

### NBG Annual Compliance Report for the NBG Interim Permit (EPBC 2011/6192) January 2019

NBG Interim Permit (EPBC 2011/6192) Condition	NBG Update January 2019
<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>No changes since last annual report.</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. 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 disturbance taking place.</p> <p>The current 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>In August 2017 a request was made by Department of the Environment and Energy (DotEE) to amend the BCMP to align with requirements addressing both specifics of the EPBC 2012/6370 and DoTEE’s December 2014 Environmental Management Plan Guidelines. The site will address these</p>

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	requirements for the BCMP and submit the revised BCMP in 2018. The BCMP is still under review, this was not completed in 2018 due to limited departmental resources.
<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>The Conservation Covenant over a 191.75ha of native vegetation on Hotham Farm (Lot 730 on Deposited Plan 228490) was finalised in May 2018.</p> <p>The land parcel has undergone assessment by an independent consultant and is classified as Beard Hopkins Vegetation Association East Darling 3 vegetation complex, described as “Medium forest; jarrah-marri” in good condition. The <i>Addendum for the South-west Biodiversity Project Area (2007)</i> indicates that only 12.22% of its pre-European extent is protected within IUCN I-IV lands for conservation.</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 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>A copy of the Conservation Covenant was provided to the Department in May 2018.</p>

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<p>6. The conservation offset area management plan required by Condition 5 must include the following:</p> <ul style="list-style-type: none"> <li>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;</li> <li>b. Details of the mechanisms, steps and timing for registering a legally binding conservation covenant over the nominated conservation offset area;</li> <li>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;</li> <li>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.</li> </ul>	<p>NBG provided the signed Conservation Covenant and agreed Management Guidelines to the Department in May 2018.</p> <p>NBG submitted a revised Offset Strategy to the DotEE in Q4 2018. NBG will be revising the Land Offset Management Plan in 2019 and will re-submit this document to the Department (as well as the WA EPA).</p>
<p>7. If the person undertaking the action proposes to undertake any 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</p>	<p>As detailed in the DBCA Management Guideline all activities are in line with maintaining and enhancing the quality of the offset. This includes expected land management practices around fencing, fire, weed and forest disease, rehabilitation, authorised access and monitoring. Any activities outside the management plan will be referred to the Minister for approval.</p>

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plan must be submitted to the Minister for approval for providing alternative offsets to be secured to substitute for the excised area.	
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.	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.
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.	This document addresses condition 9.  This document is also available at <a href="http://www.newmont.com/operations-and-projects/australia/boddington-australia/reports/default.aspx">http://www.newmont.com/operations-and-projects/australia/boddington-australia/reports/default.aspx</a>
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.	This is understood.
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 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.	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.
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.	The action has commenced.

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<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>As stated for condition 3 , late 2017 a request was made by Department of the Environment and Energy (DotEE) to amend the BCMP to align with requirements addressing both specifics of the EPBC 2012/6370 and DoTEE’s December 2014 Environmental Management Plan Guidelines. The site will address these requirements for the BCMP and submit the revised BCMP in 2019.</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>