



**mainroads**  
WESTERN AUSTRALIA

# EPBC 2017/7880 Annual Compliance Report 2022/2023

Marble Bar Road Coongan Gorge Realignment  
and MO30 Material Pit Expansion: Pilbara  
Region, WA.

August 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: Chris Raykos

Position: Principal Project Director

Organisation: Main Roads Western Australia ABN 50 860 676 021

Date: 3 / 10 / 2023

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## 1 INTRODUCTION

Marble Bar Road is a critical access road for a number of mining operations and local communities between Newman, Nullagine, Marble Bar, Port Hedland and several aboriginal communities including Jigalong and Punmu in the north west of Western Australia. The road is also important for both the agricultural and tourism industries within the East Pilbara Region.

Extending 433 kilometres, Marble Bar Road links Newman to Great Northern Highway, east of Port Hedland. The four (4) km section of road through Coongan Gorge was a narrow and winding road with steep descents. This resulted in reduced sight distances and created a difficult environment for larger commercial vehicles to safely and efficiently operate with other vehicles on this section of road.

The Coongan Gorge Realignment and M030 Material Pit Expansion Project provides a safer route through the gorge, especially for large vehicles.

The scope for the project included:

- Realignment and reconstruction of approximately 5 km of Marble Bar Road between 318.4-323.5 SLK. Road formation width varies significantly due to varying batter slope distances (at the narrowest road formation will be 10 metres (m) wide, and in isolated areas road formation will be up to 170 m wide);
- Associated works including significant road batter construction, minor floodways, culverts and off road drainage;
- Development and use of a side track to divert traffic during stages of construction; and
- Extraction of base course material from M030 material pit if excess cut material is not suitable for road base. The M030 material pit is located on the Marble Bar Rd at 356 SLK.

The construction of the Project was completed on 24 July 2019.

## 2 APPROVAL UNDER THE ENVIRONMENT PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999

Coongan Gorge Realignment and M030 Material Pit Expansion Project was referred to the Department of Climate Change Energy, the Environment and Water (DCCEEW) (Formerly the Department of the Environment and Energy (DotEE)) for assessment under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

The DCCEEW issued approval (with conditions) for these works to proceed on 15 May 2018 (EPBC 2017/7880).

## 3 PURPOSE OF THIS REPORT

Construction of the Project commenced on 20 July 2018. This compliance report has been produced as required by Condition 5 of EPBC approval 2017/7880. Table 1 of this report outlines the compliance with each approval condition for the period between 20 July 2022 to 19 July 2023.

## 4 COMPLIANCE

Table 1: Conditions compliance status

Condition No.	Condition	Status	Comment
1	For the protection of the Northern Quoll, the approval holder must not clear more than 51.41 hectares within the project area.	Compliant	A total of 44.7 ha was cleared within the project area.
2	To mitigate and manage impacts to the Northern Quoll, the approval holder must:		
2a	Only undertake clearing during the period of 1 April to 1 August of any year.	Compliant	Clearing commenced from 20 July 2018 and was completed by 1 August 2018.
2b	Engage a fauna specialist to undertake a pre-clearance trapping and relocation survey for Northern Quolls within three (3) days prior to the commencement of clearing; clearing at any given location may only take place if there was a pre-clearance trapping and relocation survey undertaken within the last three (3) days. The fauna specialist must relocate any Northern Quolls identified within the Project Area during the Pre-clearance trapping and relocation survey.	Compliant	A fauna specialist was engaged to undertake a pre-clearance trapping and relocation survey for Northern Quolls within three (3) days prior to the commencement of clearing. A total of four (4) Northern Quolls were captured as part of the pre-clearance trapping and relocated – two (2) females and two (2) males. The Northern Quoll Relocation – Coongan Gorge Report August 2018, provided in the 2018/2019 Annual Compliance Report, details of the Northern Quoll trapping and relocation survey.
2c	Engage a fauna spotter to traverse the project area ahead of clearing machinery at all times during clearing - the fauna spotter must relocate any Northern Quolls identified within the Project Area during clearing.	Compliant	A fauna spotter was engaged to traverse the project area ahead of clearing machinery at all times during clearing. The fauna spotter relocated four (4) Northern Quolls identified within the Project Area during clearing.
2d	Install a minimum of eight box culverts during the construction of the road which are suitable for use by the Northern Quolls as fauna underpasses.	Complete	Eight culverts suitable for use by the Northern Quolls as fauna underpasses were installed during the construction of the road.
2e	Use remote-sensor cameras to undertake monitoring of all of the culverts for two 14-day periods annually during Northern Quoll breeding season, for a period of three years post construction.	Complete	Culvert monitoring has been undertaken with the use of remote-sensor cameras during the 2020, 2021 and 2022 Northern Quoll breeding seasons. The 2020, 2021 and 2022 monitoring reports were provided in previous compliance reports. No further monitoring is required under this condition
2f	Within one (1) year post-construction, create a minimum of 15 artificial rock habitat mounds within the M030 material pit 356 SLK and/or along the decommissioned roads and side tracks. The positioning of the mounds must be within 2km of existing Northern Quoll denning habitat.	Complete	As reported in the 2019/2020 compliance report 23 artificial rock habitat mounds were created within 2km and within the M030 material pit 356 SLK and/or along the decommissioned roads and side tracks within 1 year post construction.
2g	Rehabilitate the decommissioned roads and side tracks to minimise any barrier for movement for Northern Quolls.	Compliant	Decommissioned roads and side tracks were rehabilitated to minimise any barriers to the movement of Northern Quolls. This was provided in the 2020/2021 compliance report.
3	Within 30 days after the commencement of the action, the approval holder must advise the Department in writing of the actual date of commencement.	Complete	A letter was sent by Main Roads WA to the DotEE on 3 August 2018 advising of the actual date of the commencement of the action being the 20 July 2018. This was provided in the 2018/2019 compliance report.
4	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.	Compliant	Main Roads WA has maintained accurate records in accordance with this condition and their legal obligations, under the <i>State Records Act 2000</i> (Western Australia).
5	Within three months of every 12 month anniversary of the commencement of the action, for five (5) years, the approval holder must publish a report on their website addressing compliance with each of the conditions of this approval. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published. The compliance report must include, but is not limited to:	Compliant	The 12 month anniversary of the commencement of the action is on 20 July 2023. This is the fifth and final compliance required under this condition. This report has been published on the MRWA website. Documentary evidence will be provided to the Department at the same time as this document is published on the website. The compliance report is located on the Main Roads website at the following location:  <a href="https://www.mainroads.wa.gov.au/community-environment/environment/construction-project-reports/">https://www.mainroads.wa.gov.au/community-environment/environment/construction-project-reports/</a>
5a	the number of Northern Quolls trapped and relocated under Condition 2 (b) and (c)	Compliant	A total of four (4) Northern Quolls were captured in 2018 as part of the pre-clearance trapping and relocated – two (2) females and two (2) males.
5b	the location of any relocated Northern Quolls	Compliant	The trapped individuals were relocated to one of two suitable habitats 23 km and 30 km west of Coongan Gorge. <ul style="list-style-type: none"> <li>Two females and one male: Zone 50 S768062, E7692892 (23 km west of Coongan Gorge).</li> <li>One male: Zone 50 S768385, E7695037 (30 km west of Coongan Gorge).</li> </ul>
5c	the location of culverts and mounds referred to in Condition 2 (d) and 2 (f)	Compliant	Eight culverts suitable for use by the Northern Quolls as fauna underpasses were installed during the construction of the road. Locations of these culverts were provided in the 2018/2019 compliance report
5d	the results of the remote camera monitoring of culvert use referred to in Condition 2 (e)	Compliant	The results of remote camera monitoring of culvert use were provided in previous construction reports.
6	Upon 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.	Compliant	No direction to undertake an audit by the Minister was received during the reporting period.
7	If, at any time after five (5) years from the date of this approval, the approval holder has not substantially commenced the action, then the approval holder must not substantially commence the action without written agreement of the Minister.	Compliant	The action was substantially commenced on 20 July 2018.

## 5 CONCLUSION

Main Roads completed the construction of the Coongan Gorge Realignment on 24 July 2019. As outlined in Table 1 of this Compliance Assessment Report, Main Roads considers the status for Conditions under EPBC 2017/7880 to be completed and/or in compliance for the project. In accordance with Condition 5 of EPBC 2017/7880, Main Roads has completed five compliance reports. This compliance report is the final compliance report required under this approval.