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EPBC 2015/7521 Marulan South Limestone Mine Extension Project

4 March 2024 – 3 March 2025

5 Hume St, Marulan South 2579. NSW





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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): Anne-Elisabeth Champon

Position (please print) Site Manager, Marulan South Limestone Mine

Organisation (please print including ABN/ACN if applicable)

Boral Cement Ltd ABN 62 008 528 523 ACN 008 528 523

Date ___ 01 / ___ 05 / ___ 2025



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2.0 Document Control

Document: Annual Compliance Report 4 March 2024 – 3 March 2025, Marulan South Limestone Mine Extension Project - Year 1 (EPBC 2015/7521), prepared by Boral Cement Ltd, dated 29 April 2025.

TABLE 1 - DOCUMENT CONTROL REGISTER

Rev.	Date	Prepared by	Approved By	Revision Details
1	01/05/25	Crystal Perry	Greg Johnson	Draft

Distribution of copies

Copy No.	Quantity	Issued To	Date Published
1	1	Boral website	

Last Saved	01/05/2025
File Name	EPBC 2025_7521 MSL Ext Annual Compliance Report Yr 1
Author	Crystal Perry

Table of Contents

1.0 Declaration of Accuracy	2
2.0 Document Control	3
3.0 Introduction	5
3.1 Reporting Period	5
3.2 EPBC Approval.....	5
3.3 Project Description	7
3.4 Overview of Key Activities and Achievements	12
4.0 EPBC 2015/7521 Approval conditions compliance table.....	17
5.0 Non-compliances with conditions of EPBC 2015/7521	23

Table of Figures

Figure 3 – Site location and immediate surrounds.....	10
Figure 3.1 – Site layout (final landform).....	11
Figure 3.2 – Peppertree reported emplacement clearing areas 2023 that overlap Limestone Mine disturbance footprint.....	12
Figure 3.3 - Year 1 clearing areas in koala habitat.....	14
Figure 3.4 - Year 1 clearing areas in large-eared pied bat habitat.....	15
Figure 3.5 - Year 1 clearing areas in White Box Yellow Box Blakely’s Red Gum Grassy Woodland.....	16

Table of Tables

Table 1 - Document Control Register	3
Table 2 – Approval Details.....	7

Appendices

Appendix A: Map of areas where topsoil was recovered from stripped areas and placed in rehabilitation batters.....	24
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3.0 Introduction

This annual compliance report Year 1 (4 March 2024 to 3 March 2025) has been prepared to satisfy the requirements of EPBC 2015/7521 (the Approval) granted 7 October 2021 for the Marulan South Limestone Mine Extension Project, Marulan South, NSW (the Project).

In accordance with the approval granted on 7 October 2021 under the *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)*, this annual compliance report has been prepared to satisfy Condition 8 of the Approval.

3.1 Reporting Period

This annual compliance report details the status and compliance of the Project for the 12-month reporting period spanning 4 March 2024 through to 3 March 2025.

The annual compliance report must be published on Boral's public website and notification provided to the Department of Agriculture, Water and the Environment (DAWE) within 60 business days of the 12-month anniversary of the commencement of the action.

3.2 EPBC Approval

Boral Cement Limited (Boral) owns and operates the Marulan South Limestone (MSL) Mine at Marulan South, New South Wales (NSW). On 31 July 2015, the proposed expansion of mining operations (Project) was referred to the Department of Agriculture, Water and Environment (DAWE) under the Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act).

On 10 September 2015, the Minister for Environment (Minister) determined the Project was a controlled action and advised that the Project would be assessed by the NSW Department of Planning, Industry and Environment (DPIE) as part of the State Significant Development (SSD) process under the Environmental Planning and Assessment Act 1979 in accordance with the terms of the Bilateral Agreement with NSW.

The SSD application was lodged with the DPIE in late 2018. Prior to this time, the Project was refined, and minor elements of the project scope modified. These modifications formed the basis of the Environmental Impact Statement (EIS) submitted, assessed and on which the Development Application was determined by DPIE on 19 August 2021.



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In accordance with the provisions of section 156A of the EPBC Act 1999, Boral sought to vary the controlled action [EPBC2015/7521] referred to DAWE to align with NSW determined State Significant Development (SSD-70069).

The proposed variation to the action was to increase the extraction volume from 3.5Mtpa to 4Mtpa and the mining (pit) depth from 365 metres AHD to 335 metres AHD.

The Variation of Proposal to Take an Action – Marulan South Limestone Mine Extension Project, Marulan South NSW (EPBC 2015/7521) was approved and took effect from 1 October 2024.

The objective of conditions 1, 2 and 3 (EPBC Act Referral 2015/7521) is to minimise and compensate for the impacts of the action on protected matters.

Condition 1: Within the development footprint, the approval holder must not clear more than:

- a. 80.7 hectares of White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland;
- b. 132.4 hectares of Koala habitat; or
- c. 140.3 hectares of Large-eared Pied Bat habitat.

Condition 2: To compensate for the clearance of White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland, Koala habitat and Large-eared Pied Bat habitat, the approval holder must retire credits prior to the commencement of the action, as specified:

- a. 935 ecosystem credits for White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland;
- b. 2,454 species credits for Koala; and
- c. 3,836 species credits for Large-eared Pied Bat



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Condition 3: The approval holder must comply with the State development consent conditions A2, A5, B51, B52, B53, B54, B55, B56, B76, B78, B79, B80, B81 and B82.

Key details related to the EPBC 2015/7521 approval are provided in Table 2 below.

TABLE 2 – APPROVAL DETAILS

Commonwealth Reference	EPBC 2015/7521
Approval Holder	Boral Cement Limited
ABN	62 008 528 523
Project Name on Approval	Marulan South Limestone Mine Extension Project
Approved Action	To expand an existing limestone and clay mining operation (Consolidated Mining Lease No. 16) and construct and operate mine-related infrastructure, for up to 30 years in Marulan South, 10 kilometres southeast of Marulan Village [See EPBC Act referral 2015/7521, subject to the variation request received on 22 September 2021].
Controlling Provision(s)	Listed threatened species and communities (Section 18 and 18A)
Approval Date	7 October 2021
Expiry Date of The Approval	31 August 2071
Date of Commencement of The Action	4 March 2024
Address	5 Hume Street, Marulan South. NSW 2579
Government Area	Goulburn Mulwaree LGA

3.3 Project Description

Boral Cement Limited (Boral) owns and operates the Marulan South Limestone Mine (the mine), an open cut mine located in Marulan South, New South Wales (NSW).

The limestone mine was opened in 1929 to supply limestone for cement, manufacturing and steel making. By 1953 two main pits (northern mine pit and southern mine pit) were well



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established and by the early 1970s the facets of the business included limestone for cement, steel making, agriculture, glass making, lime manufacturing, quicklime and hydrated lime.

The mine produced up to 3.38 million tonnes (Mt) of limestone-based products per year for the cement, steel, agricultural, construction and commercial markets.

Due to changes in the NSW Mining Act 1992 (Mining Act) and the NSW Environmental Planning & Assessment Act 1979 (EP&A Act), a State significant development (SSD) consent under the EP&A Act was required to move mining operations beyond the area covered by the mining operations plan (MOP).

Two approvals are required for the mine; A consent for the Project (SSD 7009) under Part 4, Division 4.7 of the EP&A Act; and a controlled action approval under the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) for impacts on listed threatened species and communities (sections 18 and 18A of the Act).

Consent was granted for a 30-year mine plan accessing approximately 120 Mt of limestone down to a depth of 335 m. The mine footprint focuses on an expansion of the pit westwards with the north pit expanding southwards, encompassing part of the south pit, leaving the remainder of the south pit for overburden emplacement and a visual barrier. An overburden area will be established to the northwest of the mine.

Limestone will be extracted at up to 4 Mtpa for 30 years until 31 August 2051. Clay shale will also continue to be extracted at up to 200,000 tonnes per annum (tpa). The limestone will be processed to create limestone and lime products including limestone aggregates and sand, hydrated lime and quick lime.

The Project site is owned by Boral and located in Marulan South, 10 km south-east of Marulan village and 35 km east of Goulburn. It is in the Goulburn Mulwaree Local Government Area (LGA)

The site is generally known as 5 Hume St, Marulan South (**Figure 3**).

The Project site covers an area of 846.4 ha. The existing pre-SSD disturbance footprint is 341.5 ha with 256.5 ha of new disturbance associated with a 30-year mine plan. **Figure 3.1** shows the final landform under SSD 7009 approval.



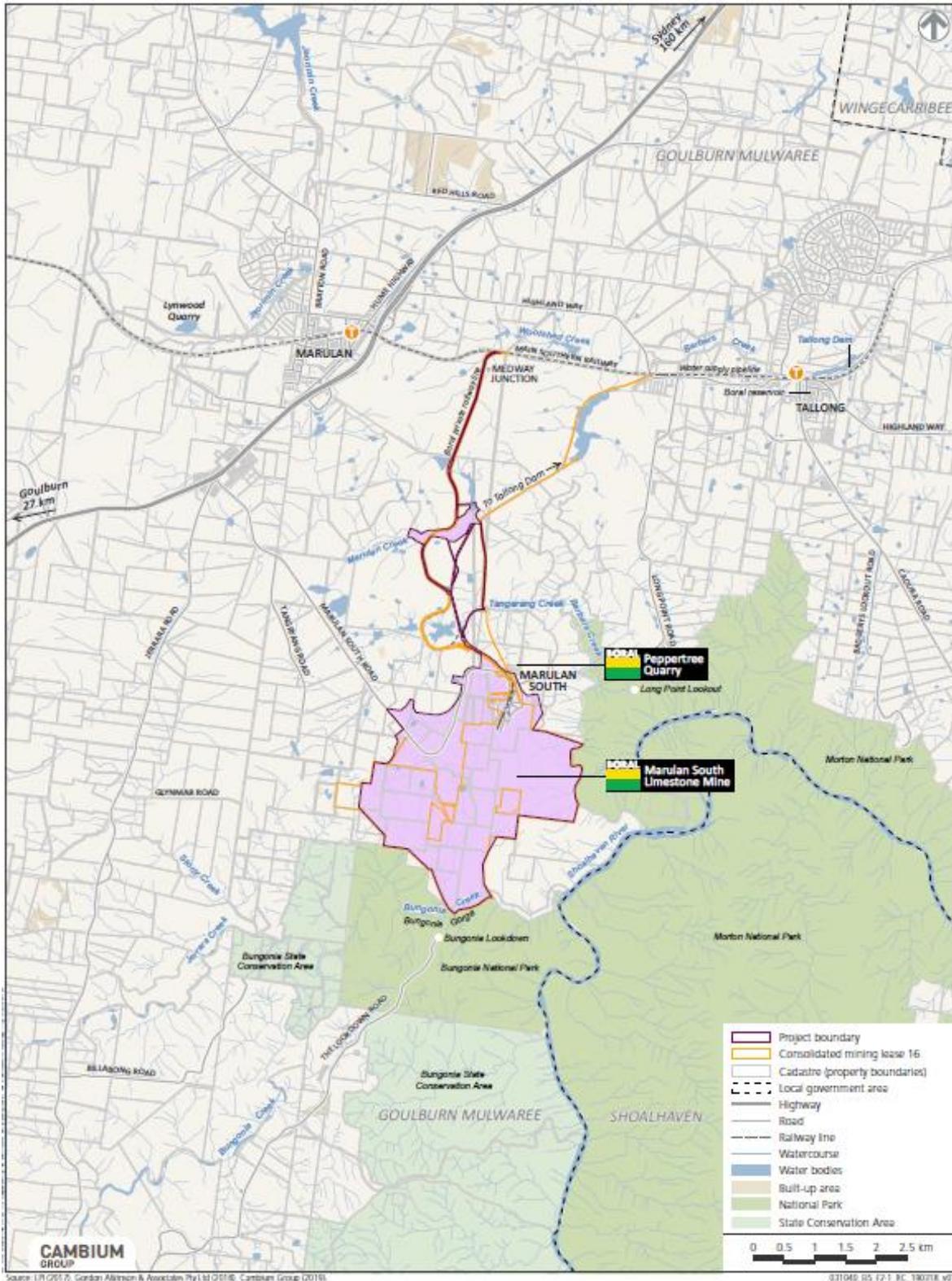
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The Marulan South Limestone Mine development site encompasses the area managed by Boral's Peppertree Quarry and known as the Southwestern Overburden Emplacement (SWOE). The SWOE was approved independently as Modification 5 of the Peppertree Quarry SSD approval. The SWOE was also independently approved as a Controlled Action Approval EPBC 2018/8243. EPBC reports for Year 1 – 3 have been submitted for this area with an audit undertaken by DECEEW in 2024. Copies of the reports are available here: [Boral Peppertree Quarry | Boral](#). **(Figure 3.2)** depicts the Peppertree Quarry approved SWOE area overlain on the Marulan Limestone approved footprint. As reporting of EPBC 2018/8243 is already undertaken, this compliance report does not cover actions in that area. Limestone approved footprint. As reporting of EPBC 2018/8243 is already undertaken, this compliance report does not cover actions in that area.



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FIGURE 3 - SITE LOCATION AND IMMEDIATE SURROUNDS

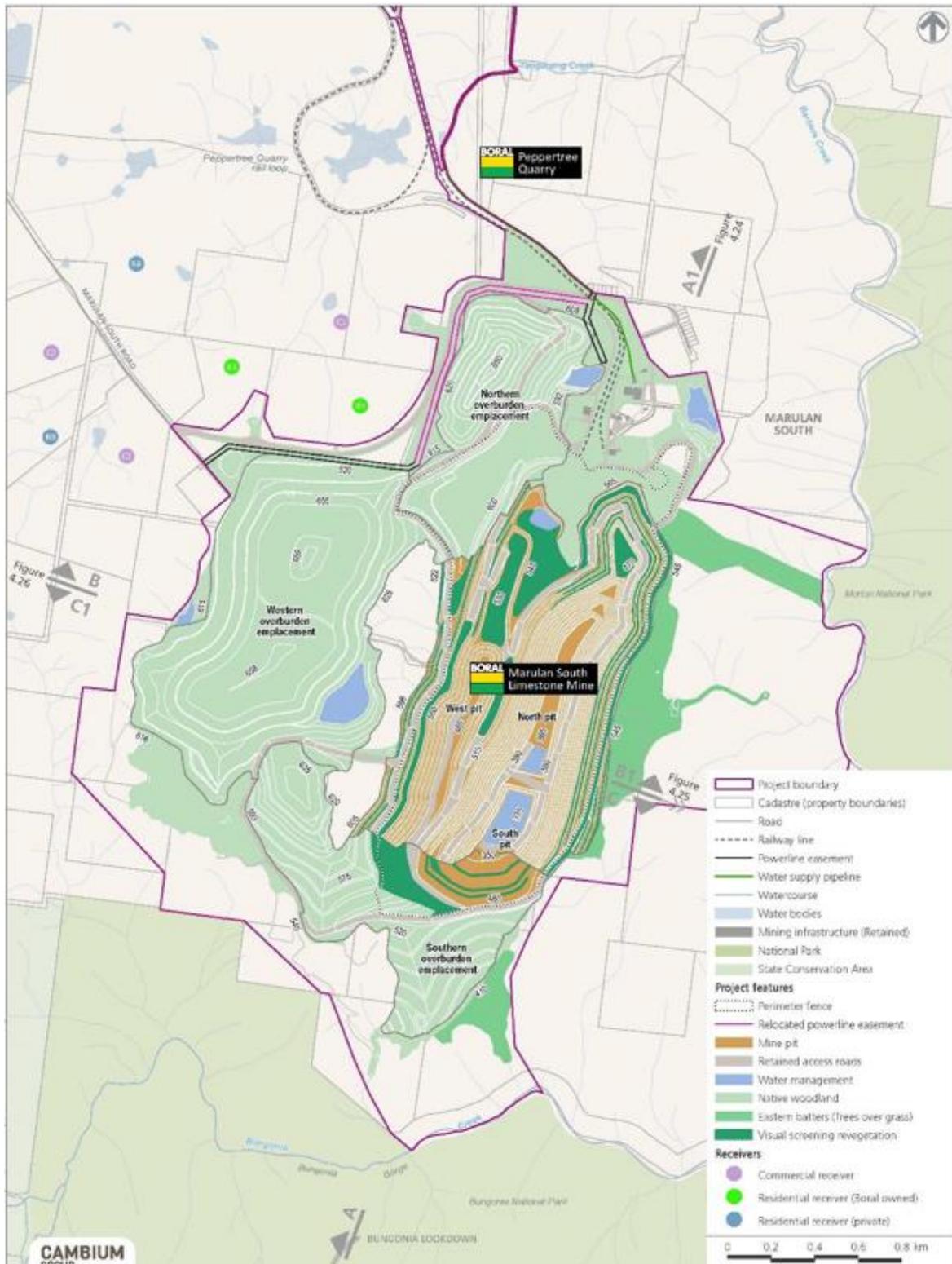


Sourced from Marulan South EIS Figure 2.1



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FIGURE 3.1 - SITE LAYOUT (FINAL LANDFORM)

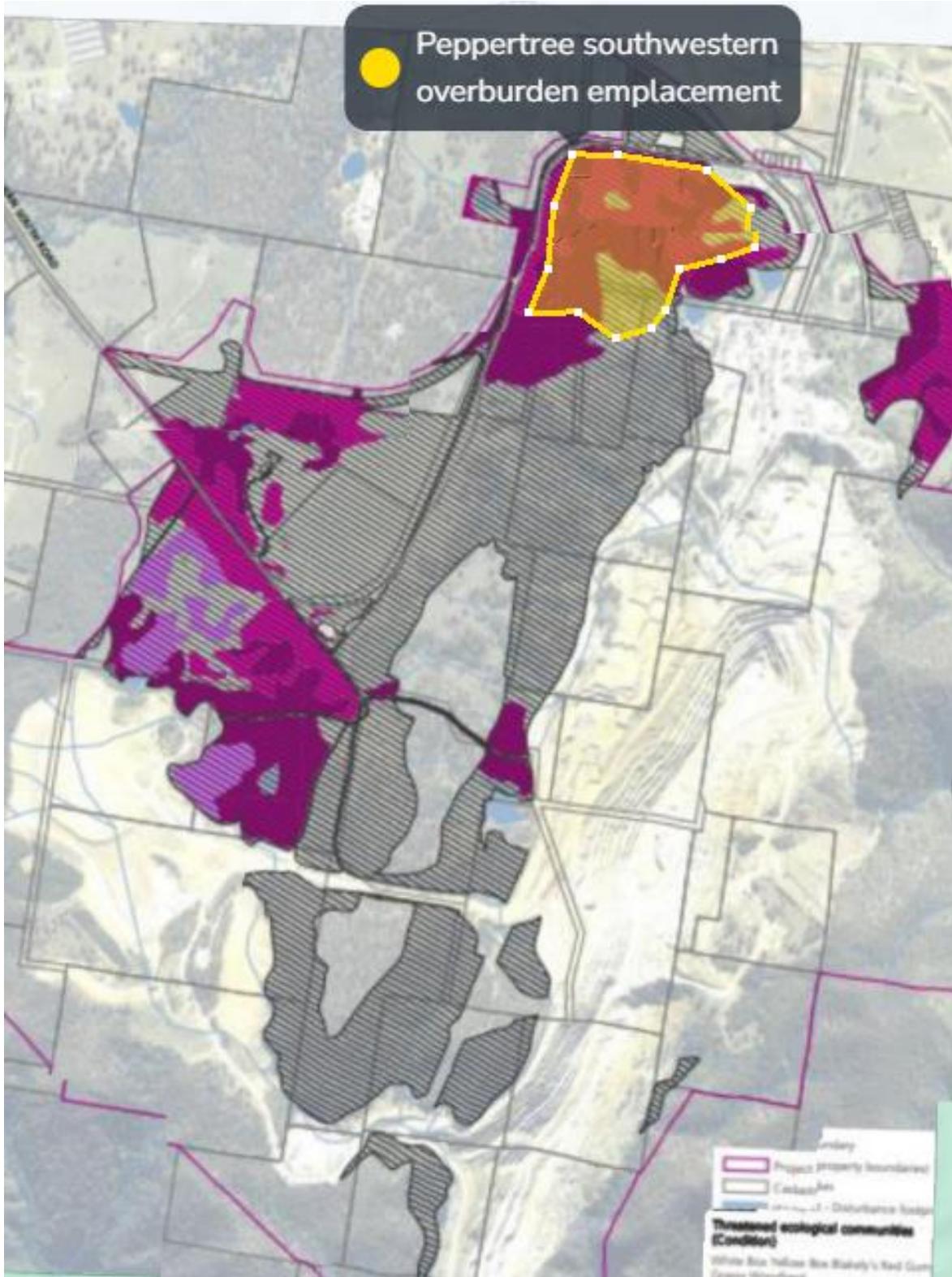


Sourced from the Rehabilitation Management Plan



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FIGURE 3.2 – PEPPERTREE REPORTED EMPLACEMENT CLEARING AREAS 2023 THAT OVERLAP LIMESTONE MINE DISTURBANCE FOOTPRINT.





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3.4 Overview of Key Activities and Achievements

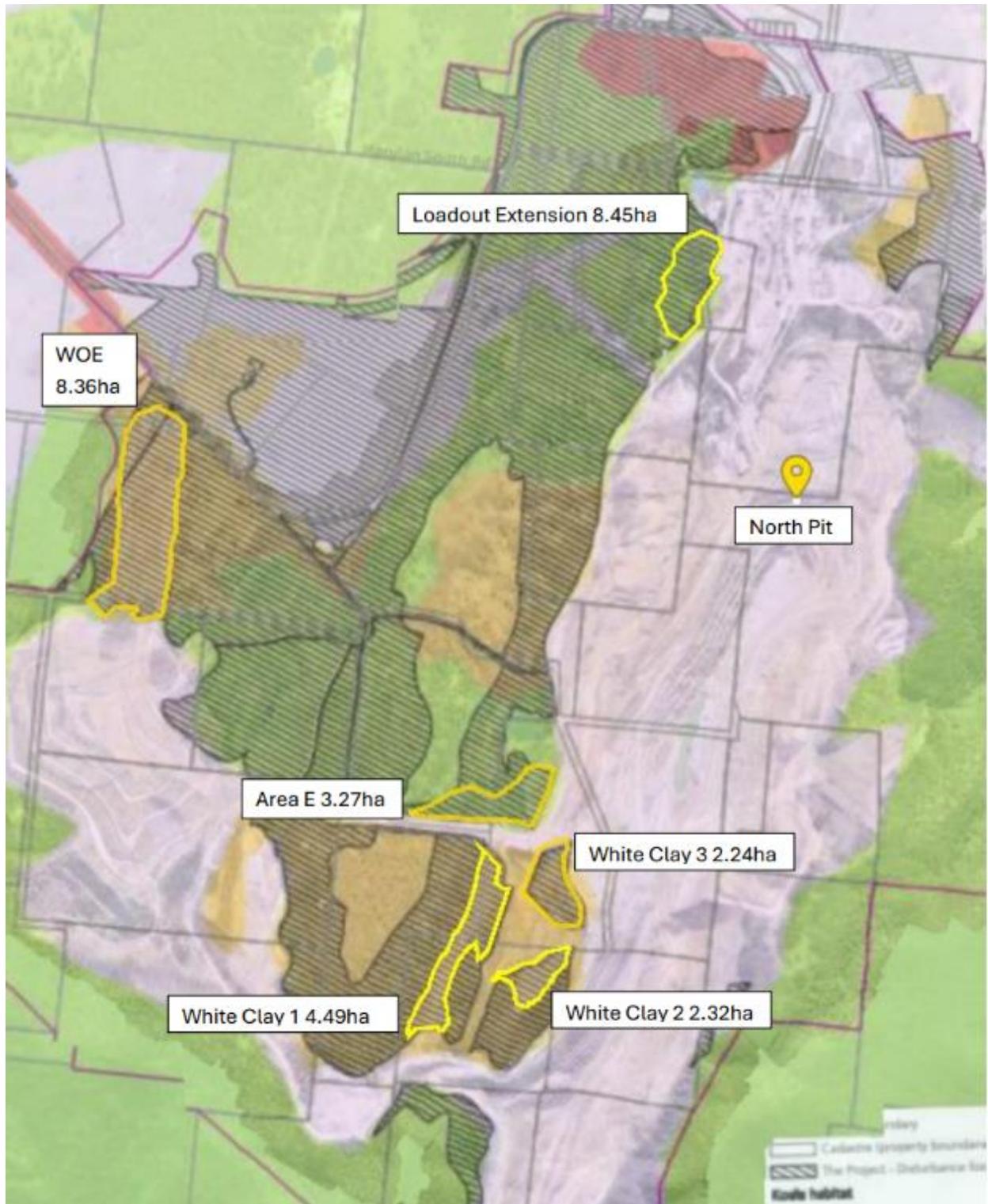
During Year 1 of compliance reporting, the following development and environmental management activities occurred:

- In Year 1 the total of 38.86 ha of native vegetation was cleared including:
 - 38.18 hectares of koala habitat as identified in Attachment 3 of the EPBC Approval (**Figure 3.3**).
 - 38.18 hectares of Large-eared Pied Bat habitat as identified in Attachment 4 of the EPBC Approval (**Figure 3.4**).
 - 5.73 hectares of White Box Yellow Box Blakelys Red Gum Grassy Woodland identified in Attachment 2 of the EPBC Approval (**Figure 3.5**).
- Removal of topsoil and emplaced in rehabilitation batter D, E, F and G (8.3 hectares) and the South Pit (.78 hectares) (Map and location in Appendix A).
- Haulage and unloading of excavated overburden and weathered rock material from the approved quarry footprint at the project area.
- Progressive emplacement of overburden material by bulldozer, dump trucks and excavator to establish a new permanent bund in the Western Overburden Area.
- Offsetting vegetation removal through the retirement of all required credits.
- 1300 tubestock planted in rehabilitation batters, pampas spraying, woody weed and black berry spraying and gypsum delivery for soil enrichment at rehabilitation sites.
- The Marulan South Limestone Mine Annual Rehabilitation Report 1 July 2023 to 30 June 2024 and the Marulan South Limestone Mine Forward Program for 1 July 2024 – 30 June 2027 submitted to the NSW Resources Regulator are available on the Boral website and provide more details on the rehabilitation works undertaken.
 - [Resources Regulator publication](#)
 - [Resources Regulator publication](#)



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FIGURE 3.3 – YEAR 1 CLEARING AREAS IN KOALA HABITAT

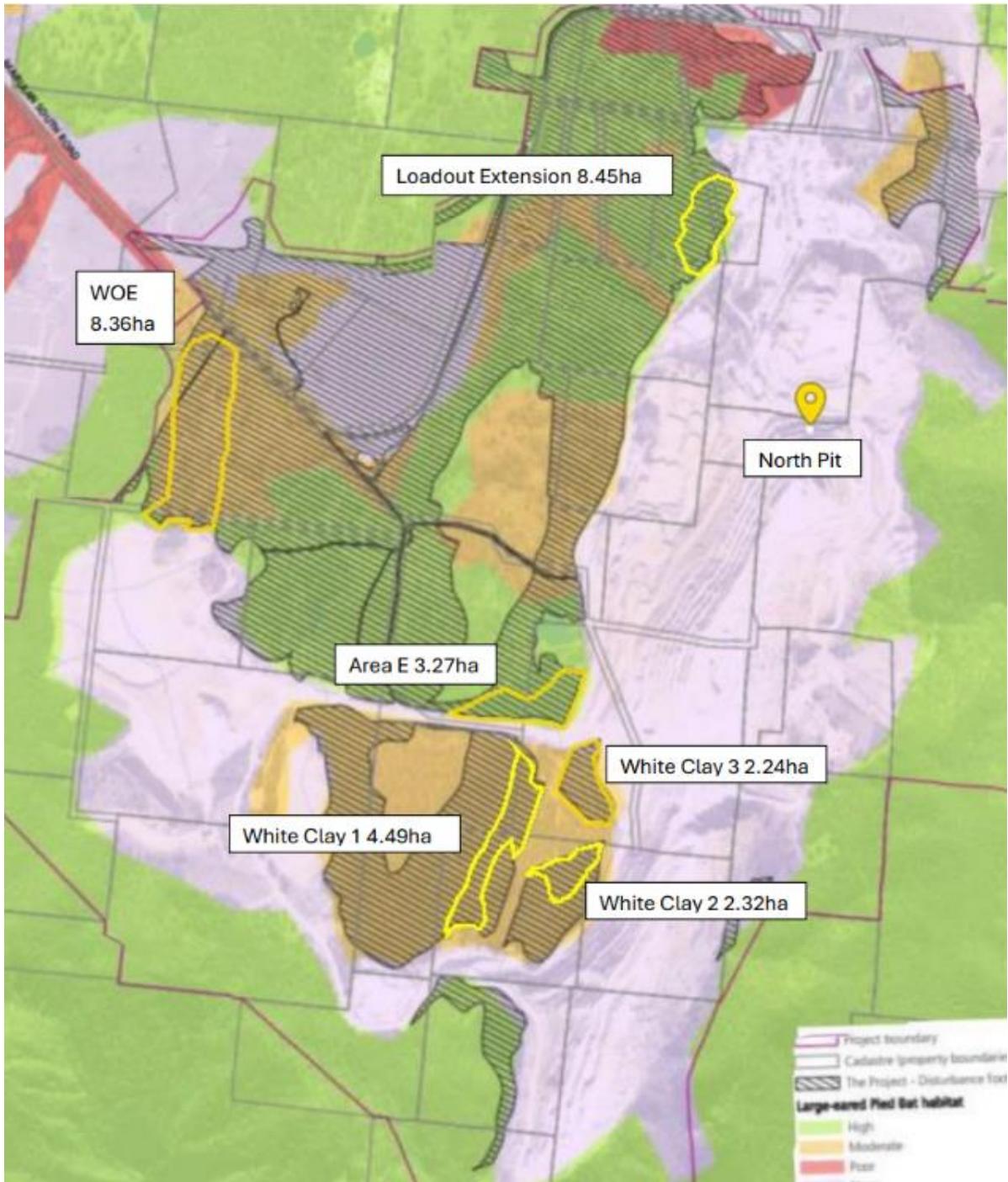


Sourced from the EPBC 2015/7521 Approval



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FIGURE 3.4 YEAR 1 CLEARING AREAS IN LARGE-EARED PIED BAT HABITAT

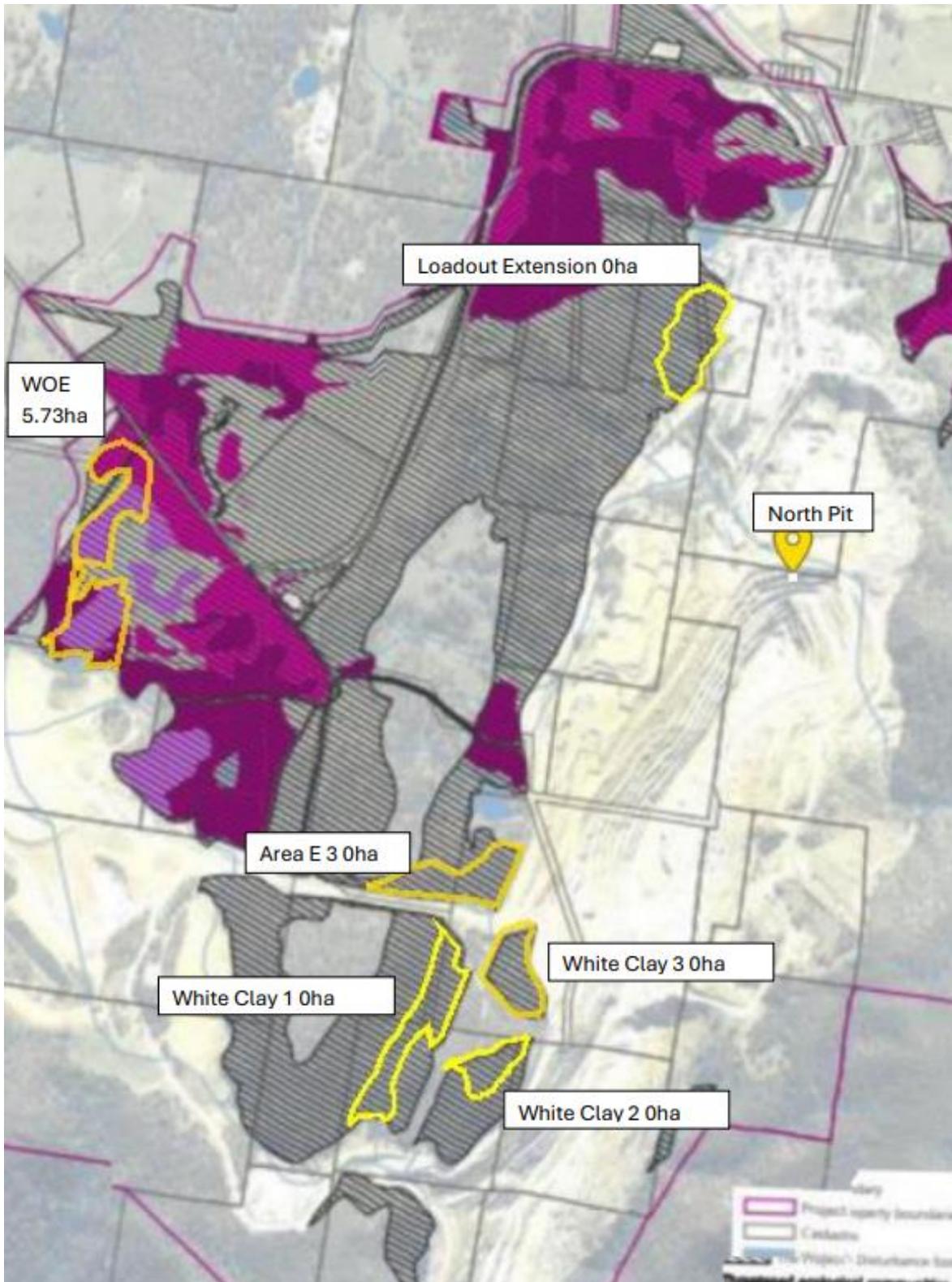


Sourced from the EPBC 2015/7521 Approval



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FIGURE 1.5 – YEAR 1 CLEARING AREAS IN WHITE BOX YELLOW BOX BLAKELYS RED GUM GRASSY WOODLAND



Sourced from the EPBC 2015/7521 Approval

4.0 EPBC 2015/7521 Approval conditions compliance table

Conditions attached to approval	Compliance Status	
<p>Part A – Conditions specific to the action</p> <p>Listed threatened species and ecological communities</p>		
<p>1. Within the development of the footprint, the approval holder must not clear more than:</p> <p>a. 80.7 hectares of White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland;</p> <p>b. 132.4 hectares of koala habitat; or</p> <p>c. 140.3 hectares of Large-eared Pied Bat Habitat.</p> <p>Clearing may only be undertaken where shown within the development footprint as 'White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived native Grassland' on the map at attachment 3, and where shown within the development footprint as 'Koala Habitat' on the map at Attachment 3, and where shown within the development footprint as 'Large-eared Pied Bat Habitat' on the map at attachment 4.</p>	<p>Compliant</p>	<p>Year 1</p> <ul style="list-style-type: none"> - A total of 38.86 ha of native vegetation was cleared including: <ul style="list-style-type: none"> 38.18 hectares of koala habitat as identified in Attachment 3 of the EPBC Approval (Figure 3.3). 38.18 hectares of Large-eared Pied Bat habitat as identified in Attachment 4 of the EPBC Approval (Figure 34). 5.73 hectares of White Box Yellow Box Blakelys Red Gum Grassy Woodland identified in Attachment 2 of the EPBC Approval (Figure 3.5).
<p>2. To compensate for the clearance of White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland, Koala habitat and Large-eared Pied Bat habitat, the approval holder must retire credits prior to the commencement of the action, as specified:</p> <p>a. 935 ecosystem credits for White Box-Yellow Box-Blakely's Red Gum Grassy Woodland and Derived Native Grassland;</p>	<p>Compliant</p>	<p>Year 1</p> <ul style="list-style-type: none"> - All credits retired as stated in section 3.2 in this report.



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<p>b. 2,454 species credits for Koala; and c. 3,836 species credits for Large-eared Pied Bat.</p>		
<p>3. The approval holder must comply with the State development consent conditions A2, A5, B51, B52, B53, B54, B55, B56, B76, B78, B79, B80, B81 and B82.</p>	<p>Compliant</p>	<p>Year 1 - All conditions were met in Year 1.</p>
<p>Part B – Standard administrative conditions</p>		
<p>Notification of date of commencement of the action 4. 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. 5. 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.</p>	<p>Compliant</p>	<p>Year 1 - An email was sent to EPBC on the 8 March 2024 providing notification of commencement of the action which occurred on 4 March 2024.</p>
<p>Compliance records 6. The approval holder must maintain accurate and complete compliance records. 7. 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. Note: Compliance records may be subject to audit by the Department or an independent auditor in accordance with section 458 of the EPBC Act, and or used to verify compliance with the conditions. Summaries of the result of an</p>	<p>Compliant</p>	<p>Year 1 - 6: Year 1 – Boral has maintained records in accordance with this condition. - 7: Year 1 – Boral has maintained records and provided them when requested in accordance with this condition.</p>



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<p>audit may be published on the Department’s website or through the general media.</p>		
<p>Annual compliance reporting</p> <p>8. The approval holder must prepare a compliance report for each 12 month period following the date of commencement of the action, or as otherwise agreed in writing by the Minister. The approval holder must:</p> <ul style="list-style-type: none"> 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 5 business days of the date of publication 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 e. where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within 5 business days of publication. <p>Note: Compliance reports may be published on the Department’s website.</p>	<p>Not Applicable</p>	<p>Year 1</p> <p>- The Annual Compliance Report for Year 1 of the approval will be published within 60 business days with the date of publishing updated in the next annual report.</p>
<p>Reporting non-compliance</p> <p>9. The approval holder must notify the Department in writing of any: incident or non-compliance with the conditions. The notification must be given as soon as practicable, and no later than 2 business days after becoming aware of the incident or non-compliance. The notification must specify:</p>	<p>Compliant</p>	<p>Year 1 – This condition was not triggered during the reporting period as there were no non-compliances.</p>



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<p>a. any condition which is or may be in breach</p> <p>b. a short description of the incident and/or non-compliance</p> <p>c. the location (including co-ordinates), date, and time of the incident and/or non-compliance.</p> <p>In the event the exact information cannot be provided, provide the best information available.</p>		
<p>10. 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:</p> <p>a. any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future</p> <p>b. the potential impacts of the incident or non-compliance</p> <p>c. the method and timing of any remedial action that will be undertaken by the approval holder.</p>	<p><i>Not Applicable</i></p>	<p>Year 1 - This condition was not triggered during the reporting period.</p>
<p>Independent audit</p> <p>11. The approval holder must ensure that independent audits of compliance with the conditions are conducted as requested in writing by the Minister.</p> <p>12. For each independent audit, the approval holder must:</p> <p>a. provide the name and qualifications of the independent auditor and the draft audit criteria to the Department</p> <p>b. only commence the independent audit once the audit criteria have been approved in writing by the Department</p> <p>c. submit an audit report to the Department within the timeframe specified</p>	<p><i>Not Applicable</i></p>	<p>Year 1 - This condition was not triggered during the reporting period.</p>



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<p>in the approved audit criteria.</p> <p>13 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.</p>		
<p>Completion of the action</p> <p>14. Within 20 business days after the completion of the action, the approval holder must notify the Department in writing and provide completion data.</p>	<p><i>Not applicable</i></p>	<p>Year 1 - This condition was not triggered during the reporting period.</p>
<p>Changes to State development consent</p> <p>15. The approval holder must notify the Department in writing of any proposed change to the State development consent conditions referred to in these conditions within 10 business days of formally proposing a change or becoming aware of any proposed change where the proposed change would or is likely to alter or increase the impacts of the action on protected matters.</p> <p>16. The approval holder must notify the Department in writing of any change to the conditions of the State development consent referred to in these conditions, for which notice was required to be given in accordance with condition 15 above, within 10 business days of a change to conditions being finalised.</p>	<p><i>Not applicable</i></p>	<p>Year 1 - This condition was not triggered during the reporting period.</p>

Attachments



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Appendix A



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5.0 Non-compliances with conditions of EPBC 2015/7521

There have been no non-compliances with the Conditions of EPBC 2015/7521 for the Year 1 reporting period – 4 March 2024 – 5 March 2025.



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Appendix A

Map of areas where topsoil was recovered from stripped areas and placed in rehabilitation batters



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Figure A1 – Topsoil placement map, rehabilitation batters

In Year 1 recovered topsoil was placed on D, E, F and G:



Location of Batter G:

Northing: 6 147 662.429 m

Easting: 226 529.809 m

Elevation: 655.033 m AHD



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Figure A.2 – Topsoil placement map, rehabilitation batters

In Year 1 recovered topsoil was placed on the South Pit batter at a total of .78 hectares



Location of South Pit Batter:

Northing: 6 146 267.709 m

Easting: 227 708.950 m

Elevation: 423.988 mm AHD