

Mr Michael Higgins  
Operations Manager  
Boral Resources (NSW) Pty Ltd  
843 Marulan South Road  
MARULAN NSW 2579

15/06/2022

Dear Mr Higgins

**Peppertree Quarry (MP 06\_0074)**  
**Independent Environmental Audit 2018 to 2021**

I refer to the Independent Environmental Audit Report, for the reporting period from 2018 to 2021 (Audit Report) for Peppertree Quarry (the development), submitted for the Planning Secretary's consideration, as required under Schedule 2, Condition D13 of the development consent MP 06\_0074, as modified ('the consent').

The department considers that the Audit Report, generally satisfied Condition D13 of the consent. Please note that approval of this Audit Report is not endorsement of the compliance status of the development.

The department has assessed non-compliance with Schedule 2, Condition D16 in accordance with the department's Compliance Policy and in this instance has determined to record the breach in our system. At this stage, no further enforcement actions are proposed. Please be aware that recording of this breach does not preclude the department from taking alternative enforcement actions, if it becomes apparent that an alternative response is more appropriate.

Please also note that this non-compliance will be taken into consideration in the assessment of any future breaches of the approval, in accordance with the department's Compliance Policy. A copy of the Compliance Policy is available at <https://www.planning.nsw.gov.au/-/media/Files/DPE/Plans-and-policies/compliance-and-enforcement-compliance-policy-2018-04.pdf>.

The department also notes historical non-compliance with Schedule 2, Condition B36 and that the Water Management Plan, dated July 2021, approved by the department on 7 March 2022 states that no flow data is obtained from Barbers Creek due to inaccessibility and that flow data is available further downstream in the Shoalhaven River at a NSW Water monitoring site, Fossickers Flat.

Department of Planning and Environment



Lastly, in accordance with Part D, Condition D16 of the consent, please make the copy of the Audit report available on the company website, within one month from the date of this letter, including any other documents as required under Condition D16 and also ensure that these documents are up-to-date.

Should you need to discuss the above, please contact me on (02) 4247 1852 or by email to [Georgia.Dragicevic@planning.nsw.gov.au](mailto:Georgia.Dragicevic@planning.nsw.gov.au).

Yours sincerely

A handwritten signature in black ink, appearing to be "Georgia Dragicevic", written over a light grey rectangular background.

Georgia Dragicevic  
A/Team Leader Compliance  
Compliance

As nominee of the Planning Secretary