Gympie, Queensland.
Reporting Period:	October 2022 – October 2023
Date Prepared:	19/12/2023

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

19/12/2023

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1. Introduction

1.1 Purpose of this Report

The Department of Transport and Main Roads (TMR) is constructing a new 26 kilometre upgrade of the Bruce Highway between Woondum and Curra, east of Gympie, termed the Bruce Highway Upgrade – 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 of a broader program which is upgrading the Bruce Highway between Cooroy and Curra. The Project comprises two major construction contracts:

Contract 1: Woondum Interchange to Sandy Creek Road

Contract 2: Sandy Creek Road to Curra

TMR awarded Contract 1 to a 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 (TIC-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 under the EPBC Act 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 construction commencement. This report is the third annual compliance report for the Project for the period October 2022 to October 2023.

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 (Figure 1).

2.2 Description of the Project

The Project consists of a new 26 kilometre, four-lane divided highway between Woondum and Curra and includes major upgrades to local roads. The Project includes the following key features:

- Improve traffic flow, with the upgrade avoiding 53 intersections (including nine signalised intersections) and 106 property accesses which contribute to current safety and congestion issues on the existing Bruce Highway through Gympie.
- Improve safety and capacity through the separation of long-distance traffic from local traffic reducing traffic volumes on the highway travelling through Gympie, with approximately 50 per cent less heavy vehicles.
- Greatly reduce head-on crashes by providing a divided four-lane highway.
- Significantly improve flood immunity compared with the old highway that has 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).

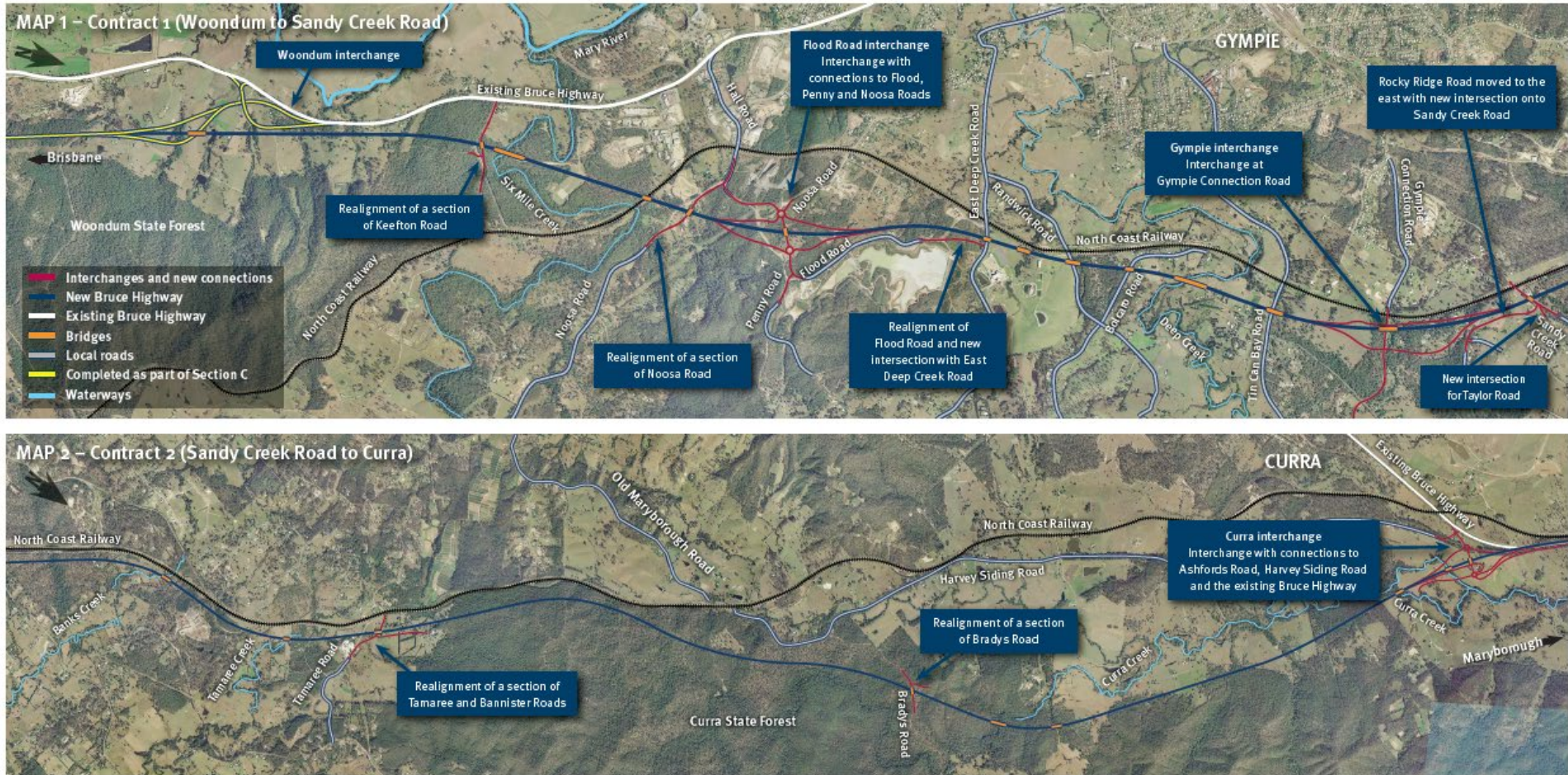


Figure 1: Bruce Highway Upgrade – Cooroy to Curra Section D

2.3 Project Progress

Vegetation clearing is completed for the Project area. Bulk earthworks and landscaping, pavement, drainage, and structures work for bridges are in progress across the whole project and are at various stages of completion.

It is anticipated that, weather permitting, construction will be complete late 2024.

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 and published
October 2021 – October 2022	02	Completed and published
October 2022 – October 2023	03	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. Additionally, all reports associated with the works undertaken in Year 1 and 2 are available with the compliance reports published on the project webpage at:

www.tmr.qld.gov.au/projects/bruce-highway-cooroy-to-curra/bruce-highway-cooroy-to-curra-section-d.

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</p> <p>(c) 135.83 hectares of Koala habitat.</p>	Progressive - for the period of construction	Completed	<p>Clearing of MNES habitat is complete.</p> <p>Clearing quantities to October 2023:</p> <p>(a) Lowland rainforest: 0ha</p> <p>(b) Black-breasted Button-quail habitat: 8.04ha</p> <p>(c) Koala habitat: 133.29ha.</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 that 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>Refer to compliance report 01 for further information.</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>Refer to compliance report 01 for further information.</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</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
	times with padlocks or a similar break-proof securing mechanism.			
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</p> <p>(c) legally secure the translocation site.</p>	<p>Prior to translocation</p>	<p>(a) Completed</p> <p>(b) Ongoing</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. Seedling propagation is ongoing, with additional seed yet to germinate.</p> <p>(c) The recipient site lot 878 MCH1061 was legally secured via Voluntary Declaration under the <i>Vegetation Management Act 1999</i> on 21/08/2020.</p> <p><i>Refer to compliance reports 01 and 02 for further information.</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 Environment 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>	Completed	<p>A total of 35 adults and 242 seedlings were translocated from the impact site to the recipient site. The translocation was completed on 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>Refer to compliance report 01 for further information.</i></p>
7	<p>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</p>	<p>Any mortality within 5 years of translocation operation to be replaced</p> <p>Replacement within 3 years of mortality of translocated plant</p>	Ongoing	<p>Monitoring of the translocated Pineapple zamia plants is ongoing.</p> <p><i>Year 2 monitoring report provided in Appendix B</i></p> <p><i>Refer to compliance report 02 for further information.</i></p>

No.	Condition	Timeframe	Status	Summary of Compliance
	must be planted within 3 years of the mortality of the plant they are replacing.			
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. Refer to Condition 6.
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 of Environment 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 was provided to the Department via email on 31/08/2020. <i>Refer to compliance report 01 for further information.</i>
10	Within six 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 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: (a) the quality of Black-breasted Button-quail habitat and Koala habitat	Within 6 months of legally securing offset areas.	(a) Completed (b) Completed (c) Completed (d) Completed	(a) Habitat quality surveys undertaken in September 2020 (b) Weed infestation surveys undertaken in September 2020 (c) Koala density thermal drone surveys were undertaken between June 2020 and January 2021. Black-breasted Button-quail presence surveys undertaken September 2020

No.	Condition	Timeframe	Status	Summary of Compliance
	(b) weed infestation (c) Koala density and Black-breasted Button-quail presence (d) pest abundance.			(d) Pest animal abundance surveys undertaken February 2021. Baseline Assessment Report provided to the Department via email on 25/08/2021. <i>Refer to compliance report 01 for further information.</i>
11	Within one 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 of Environment a report detailing: <ul style="list-style-type: none"> (a) the results of the baseline surveys required under Condition 10 (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: <ul style="list-style-type: none"> i. performance and completion criteria for evaluating the success of the management measures and criteria for triggering remedial action (if necessary) ii. a program, including timelines, to monitor (capable of timely detection of triggers for corrective action) and report on the effectiveness of the management measures, and progress against the performance and completion criteria iii. remediation measures to be implemented where monitoring of the performance criteria indicate failure to achieve the outcomes of condition 12 iv. a description of potential risks to the successful implementation of the management measures and 	Within 1 year of legally securing offset areas.	(a) Completed (b) Completed	(a) Baseline Assessment Report published on the Project website and provided to the Department via email on 25/08/2021. (b) Offset Management Plan published on the Project website and provided to the Department via email on 25/08/2021. Link to the Project website: https://www.tmr.qld.gov.au/projects/bruce-highway-cooroy-to-curra/bruce-highway-cooroy-to-curra-section-d

No.	Condition	Timeframe	Status	Summary of Compliance
	a description of the control measures that would be implemented to mitigate against these risks and residual risk ratings.			
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>(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>(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>(d)(i) Within 3 years of completing baseline surveys.</p>	<p>(a) Ongoing</p> <p>(b) Ongoing</p> <p>(c) Ongoing</p> <p>(d) (i) Ongoing</p> <p>(ii) Ongoing</p>	<p>(a) An ecological restoration contract is ongoing with Ecosure for weed management, assisted regeneration and koala food tree planting across the offset areas.</p> <p>(b) An ecological restoration contract is ongoing with Ecosure for koala food tree planting across the offset areas.</p> <p><i>Refer to compliance report 01 for further information.</i></p> <p>(c) An ecological restoration contract is ongoing 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 of non-remnant vegetation 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>Refer to compliance report 01 for further information.</i></p> <p>(d) An ecological restoration contract is ongoing with Ecosure for weed management across the offset areas.</p>

No.	Condition	Timeframe	Status	Summary of Compliance
	<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 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>	<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>(g) Annually for duration of approval.</p>	<p>(e) Ongoing</p> <p>(f) Ongoing</p> <p>(g) Ongoing</p>	<p>(e) TMR has undertaken a Koala Monitoring Program as part of the Project's construction phase. This program provided insight into the health of the local koala population and the carrying capacity of the local environment. 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 is ongoing with Ecosure across the offset areas.</p> <p><i>Year 2 monitoring report provided in Appendix C.</i></p> <p>(g) Contracts to implement the management measures required under Condition 11b and progress towards the Condition 12 milestones are ongoing. Year 1 offset monitoring event has been completed.</p>
13	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	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>

No.	Condition	Timeframe	Status	Summary of Compliance
	<p>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> <ul style="list-style-type: none"> (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 (b) include timelines and mechanisms for legally securing the offset area(s) (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 (d) commit to ecological outcomes and offset completion criteria for Lowland rainforest and the timeframes in which these will be achieved (e) include time bound performance and completion criteria for evaluating that ecological outcomes have been achieved and criteria for triggering remedial action (f) commit to a program to monitor and report on progress against the performance and completion criteria. 			<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 an accordance with the Offset Strategy and Offset Management Plan.</p> <p><i>Refer to compliance reports 01 and 02 for further information.</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</p>	<p>Duration of the approval.</p>	<p>Not applicable</p>	<p>The Minister has not requested a corrective action plan to date.</p>

No.	Condition	Timeframe	Status	Summary of Compliance
	<p>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>			
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.
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 of Environment makes a request in writing, the approval holder must provide electronic copies of compliance records to TMR 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>	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.

No.	Condition	Timeframe	Status	Summary of Compliance
	<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</p> <p>(d) keep plans published on the website until the end date of this approval.</p>			
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 of Environment 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.
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> <p>(a) publish each compliance report on the website within 60 business days following the relevant 12-month period</p> <p>(b) notify the Department of Environment by email that a compliance report has been published on the website within 5 business days of the date of publication</p> <p>(c) keep all compliance reports publicly available on the website until this approval expires</p>	Annually for the duration of the approval.	Ongoing	<p>This is the third 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>

No.	Condition	Timeframe	Status	Summary of Compliance
	<p>(d) exclude or redact sensitive ecological data from compliance reports published on the website</p> <p>(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.</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> <p>(a) the condition which is or may be in breach</p> <p>(b) a short description of the incident and or non-compliance.</p>	Duration of the approval.	Not applicable	No incidents or non-compliance with respect to the approval conditions have been identified to date.
22	<p>The approval holder must provide to the Department of Environment the details of any incident or non-compliance with the conditions or commitments made in plans as soon as 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</p> <p>(c) the method and timing of any remedial action that will be undertaken by the approval holder.</p>	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
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	For each independent audit, the approval holder must: <ul style="list-style-type: none"> (a) provide the name and qualifications of the independent auditor and the draft audit criteria to the Department of Environment (b) only commence the independent audit once the audit criteria have been approved in writing by the Department of Environment (c) submit an audit report to the Department of Environment within the timeframe specified in the approved audit criteria. 	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.
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 late2024 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. two hectares of Lowland rainforest*
- b. 8.08 hectares of Black-breasted Button-quail habitat*
- c. 135.83 hectares of Koala habitat.*

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 per cent ground cover and 54 per cent canopy cover of exotic species (Cats Claw Creeper).

The Lowland rainforest impact area was solely contained within the Contract 1 area and 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 2.0ha (as-built data) of direct and indirect (within 50 metres) impact with regards to the former area of Lowland rainforest. Further information is contained within compliance report 01.

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 D.

4.1.3 Koala

Koala habitat is contained across both contract areas and clearing is now complete. The total as-built quantity of koala habitat clearing is 133.29ha, compliant with Condition 1.

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

5. Conclusion

The Project is well underway, with clearing works completed and the focus on the remaining bulk earthworks and landscaping, bridges, pavement, and drainage construction across both contracts. The Project is expected to reach practical completion by late 2024, weather permitting. The Project has displayed general compliance with the conditions of the EPBC approval, noting that this is the third reporting year. Various contracts are in place to execute the commitments made in the approval and associated documents and TMR anticipates ongoing compliance with the approval conditions.

6. List of Appendices

- A. EPBC Act post approvals variation notice 01
- B. Pineapple zamia translocation monitoring report Year 2
- C. C2CD Offset pest animal monitoring report Year 2
- D. Clearing impact area sketch.

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