

DotE –EPBC 2012/6370 – NBG Annual Compliance Report

11 June 2015

Condition	Boddington Gold Mine Extension Approval (EPBC 2012/6370) Condition	NBG Update - 30 June 2015
Standard Conditions		
1.	<p>Within 10 days after the commencement of the action, the person taking the action must advise the Department in writing of the actual date of commencement.</p>	<p>Compliant</p> <p>On 31 March 2015 Newmont submitted a letter to the department advising of the potential <i>Commencement of the Action</i>. This notification stems from the clearing of 4.83ha at the existing NBG F1 Residue Disposal Area (RDA) to facilitate improvements in drainage management and pipeline relocation.</p> <p>NBG sought clarification as to whether the 4.83ha of clearing constituted <i>Commencement of the Action</i> as the approval definition for '<i>commencement</i>' refers only to construction of the new Waste Rock Dumps (WRD) and new RDA.</p> <p>Letter received from DoTE (15 May 2015) confirming that the activities at the F1RDA did not constitute <i>Commencement of the Action</i>.</p>
2.	<p>The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the management plans required by this approval, and make them available upon request to the Department. Such records may be subject to audit by the Department or an independent auditor in accordance with section 458 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.</p>	<p>Compliant</p> <p>Newmont maintains accurate records of all activities with its records management system.</p> <p>Records include reviews and audits of relevant management plans.</p> <p>No requests have been made by the department to obtain or audit NBG records.</p>

DotE –EPBC 2012/6370 – NBG Annual Compliance Report

11 June 2015

Condition	Boddington Gold Mine Extension Approval (EPBC 2012/6370) Condition	NBG Update - 30 June 2015
3.	<p>Unless otherwise agreed to in writing by the Minister, by 30 June each year after the commencement of the action, 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. Documentary evidence providing proof of the date of publication must be provided to the Department at the same time as the compliance report is published. The compliance report must remain on the proponent’s website for a minimum of 12 months (beginning on the date of publication). Potential or actual contraventions of the conditions of the approval must be reported to the Department in writing within 2 business days of the person taking the action becoming aware of the actual or potential contravention. All contraventions must also be included in the compliance report</p>	<p>Compliant</p> <p>This report meets the requirements of condition 3.</p> <p>The report was published on the Newmont website on 11 June 2015. Notification was made to the department on 11 June 2015 notifying them of report publishing.</p> <p>No notifications regarding contraventions of the approval were made as there were no occurrences during the reporting period.</p>
4.	<p>Upon the direction of the Minister, the person taking the action must ensure that an independent audit of compliance with the conditions of approval is conducted and a report submitted to the Minister. The independent auditor must be approved by the Minister prior to the commencement of the audit. Audit criteria must be agreed to by the Minister and the audit report must address the criteria to the satisfaction of the Minister.</p>	<p>Compliant</p> <p>No direction has been issued by the Minister to undertake an independent audit of compliance with the conditions of approval.</p>

DotE –EPBC 2012/6370 – NBG Annual Compliance Report

11 June 2015

Condition	Boddington Gold Mine Extension Approval (EPBC 2012/6370) Condition	NBG Update - 30 June 2015
5.	<p>If the person taking the action wishes to carry out any activity otherwise than in accordance with the management plan(s) 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 management plan(s). The varied activity shall not commence until the Minister has approved the varied management plan(s) in writing. The Minister will not approve a varied management plan(s) unless the revised management plan(s) would result in an equivalent or improved environmental outcome over time. If the Minister approves the revised management plan(s), that management plan(s) must be implemented in place of the management plan(s) originally approved.</p> <p>a) the approval holder may revise a management plan to correct a minor error in or make an administrative change to the document. Where the approval holder revises a management plan, the approval holder must provide to the Department within 14 days of revising the document:</p> <p>i) a copy of the management plan, marked up to show the revisions, in both hard copy and electronic copy; and</p> <p>ii) a clear summary of all revisions that have been made to the management plan, and the reasons for these revisions.</p>	<p>Compliant</p> <p>No activity is proposed or has been undertaken in variance to that which is approved under the approval conditions for EPBC 2012/6370 or those management plans required under the approval.</p> <p>No changes have been proposed to approved Management Plans during the reporting period.</p>

DotE –EPBC 2012/6370 – NBG Annual Compliance Report

11 June 2015

Condition	Boddington Gold Mine Extension Approval (EPBC 2012/6370) Condition	NBG Update - 30 June 2015
6.	<p>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 management plan(s) specified in the conditions and submit the revised management plan(s) for the Minister's written approval. The person taking the action must comply with any such request within three months of receiving the request. The revised approved management plan(s) must be implemented within one month of receiving the Minister's written approval. Unless the Minister has approved the revised management plan(s), then the person taking the action must continue to implement the management plan(s) originally approved, as specified in the conditions.</p>	<p>Compliant</p> <p>Newmont has not been directed by the Minister to undertake any reviews of management plans or documentation submitted under this approval.</p>
7.	<p>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.</p>	<p>Not Applicable</p> <p>This condition comes into effect 19th May 2019.</p>

DotE –EPBC 2012/6370 – NBG Annual Compliance Report

11 June 2015

Condition	Boddington Gold Mine Extension Approval (EPBC 2012/6370) Condition	NBG Update - 30 June 2015
8.	Unless otherwise agreed to in writing by the Minister , the person taking the action must publish all management plan(s) referred to in these conditions of approval on their website. Each management plan(s) must be published on the website within one (1) month of being approved. The person taking the action must notify the Department within five (5) business days of publishing the management plan(s) on their website. The management plan(s) must remain on their website for the period this approval has effect.	<p>Compliant</p> <p>The Black Cockatoo Management Plan was approved by the department on 29 October 2012. The department was notified of the document publishing on 10 November 2014.</p> <p>The Terrestrial Fauna Management Plan was approved by the department on 12 January 2015. The department was notified of the document publishing on 21 January 2015.</p> <p>Both management plans are available on the company website (www.newmont.com)</p>

Habitat Clearing		
9.	The person taking the action must not clear more than 1, 755 hectares of native vegetation from the "Proposed RDA", "WRD#10", "WRD#11" and "WRD#12" within the project site shown in Figure 1 of this approval (subject to condition 10 (b) below). The person taking the action is permitted to make minor changes to the boundaries of the "Proposed RDA", "WRD#10", "WRD#11" and "WRD#12" within the project site . Any change to the boundaries and the reason for the change(s) must be communicated to the Department in writing prior to clearing changes boundaries. No clearing must occur outside the project site .	<p>Compliant</p> <p>During the reporting period 4.83ha of vegetation clearing was completed (refer to Condition 1). Figure 1 (located at the end of this table) presents the clearing undertaken, demonstrating its location within the development envelope.</p> <p>No changes to clearing boundaries or locations were proposed or requested outside those already approved by the department.</p>
Black Cockatoo Management Plan		
10.	To protect Black Cockatoos the person taking the action must prepare and submit a Black Cockatoo Management Plan ¹ (BCMP) for approval by the Minister. The CMP must include, but is not limited to:	<p>Compliant</p> <p>The BCMP was submitted to the department on 11 November 2014.</p> <p>The BCMP was written to include sub conditions (a) – (h) as outlined within condition 10, which was acknowledged within the</p>

DotE –EPBC 2012/6370 – NBG Annual Compliance Report

11 June 2015

Condition	Boddington Gold Mine Extension Approval (EPBC 2012/6370) Condition	NBG Update - 30 June 2015
	<p>a) a staff induction program that provides information to all employees and contractors on the responsibilities of the person taking the action, its employees and contractors to minimise and avoid impacts to Black Cockatoos.</p> <p>b) Measures to identify and avoid clearing of potential Black Cockatoo breeding habitat, including within the "Proposed RDA", "WRD#10", "WRD#11" and "WRD#12" areas within the project site shown in Figure 1. These measures must include identification of native vegetation containing nestlings and a commitment not to clear native vegetation containing nestlings until such time as nestlings have left the nest without human intervention.</p> <p>c) Measures to maximize the rehabilitation of the "Proposed RDA", "WRD#10", "WRD#11" and "WRD#12" shown in Figure 1 prior to the expiry date of this approval by using food plant and hollow producing tree species for Black Cockatoos in rehabilitation seed mixes.</p> <p>d) Investigation of the use of artificial nest hollows on the project site.</p> <p>e) Measures to identify and limit the spread of <i>Phytophthora cinnamomi</i>, including consideration where relevant of the <i>Threat Abatement Plan for Disease in Natural Ecosystems caused by Phytophthora cinnamomi</i> (Australian Government Department of the Environment, 2014).</p> <p>f) The prohibition of pets and firearms on the project site.</p> <p>g) Measures to mitigate vehicle collisions, including speed limits on the project site and the installation of relevant signage on roads and entry points to the project site noting the presence of Black Cockatoos.</p> <p>h) A requirement for all employees and contractors to report all incidents that result in the injury or death of a Black Cockatoo to the project site Environmental Department. The project Site</p>	<p>department's approval letter.</p> <p>The BCMP was approved by the department on 12 January 2015.</p>

DotE –EPBC 2012/6370 – NBG Annual Compliance Report

11 June 2015

Condition	Boddington Gold Mine Extension Approval (EPBC 2012/6370) Condition	NBG Update - 30 June 2015
	environmental department must report any incidents that result in death or injury to Black Cockatoos in the annual compliance report required by Condition 3.	
11.	The BCMP must be submitted to the Minister for approval at least three months prior to the commencement of the action . Construction must not occur until the BCMP has been approved by the Minister . The approved BCMP must be implemented.	<p>Compliant</p> <p>The BCMP was submitted to the DotE on 30 July 2014.</p> <p>The plan was submitted over three months prior to the commencement of the action.</p> <p>The BCMP was approved by DotE on 12 January 2015.</p> <p>The BCMP continues to be implemented post approval.</p>

Terrestrial Fauna Management Plan		
12.	<p>To protect Woylie (<i>Bettongia penicillata ogilbyi</i>) and Chuditch (<i>Dasyurus geoffroii</i>) the person taking the action must prepare and submit a Terrestrial Fauna Management Plan² (TFMP) for approval by the Minister. The TFMP must include, but is not limited to:</p> <p>a) a staff induction program that provides information to all employees and contractors on Chuditch and Woylie and activities/actions that may result in a direct or indirect impact on these species.</p> <p>b) Measures to mitigate vehicle collisions, including speed limits on the project site and the installation of relevant signage on roads and entry points to the project site noting the presence of Woylie and Chuditch.</p>	<p>Compliant</p> <p>The TFMP was submitted to DotE on 11 November 2014.</p> <p>The TFMP was written to include sub conditions (a) – (g) as outlined within condition 12 which was acknowledged within the department’s approval letter.</p> <p>The TFMP was approved by DotE on 29 October 2014.</p>

DotE –EPBC 2012/6370 – NBG Annual Compliance Report

11 June 2015

Condition	Boddington Gold Mine Extension Approval (EPBC 2012/6370) Condition	NBG Update - 30 June 2015
	<p>c) The prohibition of pets and firearms on the project site.</p> <p>d) Measures that ensures connectivity between the eastern and western areas of the project site.</p> <p>e) Measures to maximize the rehabilitation of the "Proposed RDA", "WRD#1 0", "WRD#11" and "WRD#12" shown in Figure 1 prior to the expiry date of this approval by using <i>Gastrolobium</i> spp. shrubs in rehabilitation seed mixes.</p> <p>f) Measures to control feral pigs, foxes and cats on the project site, including consideration where relevant of the <i>Threat Abatement Plan for predation by European Red Fox</i> (Commonwealth of Australia, 2008), the <i>Threat Abatement Plan for predation by feral cats</i> (Commonwealth of Australia, 2008), and the <i>Threat Abatement Plan for predation, habitat degradation, competition and disease transmission by feral pigs</i> (Commonwealth of Australia, 2005).</p> <p>g) A requirement for all employees and contractors to report all observations of Woylie and/or Chuditch to the project site environmental department. The project site environmental department must report any incidents that result in death or injury to Woylie and/or Chuditch in the annual compliance report required by Condition 3.</p>	
13.	<p>The TFMP must be submitted to the Minister for approval at least three months prior to the commencement of the action. Construction must not occur until the TFMP has been approved by the Minister. The approved BCMP must be implemented.</p>	<p>Compliant</p> <p>The TFMP was submitted to the department on 11 November 2014. The plan was submitted over three months prior to the commencement of the action.</p> <p>The TFMP was approved by the department on 12 January 2015. The TFMP continues to be implemented post approval.</p>
Offsets		
14.	<p>To offset residual significant impacts as a result of the loss of 1,755 ha of Black Cockatoo, Woylie and Chuditch habitat the person taking</p>	<p>Compliant</p> <p>NBG has prepared a Land Offset Plan that was submitted to the</p>

DotE –EPBC 2012/6370 – NBG Annual Compliance Report

11 June 2015

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	<p>the action must prepare and submit a Land Offset Plan³ (LOP) for approval by the Minister. The LOP must (but is not limited to):</p> <p>a) Include the identification, acquisition (if required) and timing of placement into a conservation covenant approved by the Government of Western Australia Department of Parks and Wildlife Nature Conservation Covenant Program of 2,000 ha of offset land that has vegetation in similar condition to the vegetation being impacted by the proposal. The offset land to be placed under a conservation covenant must contain:</p> <p>i) Known foraging and breeding habitat for Carnaby's Black-Cockatoo (<i>Calyptorhynchus latirostris</i>) and Forest Red-tailed Black-Cockatoo (<i>Calyptorhynchus banksii naso</i>) and must be within six kilometres of permanent drinking water.</p> <p>ii) Known foraging habitat for Baudin's Black-Cockatoo (<i>Calyptorhynchus baudinii</i>) and must be within six kilometres of permanent drinking water.</p> <p>iii) Known habitat for Woylie.</p> <p>iv) Known foraging and breeding habitat for Chuditch.</p> <p>b) Include the identification, acquisition (if required) and timing of placement into a conservation covenant approved by the Government of Western Australia Department of Parks and Wildlife Nature Conservation Covenant Program of 470 ha of offset land that has vegetation that can be rehabilitated to similar condition to the vegetation being impacted by the proposal and must be in addition to the offset land required by condition 14 (a) above.</p> <p>c) For offset lands requiring rehabilitation, the LOP must identify and detail improvement actions (including monitoring requirements and completion criteria) and a timeframe for the actions to be undertaken to improve the conditions of the land to a similar condition to the vegetation being impacted.</p> <p>d) Ensure that parcels of land to be placed under a conservation</p>	<p>department on the 11 June 2015. The plan was written to ensure sub conditions (a) – (f) of condition 14 were met and/or included within the plan.</p> <p>The Land Offset Plan contains information regarding all offsets required under current and historic State (MS 591, MS 971) and Federal (2011/6192, 2012/6370) approvals including;</p> <ul style="list-style-type: none"> • Eastern Acquired Lands (2000ha and 90ha) • Hotham Farm Restoration (470ha) • State Forest Offset (2014 Approval) • State Forest Land Swap (2002/2006 Approvals) <p>NBG has met and continues to work with the WA Department of Parks and Wildlife (DPaW) on the transition of land parcels from private ownership to protection under a conservation covenant. This process differs for each offset, due to land condition as well as the presence of other minerals (bauxite) which require negotiation with third parties.</p> <p>At the time of writing this report, no feedback has been received from the department.</p>

DotE –EPBC 2012/6370 – NBG Annual Compliance Report

11 June 2015

Condition	Boddington Gold Mine Extension Approval (EPBC 2012/6370) Condition	NBG Update - 30 June 2015
	<p>covenant are a minimum of 90 ha in size (should more than one parcel of land be identified as part of the 2,470 ha to be placed under a conservation covenant).</p> <p>e) Ensure that parcels of land to be placed under a conservation covenant are within 50 kilometres of the project site.</p> <p>f) Detail funding arrangements and timing of funding for rehabilitation activities.</p>	
15.	<p>The LOP must be submitted to the Minister for approval within one (1) year of the date of this approval. The LOP approved by the Minister must be implemented. (Updated on 14th May 2015).</p> <p>The LOP must be submitted to the Minister for approval by 12 June 2015. The LOP approved by the Minster must be implemented.</p>	<p>Compliant</p> <p>NBG requested an amendment to the timeframe associated with condition 15 to align the submission date of the LOP with that required by the State Environmental Approval (Ministerial Statement 971). This amendment was approved by the department on 14 May 2015).</p> <p>The LOP was submitted for approval on 11 June 2015.</p>

DotE –EPBC 2012/6370 – NBG Annual Compliance Report

11 June 2015

Figure 1 – Clearing undertaken during the reporting period (4.83ha)

