

**EPBC 2019/8388 COMPLIANCE REPORT
10TH DECEMBER 2022 – 10TH DECEMBER 2023**

**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

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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, Planning and compliance

Organisation (please print including ABN/ACN if applicable) 68 008 961 975

Date 01 / 03 / 2024

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.

A total of 3.2ha was cleared in 2021, and a further 3.8ha was cleared in 2022, resulting in the overall clearing of 7ha of the approved 7.4ha. During this reporting period, 0.16ha of the remaining 0.4ha was cleared in early 2023. The extent of clearing for the reporting period has been captured in Figure 1 using satellite imagery, resulting in the overall clearing of 7.2ha 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 continues to be successful as can be seen in Plate 2 (Appendix 1).

Revegetation of the offset area took place in winter 2021, 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. B & J Catalano is taking over and revegetating the entire 10.6ha offset area this winter 2024 after undertaking weed management, and have enlisted the services of a revegetation specialist (Tranen Revegetation Systems) to carry out this work. A list of the species and quantities purchased by B&J Catalano for planting in winter 2024 is included as Appendix 2.

The tree guards from the previous revegetation undertaken in winter 2021 have been removed, and weed management has begun on site, with Apple of Sodom pulled out and burned, and initial knockdown spraying undertaken, however further spraying is required in the coming month. Scalping and removal of topsoil will not be undertaken, instead tubestock planting will be favored over direct seeding. The site will be ripped with a dozer and kangaroo proof fencing will also be installed before revegetation is undertaken this winter. This revegetation work will be reported in next year's compliance report.

COMPLIANCE

A site visit was undertaken for this compliance period on 07 February 2024. No photo point or relevè monitoring was undertaken as no further revegetation has taken place within the offset area (planned for winter 2024) or the extraction area (extraction activities are still ongoing). Extraction activities are expected to continue for a number of years, however any areas of the extraction footprint that are finalised earlier will be rehabilitated according to the Revegetation Plan.

Photo point monitoring of the offset area will commence in late spring 2024, relevè monitoring will commence in future revegetation monitoring surveys undertaken by Tranen.

Plate 4 in Appendix 1 shows the current state of the offset area, reflecting the hot and dry conditions experienced this summer.

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 2023 – 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 2022 – Dec 2022 has been submitted to DWER showing compliance with CPS conditions. The Annual Report for reporting period Jan 2023 – Dec 2023 will be submitted by 30 th June 2024 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.	None
(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 7.2ha.	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 2023 – 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 .	No	Revegetation of 7ha by the landowner took place within 6 months of commencement of the action, however a field visit on 27 February 2023 found the majority of the plants had not survived. Difficulties with the owner for access to the site resulted in Catalano not being able to undertake the proposed revegetation in winter 2023. Improved communications in 2024 have resulted in agreement from the owner to allow Tranen to undertake the revegetation in winter 2024, following the proposed weed management and fence installation. Appendix 2 lists the species and quantities already purchased for planting this winter 2024.	Catalano to proceed with Tranen to revegetate the entire 10.6ha offset area this winter 2024.
(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 two years 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 is proposed for planting within 10 metres of the edge of any sealed road. The closest sealed road is the start of Ludlow Rd, ~1.3km from the project area and ~1km from the offset area.	None

**Table of EPBC Act Approval Conditions and Compliance Status
B & J Catalano, Lots 4 And 5 Ludlow Road, Dec 2023 – EPBC 2019/8388**

#	Conditions	Compliant	Evidence/Comments	Recommended Action
(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 2024.	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 the approval holder must submit to the Department a written report demonstrating whether or not the completion criteria have been maintained.	N/A	Completion criteria have not been achieved.	None
(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	N/A	This condition was left by error in the approval	None

Table of EPBC Act Approval Conditions and Compliance Status B & J Catalano, Lots 4 And 5 Ludlow Road, Dec 2023 – EPBC 2019/8388				
#	Conditions	Compliant	Evidence/Comments	Recommended Action
	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.		document as the two potential habitat trees had been removed from the application pre-approval. Communications with the Department in March 2023 confirmed the installation of two Black Cockatoo nest boxes was not required.	
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 imagery. All activities associated with the action have occurred outside of the 200 metres buffer from Lake Preston.	None
(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 2023 - 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 2023 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	N/A	The groundwater level has not been intersected	None

Table of EPBC Act Approval Conditions and Compliance Status B & J Catalano, Lots 4 And 5 Ludlow Road, Dec 2023 – EPBC 2019/8388				
#	Conditions	Compliant	Evidence/Comments	Recommended Action
	Department in writing, as soon as practicable and no later than within two business days of the incident ;		[Shire Compliance report 2023 and Pers. comm. Peter Bennett - B&J Catalano Compliance Manager].	
(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 2023 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 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.	N/A	The groundwater level has not been intersected [Shire Compliance report 2023 and Pers. comm. Peter Bennett - B&J Catalano Compliance Manager].	None
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 2023 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 2023 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 2023 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 2023 and Pers. comm. Peter Bennett - B&J Catalano Compliance Manager.	None
(e)	servicing of any vehicle must not take place within the	Yes	Shire Compliance report 2023 and Pers. comm.	None

Table of EPBC Act Approval Conditions and Compliance Status B & J Catalano, Lots 4 And 5 Ludlow Road, Dec 2023 – EPBC 2019/8388				
#	Conditions	Compliant	Evidence/Comments	Recommended Action
	buffer;		Peter Bennett - B&J Catalano Compliance Manager.	
(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 2023 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 2023 and Pers. comm. Peter Bennett - B&J Catalano Compliance Manager.	None
(h)	a drip tray or drum, that ensures no spillage, must be placed under the oil filter of the vehicle being serviced prior to removal of the oil filter;	Yes	Shire Compliance report 2023 and Pers. comm. Peter Bennett - B&J Catalano Compliance Manager.	None
(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 2023 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 2023 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	Yes	Pers. comm. Peter Bennett - B&J Catalano	None

Table of EPBC Act Approval Conditions and Compliance Status B & J Catalano, Lots 4 And 5 Ludlow Road, Dec 2023 – EPBC 2019/8388				
#	Conditions	Compliant	Evidence/Comments	Recommended Action
	compliance records.		Compliance Manager.	
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 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.	N/A	N/A	None
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	This report to be published on the B & J Catalano website as soon as

Table of EPBC Act Approval Conditions and Compliance Status B & J Catalano, Lots 4 And 5 Ludlow Road, Dec 2023 – EPBC 2019/8388				
#	Conditions	Compliant	Evidence/Comments	Recommended Action
			month period. The Department was informed of the above via email.	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: Environmental Management - B&J Catalano	Once published, compliance reports to be publicly available on the 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 has been notified of non-compliance with revegetation of offset area.	None
(b)	a short description of the incident and/or non-compliance; and	Yes	This has been provided.	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.	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:			

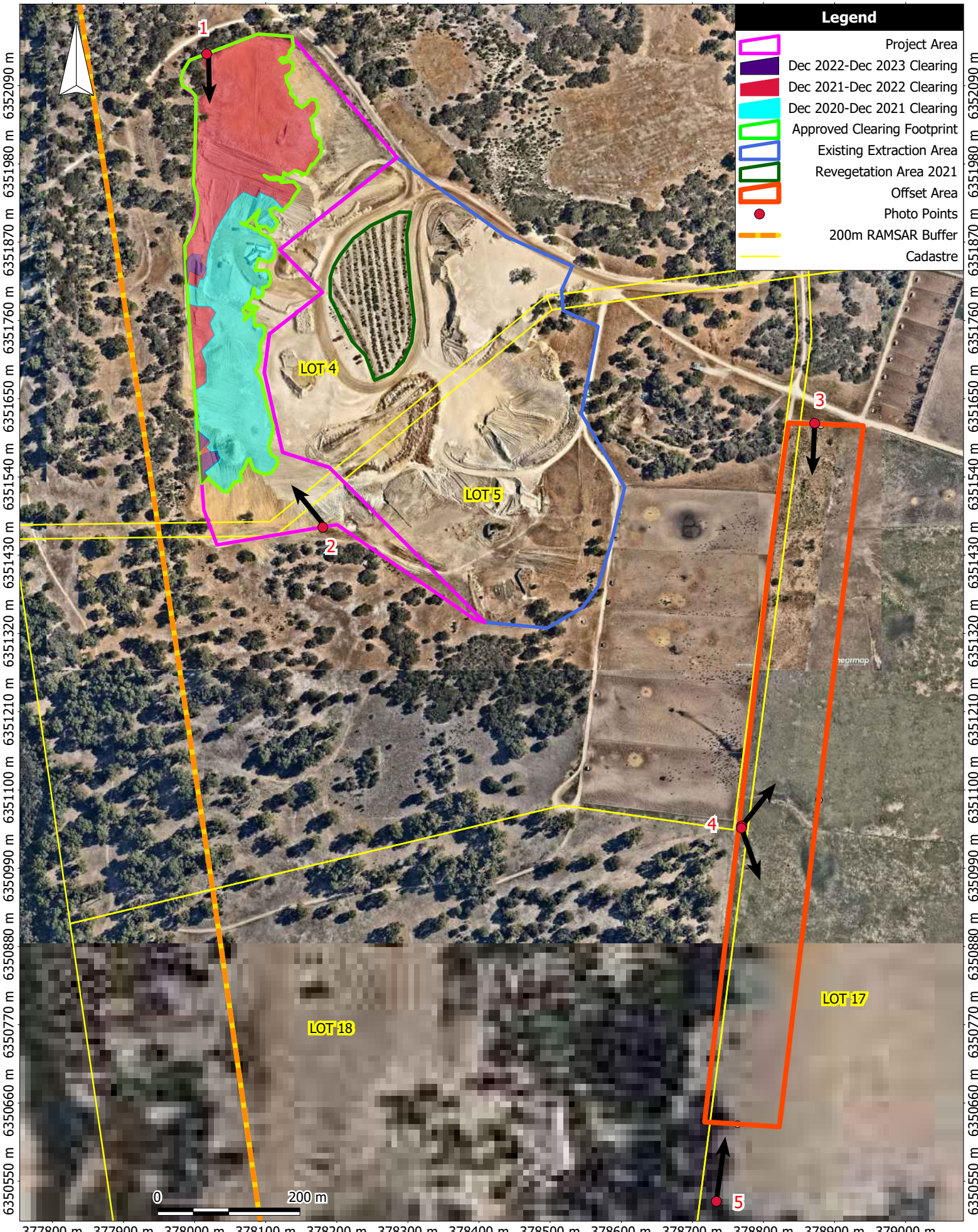
Table of EPBC Act Approval Conditions and Compliance Status B & J Catalano, Lots 4 And 5 Ludlow Road, Dec 2023 – EPBC 2019/8388				
#	Conditions	Compliant	Evidence/Comments	Recommended Action
(a)	any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future;	Yes	This has been provided.	None
(b)	the potential impacts of the incident or non-compliance; and	Yes	This has been provided.	None
(c)	the method and timing of any remedial action that will be undertaken by the approval holder.	Yes	This has been provided.	None
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	N/A	No application to the Minister for a variation to an action management plan approved by the Minister has been submitted.	None

Table of EPBC Act Approval Conditions and Compliance Status B & J Catalano, Lots 4 And 5 Ludlow Road, Dec 2023 – EPBC 2019/8388				
#	Conditions	Compliant	Evidence/Comments	Recommended Action
	(RAMP) then, from the date specified, the approval holder must implement the RAMP in place of the previous action management plan.			
25	<p>Within 20 business days after whichever is the earlier of</p> <ul style="list-style-type: none"> • the completion of the action, or • 60 business days before the end date of the period for which this approval has effect, <p>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> 	N/A	Completion of the action is not expected for several years.	None

*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
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 mikelund1@bigpond.com

Scale: 1:6700
 Original Size: A4
 Air Photo Source: Nearmap Jan 2024
 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 2022 - Dec 2023

APPENDICES

APPENDIX 1 – Photographic Plates



Plate 1: Aerial overview of project looking northwest 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: Offset Area (area east of fence), February 2024, looking south.

Appendix 2

Planting Order for Ludlow Rd, Winter 2024

Species	Qty	Media	Prop
<i>Acacia rostellifera</i>	1443	63 cell tray	seed
<i>Agonis flexulosa</i>	1984	63 cell tray	seed
<i>Banksia attenuata</i>	557	63 cell tray	seed
<i>Banksia grandis</i>	557	63 cell tray	seed
<i>Banksia sessilis</i>	557	63 cell tray	seed
<i>Conostylis aculeata</i>	902	63 cell tray	seed
<i>Corymbia calophylla</i>	902	63 cell tray	seed
<i>Eucalyptus decipiens</i>	1323	63 cell tray	seed
<i>Eucalyptus gomphocephala</i>	2164	63 cell tray	seed
<i>Eucalyptus marginata</i>	902	63 cell tray	seed
<i>Eucalyptus rudis</i>	385	63 cell tray	seed
<i>Ficinia nodosa</i>	1695	63 cell tray	seed
<i>Hakea prostrata</i>	361	63 cell tray	seed
<i>Hakea trifurcata</i>	90	63 cell tray	seed
<i>Hibbertia cuneiformis</i>	320	sq pot	cuttings
<i>Hibbertia racemosa</i>	320	sq pot	cuttings
<i>Jacksonia furcellata</i>	695	63 cell tray	seed
<i>Kunzea glabrescens</i>	1852	63 cell tray	seed
<i>Lepidosperma gladiatum</i>	343	63 cell tray	seed
<i>Melaleuca huegelii</i>	1804	63 cell tray	seed
<i>Melaleuca preissiana</i>	1462	63 cell tray	seed
<i>Melaleuca raphiophylla</i>	385	63 cell tray	seed
<i>Melaleuca systema</i>	1804	63 cell tray	seed
<i>Melaleuca viminea</i>	1462	63 cell tray	seed
<i>Viminaria juncea</i>	847	63 cell tray	seed
<i>Xylomelum occidentale</i>	557	63 cell tray	seed
Total	25673		

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) 5.12.2022
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</p> <p>Datum - Geocentric Datum of Australia 1994</p> <p>Grid - Map Grid of Australia 1994 Zone 50</p>
<p>Drawn by: P. Gouking Date: 18/11/2022</p> <p>Checked by: Date:</p>	