

# LUNDSTROM ENVIRONMENTAL CONSULTANTS PTY LTD

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## 2015 COMPLIANCE REPORT LOT 7 RUNNYMEDE ROAD, BINNINGUP, WA – EPBC 2011/5996 B & J CATALANO PTY LTD

### INTRODUCTION

On 18 November 2011, B & J Catalano received approval under the *Environment Protection and Biodiversity Conservation Act 1999* to undertake sand mining at Lot 7 Runnymede Road, Wellesley, WA. The approval had 13 conditions attached to it relating to revegetation and monitoring of areas adjacent to the sand mine.

Condition 8 of the approval states that:

Within three months of every 12 month anniversary of the commencement of the action, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions. Documentary evidence providing proof of the date of publication and noncompliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published.

This report partially fulfils the requirement of Condition 8. This report will also be published on the B & J Catalano Pty Ltd website and a copy of the report will be forwarded onto the Department of the Environment together with proof of publication date to fully satisfy this condition .

### COMPLIANCE

Table 1 is a list of all the conditions of the EPBC approval. This table shows the compliance status, lists the source of evidence, describes the findings of the field visits and provides a recommended action, where required.

**Table of EPBC Approval Conditions and Compliance Status  
B & J Catalano, Lot 7 Runnymede Road, March 2016 – EPBC 2011/5996**

	Conditions	Compliant	Evidence	Findings	Recommended Action
1	The person taking the action must not remove more than 2.61 hectares equivalent of native vegetation within the 'proposed mine area' as identified on the map at Appendix A.	Yes	Extent of clearing	The area within the 'proposed mine area' has been cleared.	None
2	To offset the impact to foraging and potential breeding habitat of the Carnaby's Black Cockatoo, Baudin's Black Cockatoo and Forest Red-tailed Black Cockatoo, the person taking the action must undertake the action in accordance with the Runnymede Rd Sand mine: Black Cockatoo Management Plan (BCMP) dated August 2011, including implementing the following:				
(a)	Within 12 months of commencing the action, the person taking the action must revegetate 2.28 hectares with suitable Black Cockatoo habitat species within the area identified on the map at Appendix B as the 'revegetation' area; (Attached figure in this report).	Yes	Area has rip lines into which vegetation has been planted.	Revegetation within this area commenced in 2010 prior to the granting of this approval. No further planting has since been undertaken. Photos of the site are presented in Plates 1 to 4.	Further plantings within this area are planned for winter 2016 and subsequent years.
(b)	The person taking the action must ensure that no less than 7.03 hectares of native vegetation is retained in perpetuity, and protected and managed in accordance with the BCMP, within the area identified on the map at Appendix B as the 'buffer' area	Yes	Site visit	This area has been fenced off.	None
(c)	Monitoring of seedling survival must be undertaken biannually in the revegetated/rehabilitated areas (as required under conditions 2a and 2c), until such time as planting is completed. Accurate records substantiating seedling survival must be maintained and made available upon request to the Department (as specified under condition 7).	No		The first monitoring within the 'revegetation area' has been undertaken in March 2016.	Subsequent monitoring of the area will be undertaken in Spring 2016.
3	Revegetation of the 'revegetation' area under condition 2a must be inspected by a qualified botanist 3 years and 5 years after completion of planting and the results of tree seedling survival and condition reported to the Department within 30 days.	No		The first inspection of the 'revegetation' area was undertaken in March 2016 by Lundstrom Environmental Consultants with the report being submitted to the Department by the end of April 2016.	A subsequent report detailing seedling survival and condition will be submitted to the Department in 2018.
4	Revegetation of the 'additional revegetation offset' area under condition 2c must be inspected by a qualified botanist 3 years and 5 years after completion of planting and the results	N/A		Mining in this area is not complete, hence revegetation cannot commence.	

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B & J Catalano, Lot 7 Runnymede Road, March 2016 – EPBC 2011/5996**

	Conditions	Compliant	Evidence	Findings	Recommended Action
	of tree seedling survival and condition reported to the Department within 30 days				
5	Revegetation under conditions 2a and 2c must achieve an average of 1100 live stems per hectare. If at the 3 and 5 year inspections a survival rate of 90% of the planted trees is not achieved; all planted trees that have not survived must be replaced with the same species within 12 months, and maintained for a minimum of two years.	No	Site Visit	At the inspection undertaken in March 2016, there was an average of 500 live stems/ha.	Further plantings will be undertaken in winter 2016 and subsequent years until the 1100 live stems/ha is reached.
6	Within 30 days after the commencement of the action, the person taking the action must advise the Department in writing of the actual date of commencement.	Yes		Department was advised that commencement of the action occurred in early 2014.	None
7	The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the BCMP, required by this 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	No		There is very little documentation re: planting within this area. Contractor records of planting were obtained for the 2010 plantings.	Summary reports of annual revegetation need to be kept, stating type and numbers of species planted. These will be used for the biannual monitoring required in Condition 2c.
8	Within three months of every 12 month anniversary of the commencement of the action, the person taking the action must publish a report on their website addressing compliance with each of the conditions of this approval, including implementation of any management plans as specified in the conditions. Documentary evidence providing proof of the date of publication and noncompliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published.	Yes		No report was prepared for 2014/15 reporting year. This report is for the 2015/16 reporting year.	Report to be published on the Company website. This report to be submitted to the Department.
9	Upon the direction of the Minister, the person taking the action must ensure that an independent audit of compliance	Yes	This report		None

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	Conditions	Compliant	Evidence	Findings	Recommended Action
	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.				
10	If the person taking the action wishes to carry out any activity otherwise than in accordance with the BCMP as specified in the conditions, the person taking the action must submit to the Department for the Minister's written approval a revised version of that management plan. The varied activity shall not commence until the Minister has approved the varied management plan in writing. The Minister will not approve a varied management plan unless the revised management plan would result in an equivalent or improved environmental outcome over time. If the Minister approves the revised management plan, that management plan must be implemented in place of the original BCMP.	N/A		All actions being undertaken in accordance with the BCMP.	None
11	If the Minister believes that it is necessary or convenient for the better protection of listed threatened species and communities to do so, the Minister may request that the person taking the action make specified revisions to the BCMP specified in the conditions and submit the revised management plan for the Minister's written approval. The person taking the action must comply with any such request. The revised approved management plan must be implemented. Unless the Minister has approved the revised management plan, then the person taking the action must continue to implement the original BCMP, as specified in the conditions.	N/A		All actions being undertaken in accordance with the current BCMP.	None
12	If, at any time after 5 years from the date of this approval, the person taking the action has not substantially commenced the action, then the person taking the action must not	Yes		Action has commenced	None

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	Conditions	Compliant	Evidence	Findings	Recommended Action
	substantially commence the action without the written agreement of the Minister.				
13	Unless otherwise agreed to in writing by the Minister, the person taking the action must publish the BCMP referred to in these conditions of approval on their website. The BCMP must be published on the website within 1 month of the date of this approval.	Yes	BCMP on website from early 2012 to late 2014	The BCMP was published on the B & J Catalano Pty Ltd website. With the subsequent upgrade of the website it was removed.	BCMP to be reposted on the new website.

## FIGURES



Cadastre

Project Site

Buffer area

Proposed mine area

Revegetation area

Aerial photography\_Dec 2004



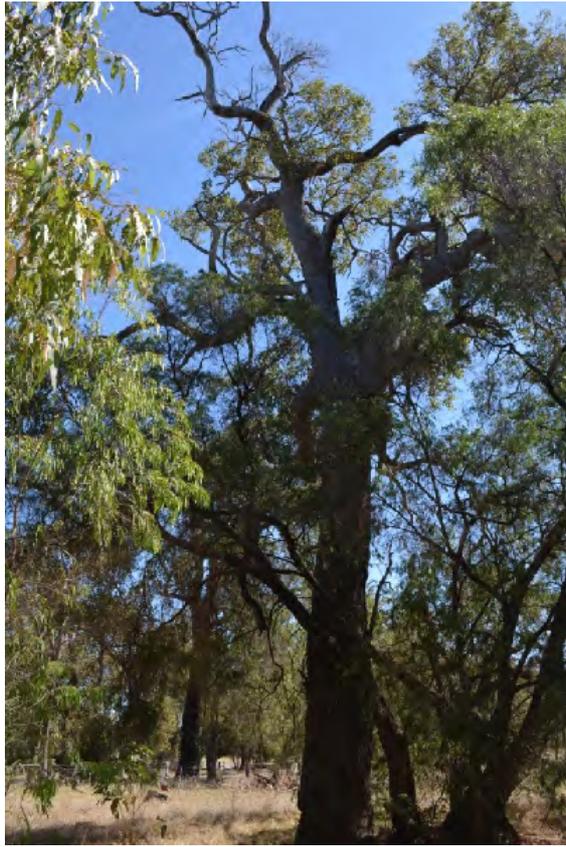
Lot 7

## PLATES



Plates 1 and 2: Midstorey vegetation within the 'revegetation' area





Plates 3 and 4: Upper storey vegetation within the 'revegetation' area

