



Mr Peter Bennett
Manager Optimisation & Rates
B & J Catalano Pty Ltd
South Western Highway
BRUNSWICK JUNCTION WA 6224

Dear Mr Bennett

**Additional information required for preliminary documentation
Lots 4 & 5 Ludlow Road Limestone Extraction, Myalup, WA**

The Department has reviewed the submitted draft preliminary documentation and determined that the information provided did not sufficiently address the request for additional information required set out in the letter sent to you on 24 June 2019 (Attachment A).

Please refer to Attachment C for the additional information required as part of the draft preliminary documentation.

If you have any questions about the referral process or this decision, please call or email the Project Officer, Tony Tsai (tony.tsai@environment.gov.au), on 02 6274 1584 and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely

Rod Whyte
Director
Project Assessments West Section
26 September 2019

The submitted draft preliminary documentation failed to address the following sections of Attachment A.

2. DESCRIPTION OF THE ENVIRONMENT AND MATTERS OF NATIONAL ENVIRONMENTAL SIGNIFICANCE

The draft preliminary documents submitted relied heavily on data provided by Naturemap records, which failed to address the following points:

- For listed threatened species and communities and listed migratory species that are, or have the potential to be, present within the proposed action area and surrounds, a minimum of:
 - Information detailing known populations or records of individuals within at least 1km of the proposed action area and the size of these populations, if available.
 - An assessment of the adequacy of any surveys undertaken (including survey effort and timing). In particular, the extent to which these surveys were appropriate for the listed species or community and undertaken in accordance with relevant Departmental survey guidelines.
- Information about the methods, data and scientific literature used to identify and assess the environmental values within the proposed action area and surrounds, including survey data and historical records. Survey data relating to the proposed action area must be provided for the relevant listed species and/or communities, be as recent as possible and must not have been collected more than two years before the date the draft preliminary documentation is submitted to the Department.

Habitat quality

The draft preliminary documents did not use the methodology suitable for each individual listed species or community (i.e. approved by the Department or supported by literature) used to assess habitat or vegetation quality, noting that the same scoring system must be used at both impact and offset sites, where relevant (see Section 4). The quality score for an area of habitat must relate directly to the habitat requirements of the species (e.g. number of suitable nesting hollows). There are three components that must be considered when calculating habitat quality: site condition, site context and species stocking rates.

3. ASSESSMENT OF IMPACTS

The draft preliminary documentation only addressed parts of this section and it did not include an assessment of the potential direct and indirect impacts on protected matters that are likely to be present within the proposed action area and surrounds. The impacts of the proposed action should be considered at the broadest scope and all components of the proposed action should be considered, including any associated supporting infrastructure.

In particular, the draft preliminary documentation did not address the following types of impacts relevant to your proposed action:

- Although the draft preliminary documentation mentioned that the proposed project will increase noise, dust, emissions and/or vibrations associated with the proposed action, including disruption of key behaviours. The document claimed these will not cause

disturbance to listed threatened and/or migratory species with no evidence provided to back up the claim.

- The draft preliminary documentation claimed the proposed project will have minimal to no impact on important habitat for listed threatened and/or migratory shorebirds and/or the ecological character of the Peel-Yalgorup System Ramsar Site (PYSRS) as a result of the proposed action. However, it did not provide source of information to back up this claim.
- The draft preliminary documentation stated there will be no direct impact to groundwater and/or surface water. However, it failed to address indirect impact from the proposed project on groundwater and surface water in particular contamination, groundwater extraction, stormwater management and the lowering of groundwater levels as a result of vegetation removal.
- The draft preliminary documentation stated there will be no impact on any listed threatened species, but did not provide source of information to back up this statement.
- The draft preliminary documentation stated there will be no to minimal impacts on the ecological character of the PYSRS, but it failed to provide evidence to the statement.

In addition, the draft preliminary documentation submitted failed to include results specifically requested by the assessment officer which are:

- Include the results of a targeted Carnaby's Black Cockatoo nest hollow assessment, which must:
 - be conducted within the Carnaby's Black Cockatoo breeding season, as defined in the Carnaby's Black Cockatoo (*Calyptorhynchus latirostris*) Recovery Plan (2013);
 - be conducted using a telescopic pole-mounted camera or camera drone technology;
 - include close visual inspection of all potential nesting hollows within the proposed action area (and immediate vicinity) from above ground-level and provide photographic evidence of all potential nesting hollows inspected;
 - detail any evidence of use by Carnaby's Black Cockatoo i.e. chew marks, feather, debris, etc.;
 - include mapping of all potential breeding trees, suitable nesting hollows and known nesting hollows within the proposed action area (and immediate vicinity); and
 - take care not to disturb any Carnaby's Black Cockatoo nesting activity.

4. AVOIDANCE AND MITIGATION MEASURES

The Department considers further details are required for avoidance and mitigation measures.

- The draft preliminary document failed to provide details of pre-clearance and clearance procedures to ensure that protected matters are adequately detected and managed to minimise impacts (i.e. the introduction or spread of disease or pathogens to habitats and vegetation).
- The draft preliminary document failed to provide details of any rehabilitation measures to be implemented, including objectives, target species, timing of relevant stages, methodology, maintenance and monitoring.

- For each mitigation measures the draft preliminary document failed to provide:
 - performance and completion criteria;
 - monitoring and reporting arrangements; and
 - potential risks/threats, including residual risks, and any measures that would be implemented to mitigate against these risks, and any proposed monitoring to confirm the effectiveness of these measures.
- The draft preliminary document failed to provide evidence of the effectiveness of avoidance and mitigation measures discussed above, noting that the effectiveness of a particular measure is a reflection of the confidence in the ability of the measure to reduce the risk or threat. The assessment of effectiveness should be evidence-based and include examples of demonstrated success of the measure to achieve the desired avoidance or mitigation outcome.
- The draft preliminary document did not discuss proposed avoidance and mitigation measures in terms of their expected effectiveness and cost.
- The draft preliminary document did not provide management commitments by the person proposing to take the action must be clearly distinguished from recommendations or statements of best practice made by the document author or other technical expert. It is preferable to provide a consolidated table of management commitments, including details on funding, roles and responsibilities and measurable performance criteria.

5. OFFSETS

The proposed offsets did not sufficiently address information requirements for EPBC Act offset proposal ([Attachment B](#)).

6. ECONOMIC AND SOCIAL MATTERS

The draft preliminary document did not provide information about the expected economic and social impacts of the proposed action (both positive and negative). This should include, but not necessarily be limited to, the following:

- Consideration of both costs (e.g. disruption to existing community infrastructure or environmental features) and benefits (e.g. increased housing or employment) of the proposed action, including the basis of any estimations of costs and/or benefits.
- Details of any public and/or Indigenous stakeholder consultation activities, including the outcomes of those consultations.
- Consideration of different scales of economic and/or social impacts where relevant (e.g. local versus national).

8. ECOLOGICALLY SUSTAINABLE DEVELOPMENT

The draft preliminary document did not include a discussion of how the proposed action meets the principles of ecologically sustainable development, as defined in s.3A of the EPBC Act. The draft preliminary document simply states that the proponent will incorporate a range of processes to achieve and promote these five Ecologically Sustainable Development principles within their proposed limestone extraction operation.