

NBG Annual Compliance Report for the NBG Interim Permit (EPBC 2011/6192) January 2017

NBG Interim Permit (EPBC 2011/6192) Condition	NBG Update January 2017
<p>1. The person taking the action must not clear more than 29ha of Jarrah-Marri-Wandoo vegetation, which provides suitable habitat for the EPBC listed Baudin’s Black Cockatoo, Carnaby’s Black Cockatoo and Forest Red-tailed Black Cockatoo, within the referred Interim Permit project area of the NBG Mine Project, as described in Appendix A.</p>	<p>The proposal included the clearing of native vegetation around existing mine pits and waste rock dumps for minor expansion works. A total of 29ha was identified for this proposal as requiring clearance.</p> <p>In 2012, 6.44ha of the 13.5ha of vegetation identified for direct pit and pit buffer expansion was cleared and 1.2ha of the 5.5ha was cleared for mine water drainage around No. 9 waste rock dump (as identified in the Preliminary Document). Therefore, in total 7.64ha of native vegetation has been cleared. No additional clearing was undertaken in 2014 or 2015.</p> <p>In 2016 the 10ha that was identified as contingent area for rehabilitation of the No. 7 and 8 waste rock dumps was cleared as part of the waste rock dump expansion.</p> <p>To date, a total of 17.64ha of the vegetation identified in the interim permit has been cleared.</p>
<p>2. No longer than five years after the date that mining ceases within the referred Interim Permit project area of the NBG Mine Project, as described in Appendix A, revegetation actions must commence in areas disturbed by mining and mining related activities in the referred Interim Permit Project area, using endemic native species, with the objective of providing foraging, and in the longer term potential nesting, habitat for Black cockatoos.</p>	<p>Mining is still on-going in the area.</p>
<p>3. The person taking the action must implement and adhere to the Black Cockatoo Management Plan (NBG Pty Ltd, January 2012), or subsequent editions or revision of that Plan.</p>	<p>As a result of conditions imposed following approval of the Life of Mine Extension project (EPBC 2012/6370) the NBG Black Cockatoo Management Plan (January 2012) was updated during the reporting period. Condition 10 of EPBC 2012/6370 requires NBG to provide the department with a revised version of the Management Plan for approval by the CEO prior to any</p>

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	<p>disturbance taking place.</p> <p>A Black Cockatoo Management Plan was approved by the department in October 2014. As per the requirements of both the interim (EPBC 2011/6192) and Life of Mine approvals (EPBC 2012/6370) NBG continues to implement management activities in accordance with the approved management plan.</p>
<p>4. To offset the loss of up to 29ha of suitable habitat for the EPBC listed Baudin’s Black Cockatoo, Carnaby’s Black Cockatoo and Forest Red-tailed Black Cockatoo, the person taking the action must register a legally binding conservation covenant over a conservation offset area within five years of the date of this approval. The covenant must provide protection for no less than 90ha of contiguous Jarrah-Marri-Wandoo forest suitable for Black Cockatoo foraging and breeding, and include at least 12 known or potential breeding hollows.</p>	<p>Within offset planning for the NBG LOM Extension Project (EPBC 2012/6370) considerations were made for inclusion of the 90ha offset within the proposed conservation covenant area. However, NBG is progressing discussions with DotEE for a variation to conditions that would see the proposed conservation covenant over native vegetation associated with EPBC 2012/6370 delayed until Phase 1 clearing has been completed (and the covenant would form the offset for Phase 2).</p> <p>Therefore, NBG is pursuing another option to satisfy Condition 4 of EPBC 2011/6192. The native vegetation in question is located on Hotham Farm, adjacent to vegetation currently in the process of being divested to the State Conservation Estate (as per Ministerial Statement 971).</p> <p>The area is approximately 190 ha in size. The vegetation has undergone assessment by an independent consultant and is rated primarily in excellent condition with a small section deemed very good and a small borrow pit that is rated as degraded. NBG will conduct restoration works in borrow pit area.</p>
<p>5. The person taking the action must, within one month of entering into a legally binding conservation covenant over a conservation offset area as required by Condition 4, supply the Minister with a copy of the agreement and provide, for approval, a conservation offset area management plan that describes how the</p>	<p>Establishment of the conservation covenant over the area discussed for Condition 4 above will be progressed in 2017.</p> <p>It is understood that as per Condition 4 the conservation covenant is required to be in place by 01 August 2017. NBG will work with the WA Department of</p>

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<p>establishment of the conservation offset area relation to the rehabilitation objectives for the Boddington Gold Mine and to local and regional nature conservation corridors, other existing conservation areas and biodiversity protection commitments made by NBG Pty Ltd in relation to the BGM, as described in EPBC Act referral 2011/6192, Preliminary Documentation (prepared by Strategen for NBG Pty Ltd dated March 2012) and the Black Cockatoo Management Plan (NBG Pty Ltd, January 2012). The approved plan must be implemented.</p>	<p>Parks and Wildlife to in 2017 to establish this offset.</p> <p>An offset management plan will be submitted following the establishment of the conservation covenant.</p>
<p>6. The conservation offset area management plan required by Condition 5 must include the following:</p> <ol style="list-style-type: none"> a. A text description and map clearly defining the location and boundaries of the 90ha conservation offset area. This must be accompanied with the offset attributes and a shape file; b. Details of the mechanisms, steps and timing for registering a legally binding conservation covenant over the nominated conservation offset area; c. A detailed description of the current condition of the vegetation of the conservation offset area prior to any management activities to provide a baseline for future monitoring; d. Details of the persons responsible for overseeing, controlling, monitoring and implementing management activities necessary to establish and maintain the conservation offset area, including their position or status, for instance whether or not an identified person is an employee of NBG Pty Ltd or of another company contracted by NBG Pty Ltd. 	<p>Details of the previous conservation covenant plan were included in the Draft NBG Land Offset Management Plan that was submitted to the DotEE and oEPA in 2015.</p> <p>This plan is currently being amended and the details of the 2011/6192 interim permit offset will be documented in its own Offset Management Plan.</p> <p>An offset management plan will be submitted following the establishment of the conservation covenant.</p>
<p>7. If the person undertaking the action proposes to undertake any</p>	<p>Not yet applicable.</p>

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<p>activity within the conservation offset area, other than activities related to managing the conservation offset area, or as set out in the conditions, approval must be obtained in writing from the Minister. In seeking the Minister's approval the person undertaking the action must provide a detailed assessment of the area where the activity is proposed to take place and an assessment of all associated potential adverse impacts on MNES. If the Minister approves the proposed activity within the conservation offset area, the area identified for the activity must be excised from the proposed conservation offset area and a plan must be submitted to the Minister for approval for providing alternative offsets to be secured to substitute for the excised area.</p>	
<p>8. Within 30 days of commencement of the action, the person taking the action must advise the Department in writing the actual date of commencement.</p>	<p>Letter dated 25/09/2012 provided to DSEWPac (Approvals Monitoring North Section, Compliance and Enforcement Branch, Environment Assessment and Compliance Division) stating works commenced for EPBC 2011/6192 on the 10/09/2012.</p>
<p>9. No later than the 31 January each year, commencing in the January after the commencement date of the action, the person taking the action must submit to the Department an annual compliance report addressing compliance with the conditions of this approval. This report must be published on the NBG Pty Ltd website within the same timeframe.</p>	<p>This document addresses condition 9.</p> <p>This document is also available at newmont.com/operations-and-projects/australia-pacific/boddington-australia/reports/default.aspx</p>
<p>10. Annual compliance reports must be provided until the Minister is satisfied that the proponent has complied with all conditions or until the expiry of this approval, whichever is sooner.</p>	<p>This is understood.</p>
<p>11. Upon 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</p>	<p>This is understood. To date there has been no direction from the Minister received and hence, no independent audit of compliance with the conditions has been conducted.</p>

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<p>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>12. 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>The action has been commenced.</p>
<p>13. If the Minister believes that it is necessary or desirable for the better protection of threatened species and threatened ecological communities (s.18 and s. 18A), the Minister may request that the person taking the action make specified revision to the plans or programs approved pursuant to Conditions 3, 5 and 6 and submit the revised plan or program for the Minister's approval. The person taking the action must comply with any such request. The revised approved plan or program must be implemented in place of the plan or program originally approved.</p>	<p>This is understood. To date NBG has not received any request from the Minister in relation to this action.</p>
<p>14. The person taking the action must maintain accurate records of all activities associated with or relevant to the above conditions of the approval, and make them available on request by the Department. Such documents may be subject to audit by the Department and used to verify compliance with the conditions of approval. Summaries of audits will be posted on the department website. The results of audits may also be publicised through the general media.</p>	<p>This is understood. To date NBG has not received any request from the Minister in relation to this action.</p>