

W.A. LIMESTONE

EPBC 2010/5649: MILLAR ROAD CLEARING VEGETATION TO ALLOW QUARRYING

ANNUAL COMPLIANCE REPORT 2021

WA LIMESTONE
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Baldivis

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INTRODUCTION

The project site is a limestone and sand quarry that has been operating since 1983. At present mining occurs ahead of land filling by the City of Rockingham, who is the registered proprietor of Location 2170 Millar Road, Baldivis, Western Australia. WA Limestone currently has a twenty five year agreement (expiry 2029) with the City of Rockingham for the extraction of material from the site.

In September 2010 PMR Quarries Pty Ltd, trading as WA Limestone, lodged a referral to the Department of the Environment and Energy (DoEE) for the clearing of 22 hectares of native vegetation, to allow for sand and limestone quarrying at 2170 Millar Road, Baldivis. The quarry has operated continuously for 36 years and the purpose of the referral was to enable the continuation of activities, to extract the remaining sand and limestone resource from the site.

The referral was assessed as a controlled action in accordance with Part 9 of the *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act) and was granted conditional approval dated 2 May 2013, by the then Department of Sustainability, Environment, Water, Population and Communities.

This approval is subject to conditions specified by the DoEE, as outlined in the approval document EPBC 2010/5649.

As a requirement under these conditions the Tamworth Hill Swamp Reserve Revegetation Plan (THSRRP) has been prepared, approved by DoEE, and is being managed and implemented by the City of Rockingham. While EPBC 2010/5649 was issued to WA Limestone as the organisation that undertook the clearing on Location 2170 Millar Road, the City of Rockingham is the landowner and ultimately the beneficiary of this clearing. The Tamworth Hill Swamp Reserve Revegetation Project is therefore managed by the City, with no involvement from WA Limestone.

An agreement has been made between the City of Rockingham and WA Limestone (not yet formalised) regarding the transfer of EPBC 2010/5649 to the City of Rockingham, as WA Limestone was not involved in the clearing or rehabilitation of the Tamworth Hill Swamp.

The City's annual report on the implementation of the THSRRP, *Tamworth Hill Swamp Revegetation Report 2020/2021*, is attached as Appendix 1. This report indicates that the results of a revegetation assessment undertaken by the City in spring 2018 showed variations in plant survival rates across the designated revegetation areas at the Reserve. WA Limestone has advised the City of Rockingham following the release of this information that the THSRRP should be revised accordingly.

Additional planting of 9,636 plants was conducted during 2020 in RA2 in line with their projected infill target of 10,000 stems. No formal assessment of the quadrats was undertaken in 2021 due to no further wide scale infill in revegetation areas since the planting in RA2.

The City is planning large planting project to address shortfalls in stem density and species diversity is scheduled for winter 2021. A formal quadrat assessment of the revegetation condition will follow in the 2021/2022 financial year to measure the revegetation against the performance criteria for native density, species diversity and weed coverage

This compliance report is based on the 2020/2021 annual reporting period for EPBC 2010/5649, and has been prepared to meet the reporting requirements of Condition 8 of EPBC 2010/5649.

Table 1: Compliance Audit of EPBC Approval 2010/5649 Conditions - 2019/2020

Condition No.	Condition	Status	Evidence
1	The person taking the action must ensure that the vegetation clearing does not exceed 22 hectares and is contained within the area specified in the map at Figure 1 of Appendix A: project area.	N/A	There was no clearing of vegetation during the reporting period.
2	<p>To mitigate potential impacts to Black Cockatoos, within six (6) months of the commencement of construction, the person taking the action must prepare and submit a Tamworth Hill Swamp Reserve Revegetation Plan (THSRRP) for the Minister's approval, that identifies the measures to minimise the impacts of the action on Black Cockatoos. The THSRRP must detail the following:</p> <ol style="list-style-type: none"> i. measures to establish the equivalent of at least 12 ha of habitat known to be primary feeding plants for Black Cockatoos within the Tamworth Hill Swamp Reserve (THSR), through landscape planting; ii. the revegetation methods to be undertaken within revegetation zones defined in Appendix A Figure 2; iii. measures to ensure that seedlings being planted are free of Dieback, (<i>Phytophthora cinnamomi</i>); iv. timeframes and survival targets proposed for plantings; v. feral animal and weed controls measures to be implemented; vi. fencing to be undertaken; vii. contingency measures if targets are not met; viii. the monitoring and survey measures to be utilised, including timing schedules and reporting requirements; ix. roles and responsibilities of contractors, staff and the person taking the action, x. prior to, during and following any rehabilitation and revegetation works undertaken within the THSR area, and; xi. how the WA DEC, CoR, or other conservation organisation(s), have been consulted in the preparation of the THSRRP. <p>If the Minister approves the THSRRP then the THSRRP must be implemented.</p>	<p>The THSRRP has been approved and is being managed and implemented by City of Rockingham (CoR).</p> <p>The CoR's '<i>Tamworth Hill Swamp Revegetation Report 2019/2020</i>' indicates that there are variations in plant survival rates across the designated revegetation areas at the Tamworth Hill Swamp Reserve.</p> <p>WA Limestone has advised the City of Rockingham that the THSRRP should be revised.</p>	<ul style="list-style-type: none"> • The Tamworth Hill Swamp Reserve Revegetation Plan (THSRRP) was submitted by the City of Rockingham for the Minister's approval. The plan identified measures to minimise impacts on Black Cockatoos and fulfilled the points outlined in condition 2. As the landowner of Lot 2170 Millar Road, the CoR, is committed to rehabilitating and protecting the THSRR, and undertaking the requirements of Condition 2. • The THSRRP was reviewed by officers of the Approvals Monitoring Section from the Dept of the Environment with approval granted 26 November 2013. • The THSRRP is available on WA Limestone's public website: http://www.walimestone.com/about-wa-limestone/environment/ • The CoR's '<i>Tamworth Hill Swamp Revegetation Report 2020/2021</i>' is attached as Appendix 1.

Condition No.	Condition	Status	Evidence
3	Prior to commencement of construction the person taking the action must provide the department with written agreement from the CoR that the Tamworth Hill Swamp Reserve (THSR) revegetation areas are shown at Appendix A Figure 2 will be retained in perpetuity under its existing conservation reserve status.	Condition closed	CoR letter sent to the department 7 May 2013.
4	To offset the loss of 22ha of Black Cockatoo foraging habitat and the loss of 93 potential breeding trees, the person taking the action must within 12 months of the commencement of construction, provide funding of \$65,000 to WA DEC for the acquisition, and to assist in the ongoing maintenance of, a 65ha area of freehold land in the Gingin area (offset area). The land being ceded to WA DEC, under irrevocable long term protection must contain Banksia woodland that is in equivalent or better condition than the Banksia woodland that is in 'average' condition within the project area. Within 4 weeks of the funding being provided to WA DEC, the person taking the action must provide written evidence to the department of the payment.	Condition closed	The funding of \$65,000 for the acquisition and maintenance of an offset area was paid 2014.
5	Within 12 months of the commencement of construction, the person taking the action must provide to the department a description and map clearly defining the location and boundaries of the offset area, as specified in Condition 4, which must be accompanied with the offset attributes.	Condition closed - Construction commenced more than 12 months ago	A payment of \$65,000 funding was paid to the Department of Environment and Conservation to contribute to an accumulation of offset funds towards the protection of land in Gingin. Contact the Land Tenure Project Officer, Alex Errington at DoPaW for further details.
6	To mitigate potential impacts to Black Cockatoo habitat adjacent to the Project Area, the person taking the action must ensure that the following measures is carried out to limit the occurrence of Dieback (<i>Phytophthora cinnamomi</i>) on site. i. All vehicles being used during construction of the quarry that have come from a Dieback affected area must be washed down prior to entering the project area in accordance with WA DEC management of Dieback in extractive industries guidelines.	Condition closed – Construction of the quarry complete	<ul style="list-style-type: none"> • Vehicles used during construction of the quarry are unlikely to enter into a dieback affected area, as WA Limestone operates on low risk sites and have no affected sites that are dieback affected. • If dieback was found to occur, measures would be used in accordance with WA DWER Management of Dieback in extractive industries guidelines.
7	Within 30 days after the commencement of construction, the person taking the action must advise the department in writing of the actual date of commencement.	Condition closed	Letter sent to the department 20 November 2013.

Condition No.	Condition	Status	Evidence
8	Within three months of every 12 month anniversary of the commencement of construction, 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. The reports must remain on the website for at least five (5) years. 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.	Compliant - completed for the 2020/2021 reporting period.	<ul style="list-style-type: none"> This document is a report addressing compliance with the conditions of EPBC Approval 2010/5649 and is available WA Limestone's website from September 2021. http://www.walimestone.com/about-wa-limestone/environment/ The Tamworth Hill Swamp Reserve Revegetation Plan (THSRRP) required by the conditions of EPBC Approval 2010/5649 and is available of the website. http://www.walimestone.com/about-wa-limestone/environment/ <p>A report against the implementation of the THSRRP is included below as Appendix 1.</p>
9	If the person taking the action wishes to carry out any activity otherwise than in accordance with the Tamworth Hill Swamp Reserve Revegetation Plan (THSRRP) 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 THSRRP. The varied activity shall not commence until the Minister has approved the varied THSRRP in writing. The Minister will not approve a varied THSRRP unless the revised THSRRP would result in an equivalent or improved environmental outcome over time. If the Minister approves the revised THSRRP that THSRRP must be implemented in place of the THSRRP originally approved.	WA Limestone has advised the City of Rockingham that the THSRRP should be revised.	N/A
10	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 Tamworth Hill Swamp Reserve Revegetation Plan (THSRRP) specified in the conditions and submit the revised THSRRP for the Ministers written approval. The person taking the action must comply with any such request. The revised approved THSRRP must be implemented. Unless the Minister has approved the revised THSRRP then the person taking the action must	Not applicable during the reporting period.	N/A

Condition No.	Condition	Status	Evidence
	continue to implement the THSRRP originally approved, as specified in the conditions.		
11	If, at any time after five 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 substantially commence the action without the written agreement of the Minister.	Condition closed	Department notified that action had commenced on 20 November 2013.
12	Unless otherwise agreed to in writing by the Minister, the person taking the action must publish the Tamworth Hill Swamp Reserve Revegetation Plan (THSRRP) referred to in these conditions of approval on their website. The THSRRP must be published on the website within 1 month of being approved.	Condition closed	THSRRP available on WA Limestone's website: http://www.walimestone.com/about-wa-limestone/environment/

Appendix 1.

Tamworth Hill Swamp Revegetation Report 2020/2021 (City of Rockingham)

Tamworth Hill Swamp Revegetation Project

Report 2020/2021

1. Introduction

This revegetation project was undertaken to meet the approval requirements for the WA Limestone EPBC Approval for sand and limestone extraction near Millar Road in Baldvis. Revegetation strategies were adopted from the Tamworth Hill Swamp Reserve Revegetation Plan (THSRRP) Coterra Environment (2013) where appropriate.

2. Environmental Approval Conditions

The Following requirements were specified within the environmental offset conditions:

- 12 ha of habitat known to be primary feeding plants for Black Cockatoos through landscape planting. Primary feeding plants were identified as “Any Banksia sp. and any plants identified in a search of the WA DEC’s Plants for Carnaby’s Search Tool (at <http://www.dec.wa.gov.au/content/view/5983/1556>), or other plants approved in writing by the Australian Government Department administering the *Environment Protection and Biodiversity Conservation Act 1999*”.
- Measures to ensure that seedlings planted are free of dieback *Phytophthora cinnamomi*;
- Ensure specified timeframes and targets are met; and
- Monitoring is undertaken.

3. Revegetation Strategy

3.1 Revegetation Works

The focus of the revegetation strategy is to protect and enhance areas of existing native vegetation and to rehabilitate 12 ha of degraded areas around Tamworth Hill Swamp (areas marked “Part of EPBC Act offset” in Figure 1). Revegetation works have been carried out at the reserve since 2015 in quantities shown below in Table 1. Species used in revegetation are plants known to be primary feeding plants for Black Cockatoos or recommended in the THSRRP and Emerge Associates’ Tamworth Hill Swamp Environmental Assessment.

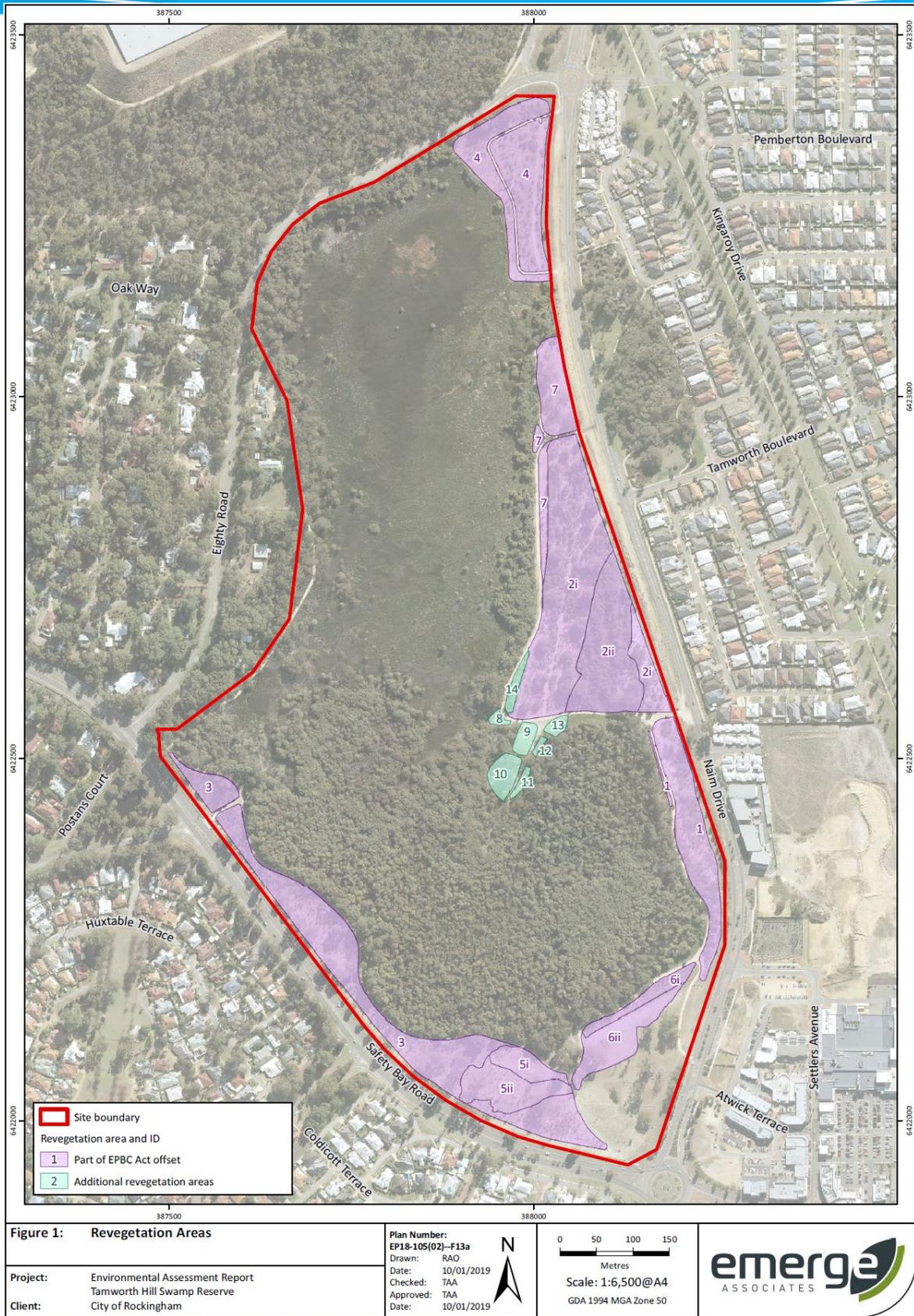


Figure 1: Revegetation areas at Tamworth Hill Swamp, numbered in relation to the order in which they were planted.

Table 1 – Yearly quantity of seedlings planted per revegetation area at the reserve

Area	2015	2016	2017	2018	2019	2020	Total
RA1	8103				434		8537
RA2	20000				788	9636	30424
RA3		22000					22000
RA4		4720					4720
RA5			5000		560		5560
RA6			5000				5000
RA7			4960				4960
RA8			100		60		160
RA9			100		60		160
RA10			100		60		160
RA11					118		118
RA12					100		100
RA13					100		100
Total	28103	26720	15260	0	2280	9636	82099

3.2 Weed control

Regular weed control throughout the revegetation areas, as well as the greater site is undertaken throughout the year. A range of priority weed species are targeted with manual, mechanical and chemical control methods as required. Hand weeding of exotic plants growing within tree guards is carried out to avoid competition with the seedlings. Further herbicide treatments are applied across the revegetation areas, and remnant native vegetation to control weeds and reduce quantity of weed seed within the soil seedbank.

3.3 Feral animal control

The City of Rockingham's feral animal control program continued this financial year. The program is focused on the integrated control of feral rabbits, cats and foxes, in accordance with control measures recommended for use in urban environments by the Department of Agriculture and Food and the Department of Parks and Wildlife. The program is coordinated by the City of Rockingham and is undertaken by a licenced feral animal control contractor. An assessment was carried out throughout the reserve in early 2021 to check for signs of feral animal activity. No signs of foxes, cats or rabbits were recorded at the reserve.

3.4 Access

Degraded fencing along the Safety Bay Rd side of the reserve was replaced in October 2020. The final 100m of this fence at the eastern end is scheduled for installation in June 2020 following earthworks associated with road upgrades. This point is being monitored in the interim for any unauthorised access.

4. Monitoring

4.1 Revegetation condition

Monitoring quadrats have been established across the revegetation areas and marked by GPS. Locations of 21 quadrats were nominated at random by Emerge Associates in their 2018 assessment on a 10m x 10m overlay grid across the reserve. Each revegetation zone contains three quadrats marked at their northwest corner by a steel fence picket. The 2018 environmental assessment showed the revegetation areas were in progress to achieving these targets.

Quadrats were resurveyed by City of Rockingham during autumn 2020 for native species stem density, native coverage and weed coverage. The autumn 2020 quadrat assessment shows, on average, all revegetation areas met the performance criteria for weed coverage, though density and diversity targets had not been reached in all areas. Results of this survey were included in the 2019/2020 revegetation project report.

Weekly audits are carried out by City of Rockingham officers as part of the period maintenance contract awarded in April 2020. Contractors are required to maintain weed coverage at no more than 8%. The contractors have consistently maintained low weed densities to satisfy the requirements of the maintenance contract.

A formal assessment of quadrats was not undertaken in 2021 due to no further wide scale infill planting being undertaken in revegetation areas aside from the 9,636 installed in RA2 in 2020. Stem density and species diversity is not likely to have increased since the 2018 assessment to the point of reaching performance criteria. As a large planting project to address shortfalls in stem density and species diversity is scheduled for winter 2021, formal quadrat assessment of the revegetation condition will follow in the 2021/2022 financial year to measure the revegetation against the performance criteria for native density, species diversity and weed coverage. A total of 35,240 plants will be installed across revegetation areas 1-7 as infill as per the recommendations in the City of Rockingham Tamworth Hill Swamp Management Plan 2019 to advance species diversity and overall native stem density.