

**EPBC 2019/8388 COMPLIANCE REPORT
10TH DECEMBER 2021 – 10TH DECEMBER 2022**

**LOTS 4 AND 5 LUDLOW ROAD LIMESTONE EXTRACTION
MYALUP, WESTERN AUSTRALIA**

PREPARED FOR

B & J CATALANO PTY LTD



By

LUNDSTROM ENVIRONMENTAL CONSULTANTS PTY LTD

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Version Register

Version No.	Description	Author	Reviewed by	Date
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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 (please print) Peter Bennett

Position (please print) Manager of Materials Resources & Compliance

Organisation (please print including ABN/ACN if applicable) ABN 68008961975

Date 03 / 03 / 2023

INTRODUCTION

On 05 November 2020, B & J Catalano received approval under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) to undertake limestone mining at Lots 4 And 5 Ludlow Road, Myalup, Western Australia (WA). The approval has 25 conditions, of which 10 conditions are specific to the action.

In regard to annual compliance reporting, condition 18 of the approval states that:

The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or otherwise in accordance with an annual date that has been agreed to in writing by the Minister. The approval holder must:

- 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 and provide the weblink for the compliance report within five business days of the date of publication and provide documentary evidence of the date of publication on the website;
- 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 five business days of publication.

This report has been prepared to fulfil the requirement of Condition 18. This report will be published on the B & J Catalano Pty Ltd website and a weblink of the report will be forwarded onto the Department of Climate Change, Energy, the Environment and Water (the Department) together with proof of publication date to fully satisfy this condition.

DESCRIPTION OF ACTIVITIES

The approval is for the expansion of the existing limestone extraction operations on Lots 4 and 5 Ludlow Road, Myalup, approximately 50 km north of Bunbury, WA. The project area is an area of 12.6ha that has been approved for limestone extraction (see Figure 1 and Plate 1 in Appendix 1). Extraction within this area commenced after initial clearing took place in December 2021, with the commencement of action date captured as the date of commencement of clearing on 10th December 2021, when an initial 2.4ha of clearing took place.

The extent of clearing for the reporting period has been captured in Figure 1 using satellite imagery, with a total of 3.8ha being cleared, almost all in September 2022. A total of 3.2ha was cleared in 2021 during the previous reporting period, resulting in the overall clearing of 7ha of the approved 7.4ha.

Revegetation of a 1.9ha area within the pit (Figure 1) was undertaken by B & J Catalano in winter 2021 as part of previous revegetation commitments for the original mining approvals. This revegetation has been successful as can be seen in Plate 2 (Appendix 1).

Revegetation of the offset area took place in winter 2021 (see Plate 4 in Appendix 1), with 7ha of the 10.6ha area revegetated. The revegetation was undertaken by the landowner. A field visit on 27 February 2023 to survey the offset revegetation found the majority of the plants had not survived (Appendix 2). B & J Catalano will take over and revegetate the entire 10.6ha offset area this winter 2023 after undertaking weed management, and propose to enlist the services of a revegetation specialist to carry out this work. This revegetation work will be reported in next year's compliance report.

COMPLIANCE

A site visit was undertaken for this compliance period on 27 February 2023. During this site visit photo points 3 to 5 as per the Revegetation Plan were set up as per Table 1 below. Photos of the unsuccessful revegetation undertaken in winter 2021 were taken at the four photo points and are included as Appendix 2. Photo points 1 and 2 are intended for the revegetation to be undertaken within the extraction area. As this revegetation has not yet been undertaken (extractive activity has only recently begun in the new pit area) these photo points were not set up. They will be added to the annual monitoring once extraction is complete and this revegetation is undertaken.

Table 1. Details of Photo Points for rehabilitation monitoring

Photo point Ref No.*	Photo point coordinate (Lat; Long)		Distance between photo point and camera point	Direction from camera point to photo point
03	-32.967	115.704	3.0 m	South
04-N	-32.972	115.703	3.0 m	Northeast
04-S	-32.972	115.703	3.0 m	Southeast
05	-32.977	115.702	3.0 m	North

*Refer to Figure 1 for location

It was also intended to survey 5m x 5m relevès as per the Revegetation Plan monitoring commitments, however due to the poor survival of the revegetation, it was regarded as unnecessary. The relevès will be set up to monitor the proposed revegetation in winter 2023 in future compliance surveys.

Table 2 is a list of all the conditions of the EPBC approval. This table shows the compliance status, lists the source of evidence and comments, and provides a recommended action where required.

**Table of EPBC Act Approval Conditions and Compliance Status
B & J Catalano, Lots 4 And 5 Ludlow Road, Dec 2022 – EPBC 2019/8388**

#	Conditions	Compliant	Evidence/Comments	Recommended Action
1	To avoid and mitigate impacts to the Carnaby's Black Cockatoo , the approval holder must implement Management Conditions 1-10 of clearing permit CPS 8057/1 .	Yes	An Annual Report for CPS 8057/1 for the reporting period Jan 2021 – Dec 2021 has been submitted to DWER showing compliance with CPS conditions. The Annual Report for reporting period Jan 2022 – Dec 2022 will be submitted by 30 th June 2023 as per CPS conditions.	None
2	If Management Conditions 1-10 of clearing permit CPS 8057/1 are updated or otherwise changed, the approval holder must notify the Department within one month of the change.	N/A	Management Conditions 1-10 of clearing permit CPS 8057/1 have not been updated or otherwise changed.	None
3	To avoid and mitigate impacts to the Carnaby's Black Cockatoo the approval holder must not:			
(a)	clear outside the boundaries of the project area ;	Yes	The extent of clearing for the reporting period has been captured in Figure 1 using satellite imagery. The clearing undertaken is within the project area and the clearing permit boundaries. Pegs installed by a suitably qualified surveyor have been used to demarcate the project boundaries and these remain in place (Appendix 1, Plate 3).	B&J Catalano to ensure pegs remain in place to demarcate the project area boundaries.
(b)	clear any Tuart trees , which are outside of the clearing footprint shown in pink in Attachment 3; and	Yes	The extent of clearing for the reporting period has been captured in Figure 1 using satellite imagery. No tuart trees outside the clearing footprint have been cleared.	
(c)	clear more than 7.4 hectares of Carnaby's Black Cockatoo habitat .	Yes	The total extent of the clearing, as shown in Figure 1, is 7ha.	None
4	Within 12 months of the commencement of the action , the approval holder must provide the Department with written evidence that a conservation covenant has been executed over the offset area .	Partial	An application for a conservation covenant over the offset area was made within 12 months of the commencement of the action, however a problem with the cadaster was encountered, which delayed the application by several months. The Department was informed of the	None

**Table of EPBC Act Approval Conditions and Compliance Status
B & J Catalano, Lots 4 And 5 Ludlow Road, Dec 2022 – EPBC 2019/8388**

#	Conditions	Compliant	Evidence/Comments	Recommended Action
			above via email. The conservation covenant was finalized in Dec 2022 and is included as Appendix 3.	
5	To mitigate and offset impacts to the Carnaby's Black Cockatoo the approval holder must implement the Revegetation Plan to revegetate at least 18 ha of land with species that are known to provide Carnaby's Black Cockatoo habitat . The approval holder must re-establish a self-sustaining vegetation cover, consistent with the surrounding ecosystem, which provides Carnaby's Black Cockatoo habitat . The approval holder must:			
(a)	Begin revegetation within the entire 10.6 ha offset area within 6 months of commencement of the action .	Partial	Revegetation of 7ha took place within 6 months of commencement of the action, however revegetation has not commenced within the remaining 3.6ha. Furthermore, a field visit on 27 February 2023 found the majority of the plants had not survived (Appendix 2).	Catalano to revegetate the entire 10.6ha offset area this winter 2023.
(b)	Begin revegetation of at least 7.4 hectare of land within the project area within 6 months of completion of extraction and no later than 12 years from commencement of the action .	N/A	Extraction within the project area has not been completed. Commencement of the action was just over a year ago.	None
(c)	Not plant flora species identified as Carnaby's Black Cockatoo habitat within 10 metres of the edge of any sealed road to reduce the risk of vehicle strike.	Yes	No flora species identified as Carnaby's Black Cockatoo habitat has been planted within 10 metres of the edge of any sealed road. The closest sealed road is Forrest Hwy, ~2.5km from the project area and ~2km from the offset area.	None
(d)	Only cease revegetation works once a suitably qualified ecologist has verified, in a written report accepted by the Department , that at least 18 ha of revegetation meets the completion criteria prescribed in the Revegetation Plan .	N/A	Revegetation works have not ceased – with further revegetation of the offset area scheduled for winter 2023.	None
(e)	Once the completion criteria have been achieved the approval holder must inspect all areas of revegetation once every 2 years, during Spring, for at least a further 10 years to ensure the completion criteria are being maintained. Within 20 business days of each inspection	N/A	Completion criteria have not been achieved.	None

**Table of EPBC Act Approval Conditions and Compliance Status
B & J Catalano, Lots 4 And 5 Ludlow Road, Dec 2022 – EPBC 2019/8388**

#	Conditions	Compliant	Evidence/Comments	Recommended Action
	the approval holder must submit to the Department a written report demonstrating whether or not the completion criteria have been maintained.			
(f)	Undertake corrective actions to improve vegetation quality within the revegetated areas within 3 months of becoming aware that an area of revegetation no longer meets the completion criteria . Corrective actions may cease once a suitably qualified ecologist has verified, in a written report accepted by the Department , that the completion criteria have again been achieved.	N/A	Completion criteria have not been achieved.	None
6	If the fifth verification report by a suitably qualified ecologist required under Condition 5(e) advises that less than 18 ha of revegetation meets the completion criteria , the approval holder must provide, within 20 business days of submission of the fifth verification report, written notification to the Department , providing details including:			
(a)	the total area of revegetation that fails to meet the completion criteria ;	N/A	Completion criteria have not been achieved.	None
(b)	how the approval holder will address any shortfall in revegetation through the provision of additional offset(s)*; and	N/A	Completion criteria have not been achieved.	None
(c)	how the additional offset(s)* are suitable for offsetting impacts to protected matters .	N/A	Completion criteria have not been achieved.	None
7	To offset the loss of two potential habitat trees , the approval holder must install two Carnaby's Black Cockatoo nest boxes in undisturbed vegetation, adjacent to the project area , for Carnaby's Black Cockatoo nesting. The two Carnaby's Black Cockatoo nest boxes must be installed and maintained until at least until the end date of the period for which this approval has effect.	No	This condition is currently being amended, it was left by error in the approval document as the two potential habitat trees had been removed from the application pre-approval.	None
8	To avoid and mitigate impacts to shore birds and Peel-Yalgorup System Ramsar Wetland the approval holder must:			
(a)	ensure that no activities associated with the action occur within 200 metres of Lake Preston ;	Yes	The extent of project area and associated activity has been captured in Figure 1 using satellite	None

**Table of EPBC Act Approval Conditions and Compliance Status
B & J Catalano, Lots 4 And 5 Ludlow Road, Dec 2022 – EPBC 2019/8388**

#	Conditions	Compliant	Evidence/Comments	Recommended Action
			imagery. All activities associated with the action have occurred outside of the 200 metres buffer from Lake Preston.	
(b)	maintain at least a 4 metre vertical separation between the lowest point of the pit floor and the groundwater level , and ensure that the pit floor is no lower than 6 metres AHD , as shown in Attachment 2;	Yes	The pit floor is no lower than 6 metres AHD [Shire Compliance report 2022 and Pers. comm. Peter Bennett - B&J Catalano Compliance Manager].	None
(c)	not undertake dewatering within the project area ;	Yes	The project does not require dewatering and no dewatering has taken place on site [Pers. comm. Peter Bennett - B&J Catalano Compliance Manager].	None
(d)	leave no standing water after the completion of extraction ; and	N/A	Extraction within the project area has not been completed.	None
(e)	contain within the project area all surface water runoff that originates within the project area .	Yes	Surface water runoff from the working areas has been contained in the base of the extraction area, and there were no signs of erosion [Shire Compliance report 2022 and Pers. comm. Peter Bennett - B&J Catalano Compliance Manager].	None
9	If at any point during extraction , the groundwater level is intersected, the approval holder must:			
(a)	stop extraction and report the incident to the Department in writing, as soon as practicable and no later than within two business days of the incident ;	N/A	The groundwater level has not been intersected [Shire Compliance report 2022 and Pers. comm. Peter Bennett - B&J Catalano Compliance Manager].	None
(b)	install a monitoring bore between the project area and Lake Preston at an appropriate location down hydraulic gradient from the project area to measure the groundwater level ; and	N/A	The groundwater level has not been intersected [Shire Compliance report 2022 and Pers. comm. Peter Bennett - B&J Catalano Compliance Manager].	None
(c)	not recommence extraction until the Department has confirmed in writing, having considered any evidence	N/A	The groundwater level has not been intersected [Shire Compliance report 2022 and Pers. comm.	None

**Table of EPBC Act Approval Conditions and Compliance Status
B & J Catalano, Lots 4 And 5 Ludlow Road, Dec 2022 – EPBC 2019/8388**

#	Conditions	Compliant	Evidence/Comments	Recommended Action
	provided, that a minimum 4 meter vertical separation between the lowest point of the pit floor and groundwater level has been restored and will be maintained during all future extraction activities.		Peter Bennett - B&J Catalano Compliance Manager].	
10	To prevent hydrocarbons or other contaminants from impacting the Peel-Yalgorup System Ramsar Wetland, only minor servicing of vehicles or plant can be undertaken within the project area . Any minor servicing activities must be undertaken in accordance with the <i>Western Australian Water Quality Protection Guidelines</i> No's 6, 7, 10 and 11, or subsequent revised currently official version. Management measures that must be implemented by the approval holder include but are not limited to:			
(a)	all refuelling pipework must be of the 'snap-on-fast fill' type or auto-shut-off nozzles;	Yes	Shire Compliance report 2022 and Pers. comm. Peter Bennett - B&J Catalano Compliance Manager.	None
(b)	all vehicles must be serviced and refuelled within a contained and bunded area;	Yes	Shire Compliance report 2022 and Pers. comm. Peter Bennett - B&J Catalano Compliance Manager.	None
(c)	any spills must be contained within the project area , mitigated and recorded;	Yes	Shire Compliance report 2022 and Pers. comm. Peter Bennett - B&J Catalano Compliance Manager.	None
(d)	there must be no storage of fuels, lubricants or other toxic or hazardous chemicals within the project area ;	Yes	Shire Compliance report 2022 and Pers. comm. Peter Bennett - B&J Catalano Compliance Manager.	None
(e)	servicing of any vehicle must not take place within the buffer ;	Yes	Shire Compliance report 2022 and Pers. comm. Peter Bennett - B&J Catalano Compliance Manager.	None
(f)	prior to servicing, a suitably sized spill mat or drip tray must be placed under the vehicle to be serviced to capture any leaks or spills.	Yes	Shire Compliance report 2022 and Pers. comm. Peter Bennett - B&J Catalano Compliance Manager.	None
(g)	servicing of vehicles must consist of the direct vacuuming of any waste fluids from the engine of the vehicle being serviced to a waste oil tank on the service truck	Yes	Shire Compliance report 2022 and Pers. comm. Peter Bennett - B&J Catalano Compliance Manager.	None
(h)	a drip tray or drum, that ensures no spillage, must be	Yes	Shire Compliance report 2022 and Pers. comm.	None

Table of EPBC Act Approval Conditions and Compliance Status B & J Catalano, Lots 4 And 5 Ludlow Road, Dec 2022 – EPBC 2019/8388				
#	Conditions	Compliant	Evidence/Comments	Recommended Action
	placed under the oil filter of the vehicle being serviced prior to removal of the oil filter;		Peter Bennett - B&J Catalano Compliance Manager.	
(i)	any material captured in the drip tray or drum during the course of servicing must be disposed of into the waste facility of the service truck, removed off-site and disposed of at an appropriately licenced waste facility; and	Yes	Shire Compliance report 2022 and Pers. comm. Peter Bennett - B&J Catalano Compliance Manager.	None
(j)	spill kits must be kept on all service trucks at all times, when servicing vehicles or plant on site and immediately deployed to clean up and remove any spilled hydrocarbons or other contaminants.	Yes	Shire Compliance report 2022 and Pers. comm. Peter Bennett - B&J Catalano Compliance Manager.	None
11	The approval holder must notify the Department in writing of the date of commencement of the action within 10 business days after the date of commencement of the action .	No	The Department was notified of the date of commencement of the action, however due to an administrative oversight, the department was not notified of the date within 10 business days. This was an unintended omission and B&J Catalano have taken steps to ensure reporting obligations are not missed in future.	A compliance tracking system has been implemented to capture approval conditions, reporting, and due dates.
12	If the commencement of the action does not occur within 5 years from the date of this approval, then the approval holder must not commence the action without the prior written agreement of the Minister .	N/A	Commencement of the action has taken place.	None
13	The approval holder must maintain accurate and complete compliance records .	Yes	Pers. comm. Peter Bennett - B&J Catalano Compliance Manager.	None
14	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.	N/A	A request for compliance records has not been made.	None
15	Such records may be subject to audit by the Department or an independent auditor in accordance with section 45s of the EPBC Act , or used to verify compliance with the	N/A	N/A	None

Table of EPBC Act Approval Conditions and Compliance Status B & J Catalano, Lots 4 And 5 Ludlow Road, Dec 2022 – EPBC 2019/8388				
#	Conditions	Compliant	Evidence/Comments	Recommended Action
	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.			
16	The approval holder must:			
(a)	publish the approved Revegetation plan on the website within 20 business days of commencement of the action , unless otherwise agreed to in writing by the Minister ; and	Yes	The approved Revegetation plan was republished on the B & J Catalano website in September 2020.	None
(b)	keep Revegetation Plans published on the website until the end date of this approval.	Yes	The approved Revegetation plan is currently on the B & J Catalano website, please use the link: Environmental Management - B&J Catalano	None
17	The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under a plan , is prepared in accordance with the Department's Guidelines for biological survey and mapped data (2018) and submitted electronically to the Department in accordance with the requirements of the plan .	N/A	Not required for this reporting period.	None
18	The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action , or otherwise in accordance with an annual date that has been agreed to in writing by the Minister . The approval holder must:			
(a)	publish each compliance report on the website within 60 business days following the relevant 12 month period;	Yes	The previous compliance report was published within 60 business days following the relevant 12 month period. The Department was informed of the above via email.	This report to be published on the B & J Catalano website as soon as finalised and within 60 business days of reporting period.
(b)	notify the Department by email that a compliance report has been published on the website and provide the weblink for the compliance report within five business days of the date of publication and provide documentary evidence of the date of publication on the website;	Yes	The Department was notified by email within five business days that the previous compliance report was published on the company website, and a weblink for the compliance report was provided.	The Department to be notified by email as soon as this report has been published on the company website.
(c)	keep all compliance reports publicly available on the website until this approval expires;	Yes	The previous compliance report remains on the company website, please use the link:	Once published, compliance reports to be publicly available on the

**Table of EPBC Act Approval Conditions and Compliance Status
B & J Catalano, Lots 4 And 5 Ludlow Road, Dec 2022 – EPBC 2019/8388**

#	Conditions	Compliant	Evidence/Comments	Recommended Action
			Environmental Management - B&J Catalano	company website until approval expires.
(d)	exclude or redact sensitive ecological data from compliance reports published on the website ; and	N/A	No sensitive ecological data is included in this compliance report.	None
(e)	where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within five business days of publication.	N/A	No sensitive ecological data is included in this compliance report.	None
19	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 two business days after becoming aware of the incident or non-compliance. The notification must specify:			
(a)	any condition which is or may be in breach;	Yes	The Department was notified of non-compliance with revegetation of offset area within 2 business days of becoming aware of the non-compliance.	None
(b)	a short description of the incident and/or non-compliance; and	Yes	This has been provided within 2 business days of becoming aware of non-compliance.	None
(c)	the location (including co-ordinates), date, and time of the incident and/or non-compliance. In the event the exact information cannot be provided, provide the best information available.	Yes	This has been provided within 2 business days of becoming aware of non-compliance.	None
20	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 practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying:			
(a)	any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;	Yes	This has been provided within 10 business days of becoming aware of non-compliance.	None
(b)	the potential impacts of the incident or non-compliance; and	Yes	This has been provided within 10 business days of becoming aware of non-compliance.	None
(c)	the method and timing of any remedial action that will be undertaken by the approval holder.	Yes	This has been provided within 10 business days of becoming aware of non-compliance.	None

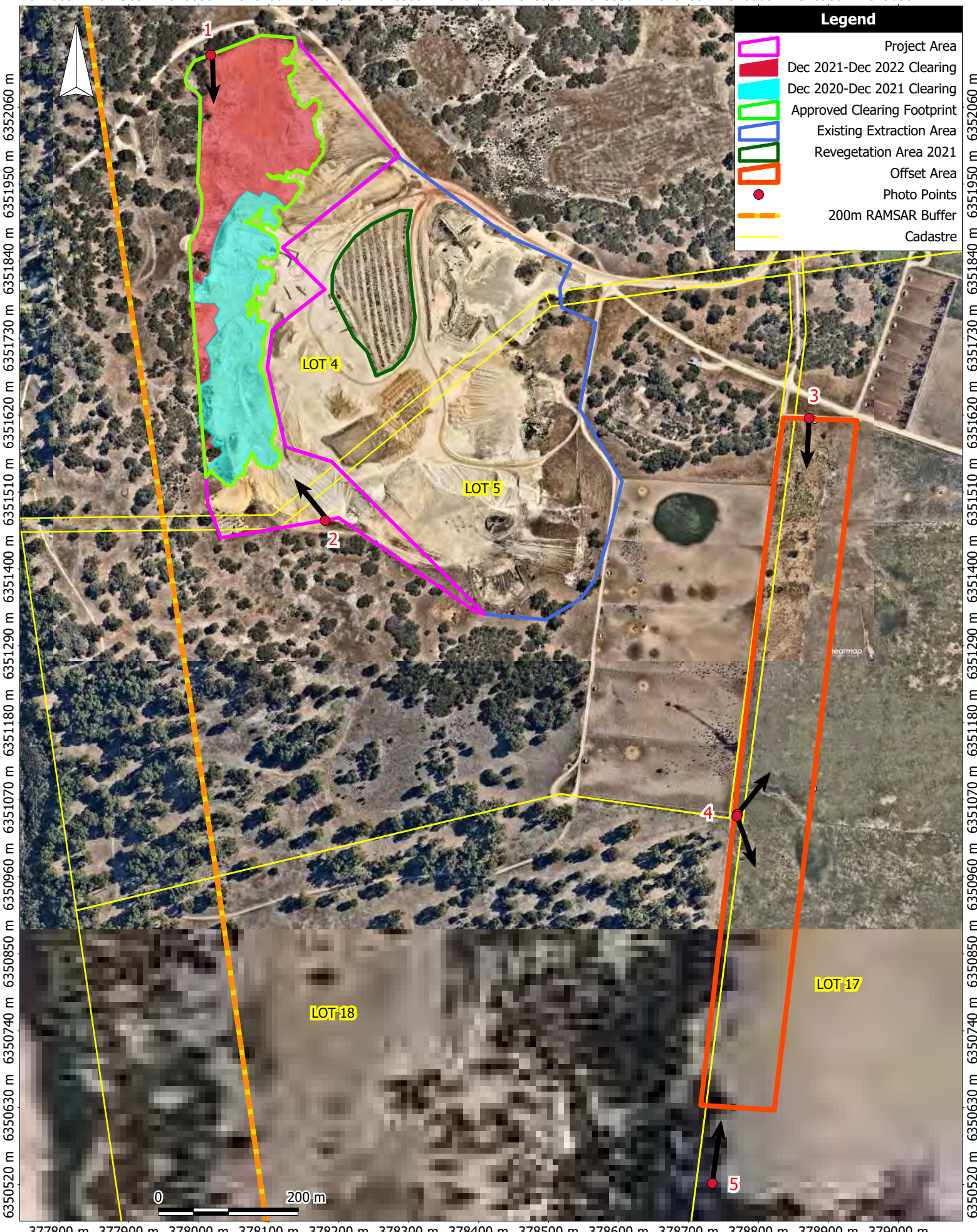
Table of EPBC Act Approval Conditions and Compliance Status B & J Catalano, Lots 4 And 5 Ludlow Road, Dec 2022 – EPBC 2019/8388				
#	Conditions	Compliant	Evidence/Comments	Recommended Action
21	The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Department .	N/A	There has been no request for independent audits.	None
22	For each independent audit , the approval holder must:			
(a)	provide the name and qualifications of the independent auditor and the draft audit criteria to the Department ;	N/A	No independent audit undertaken.	None
(b)	only commence the independent audit once the audit criteria have been approved in writing by the Department ; and	N/A	No independent audit undertaken.	None
(c)	submit an audit report to the Department within the timeframe specified in the approved audit criteria.	N/A	No independent audit undertaken.	None
23	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.	N/A	No independent audit undertaken.	None
24	The approval holder may, at any time, apply to the Minister for a variation to an action management plan approved by the Minister under condition 5, or as subsequently revised in accordance with these conditions, by submitting an application in accordance with the requirements of section 143A of the EPBC Act . If the Minister approves a revised action management plan (RAMP) then, from the date specified, the approval holder must implement the RAMP in place of the previous action management plan.	N/A	No application to the Minister for a variation to an action management plan approved by the Minister has been submitted.	None
25	Within 20 business days after whichever is the earlier of <ul style="list-style-type: none"> • the completion of the action, or • 60 business days before the end date of the period for 	N/A	Completion of the action is not expected for several years.	None

Table of EPBC Act Approval Conditions and Compliance Status B & J Catalano, Lots 4 And 5 Ludlow Road, Dec 2022 – EPBC 2019/8388				
#	Conditions	Compliant	Evidence/Comments	Recommended Action
	<p>which this approval has effect, the approval holder must notify the Department in writing of the date of the completion of the action and submit all completion data to the Department.</p> <p>If the completion of the action is unlikely to occur before the end date of the period for which the approval has effect, the approval holder must submit to the Department, before the end date of the period for which the approval has effect, a request, in accordance with the requirements of section 145C of the EPBC Act, to extend the period of effect of the approval.</p>			

*Any additional offset(s) must be approved by the **Department** in writing prior to their being accepted as an offset under these conditions. Any **offset areas** purchased by the approval holder must be managed for the conservation of **protected matters** for a period of no less than 20 years. An appropriate **conservation covenant** is to be in place within two years of the offset being approved by the Department (or another period agreed in writing by the **Department**).

FIGURES

377800 m 377900 m 378000 m 378100 m 378200 m 378300 m 378400 m 378500 m 378600 m 378700 m 378800 m 378900 m 379000 m



Lundstrom Environmental Consultants Pty Ltd
 Leeming WA 6149
 Mob: 0417934863
 mikelund1@bigpond.com

Scale: 1:6800
 Original Size: A4
 Air Photo Source: Nearmap Nov 2022
 Datum: GDA94
 Projection: Australia MGA94 (50)

Client: B & J Catalano
 Project: Limestone Extraction
 Location: Lots 4 & 5 Ludlow Road Myalup

Figure 1
 EPBC 2019/8388
 Compliance Report
 Dec 2021 - Dec 2022

APPENDICES

APPENDIX 1 – Photographic Plates



Plate 1: Aerial overview of the project looking west towards Lake Preston.



Plate 2: Revegetation within pit for previous state approval compliance.



Plate 3: Peg marking the project area along the western boundary.



Plate 4: Revegetation of the Offset Area in winter 2021, looking south.

APPENDIX 2 - Photo Points of the Offset Area, February 2023

Photo Reference: 03

Direction: South

Date: 27 February 2023



Photo Reference: 04-N

Direction: Northwest

Date: 27 February 2023



Photo Reference: 04-S

Direction: Southwest

Date: 27 February 2023



Photo Reference: 05

Direction: North

Date: 27 February 2023



CONSERVATION COVENANT

SOIL AND LAND CONSERVATION ACT 1945
SECTION 30B

File: 2185689

The registered proprietors **Geoffrey Thomas Pearson and Pearson Nominees Pty Ltd** of that land described as:

- Lot 17 on Deposited Plan 20936 Certificate of Title Volume 2056 Folio 198; and
- Lot 18 on Deposited Plan 20936 Certificate of Title Volume 2053 Folio 45

Recognises the value of sound land management practices and the value of protecting areas within the land described on this plan.

The registered proprietor of the land agrees that an irrevocable instrument known as a Conservation Covenant be entered into for the purpose of setting aside land for the protection and management of vegetation under Section 30B of the *Soil and Land Conservation Act 1945*. Accordingly:

We: Geoffrey Thomas Pearson and Pearson Nominees Pty Ltd
(Proprietor of the Land)

Of: Lot 43 Ditchingham Place, Australind WA 6233
(Normal Postal Address)

Covenant to retain and protect **10.6 ha** of native vegetation in **perpetuity**, as shown on this plan as an area cross hatched orange, contained within Certificate of Title Volume 2056 Folio 198 and Certificate of Title Volume 2053 Folio 45 and as defined as 'A' and 'B' on Deposited Plan 423576 in accordance with the following conditions:

- Subject to sections 30B and 30C of the *Soil and Land Conservation Act 1945*, this Conservation Covenant is to have effect in perpetuity.
- A Conservation Covenant registered on Certificate of Title by Memorial binds each person successively becoming an owner or occupier of the land.
- The area of land described above is to be adequately fenced to exclude all classes of livestock and be managed in such a way as to retain and promote the growth of native vegetation.
- Subject to any necessary approvals from relevant authorities, and in accordance with any written law, clearing is permitted within the areas described above for boundary fence lines and firebreaks.
- Memorial as per Federal Department of Agriculture, Water and the Environment, Condition 4 of EPBC Act Approval EPBC 2019/8388.

REGISTERED PROPRIETOR:

Geoffrey Thomas Pearson

.....
(signature) 28.11.2022
Date

**Geoffrey Thomas Pearson
For Pearson Nominees**

.....
(signature) 28.11.2022
Date

Cecilia McConnell

COMMISSIONER OF
SOIL AND LAND CONSERVATION

.....
(signature) 2.12.2022
Date



<ul style="list-style-type: none"> — Road — Cadastral parcel boundary Area to be retained and protected as native vegetation Total = 10.6 ha 	<p>NOTE: 1. All measurements and areas are only approximate and subject to on-site assessment by a Land Conservation Officer from the Department of Primary Industries and Regional Development (DPIRD).</p> <p>2. Landgate cadastral parcels as at November 2022</p> <p>3. Imagery - Digital Globe Vivid 2.0 17/07/2019</p> <p>4. Projection - Transverse Mercator Datum - Geocentric Datum of Australia 1994 Grid - Map Grid of Australia 1994 Zone 50</p> <p>Drawn by: P. Goulding Date: 16/11/2022</p> <p>Checked by: Date:</p>
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