

2018 Independent Environment Audit Findings

Table 1: Action Plan to resolve the non-compliances and implement the recommendations:

Risk Category of Finding (Administrative, Low, Medium, High)	Description of finding (Requirement, Description, Evidence)	Audit Section	Action	Due Date	Progress
Administrative	Non-compliance - Project Approval PA06_0026 was surrendered on 30 April 2018. NPM did not obtain the Secretary's agreement beyond 31 July 2015 to surrender Project Approval PA06_0026.	Schedule 2 – Condition 8 – Surrender of Consents	Noted.	-	-
Administrative	Non-compliance – The Water Management Plan inclusive of the Site Water Balance, Surface Water Management Plan and Groundwater Management Plan does not satisfy various requirements of this condition.	Schedule 3 – Condition 23 – Water – Water Management Plan	Review and update management plan to ensure all requirements of the condition are clearly stated.	31-Dec-18	In progress
Administrative	Non-compliance – A Conservation Agreement between the Minister administering the <i>National Parks and Wildlife Act 1974</i> (NSW) and CMOC Mining Services Pty Limited for the Kokoda Biodiversity Offset Site was not signed within the time permitted under this condition.	Schedule 3 – Condition 27 – Biodiversity – Security of Offsets	Noted. The Conservation Agreement was registered with the Biodiversity Conservation Trust on 12 June 2018.	-	-
Administrative	Non-compliance – The agreed Conservation Bond was not lodged with the Department of Planning and Environment within the time permitted under this condition.	Schedule 3 – Condition 28 – Biodiversity – Conservation Bonds	Noted. Breach has been remediated following the submission of the Westpac bank guarantee (Alias No. 932100100000017).	-	-
Administrative	Non-compliance – In relation to paragraph (g) of this condition, the Biodiversity Offset Management Plan (BOMP) does not specify who is responsible for reviewing the BOMP.	Schedule 3 – Condition 29 – Biodiversity – Biodiversity Management Plan	Review and update management plan to ensure an adequate person is identified to undertake future reviews of the document.	30-Sep-2018	In progress

Low Risk	Non-compliance – The Rehabilitation Management Plan does not comply with paragraphs (g) and (h) of this condition	Schedule 3 – Condition 41 – Rehabilitation – Rehabilitation Management Plan	Review and update management plan to ensure all requirements of the condition are clearly stated.	31-Dec-18	In progress
Administrative	Non-compliance – The introduction of this condition specifies a one month time limit for notification (i.e. one month from 16 July 2014) under paragraphs (a), (b) and (c). NPM did not notify the landowners under paragraph (a) of this condition within the required one month time limit.	Schedule 5 – Condition 1 – Notification of Landowners/Tenants	Outside audit period.	-	-
Administrative	Non-compliance – The Environmental Management Plans do not comply with paragraphs (a), (e) and (f) of this condition.	Schedule 6 – Condition 3 – Environmental Management – Management Plan Requirements	Review and update management plan to ensure all requirements of the condition are clearly stated.	31-Dec-18	In progress
Administrative	Non-compliance – The Groundwater Management Plan (version no. 2 of 3 October 2016, Doc ID no. 3-9795) is not within its required review period (review date was 10 October 2017).	Schedule 6 – Condition 5 – Environmental Management – Revision of Strategies, Plans and Programs	Review management plan and update review date.	15-Jun-18	Complete
Administrative	Non-compliance – Although the 30 March 2015 audit report is on NPM’s website, there is no NPM response to the recommendations in Table 6 of that audit report.	Schedule 6 – Condition 11 – Access to Information	Uploaded to NPM website.	13-Jun-18	Complete
Low Risk	Non-compliant – During the audit period two incidents were reported to the Environment Protection Authority (EPA), with the second incident (Eastern Surge Dam overflow on 4 April 2017) resulting in a formal warning letter from the EPA for a breach of this condition.	Condition O1.1 - Operating Conditions – Activities must be carried out in a competent manner	Noted.	-	-
Low Risk	Non-compliant – During the audit period two incidents were reported to the EPA, with the second incident (Eastern Surge Dam overflow on 4 April 2017) resulting in a formal warning letter from the EPA for a breach of this condition.	Condition O2.1 - Operating Conditions – Maintenance of Plant and Equipment	Noted.	-	-
Low Risk	Non-compliant – During the audit period four ‘dust’ incidents were reported to the EPA, with these incidents resulting in a formal warning letter from the EPA for a breach of this condition.	Condition O3.1 - Operating Conditions – Dust	Noted.	-	-

Administrative	Non-compliance – Identification of the person who collected the sample was not recorded on the field sheet and not recorded in places in the electronic copy	Condition M1.3 - Monitoring and Recording Conditions – Monitoring records	Field sheets do include a section to be completed by the sampling personnel, however, this section may had been not completed on the sample data sheet. No further action is required.	-	-
Low Risk	Non-compliant – The Lead Auditor considers that the current groundwater sampling method employed by NPM is not obtaining a representative sample.	Condition M2.1 - Monitoring and Recording Conditions – Requirement to monitor concentration of pollutants discharged	Review Australian Standard and where appropriate update monitoring method – Work Instruction.	31-Dec-18	In progress
Low Risk	Non-compliant – The Lead Auditor considers that the current groundwater sampling method employed by NPM is not obtaining a representative sample.	Condition M2.2 - Monitoring and Recording Conditions – Requirement to monitor concentration of pollutants discharged	Review Australian Standard and where appropriate update monitoring method – Work Instruction.	31-Dec-18	In progress
Administrative	Non-compliance – NPM did not submit (i.e. supply) the Annual Returns prepared during the audit period to the EPA via eConnect EPA or by registered post.	Condition R1.5 - Reporting Conditions – Annual Return Documents	Unable to demonstrate compliance with this condition, however Annual Returns were submitted and received by the EPA before the required due dates. No further action required.	-	-
Administrative	Non-compliance – GHD’s report was completed on 3 May 2018 and was submitted by NPM to the Dubbo EPA office on 4 May 2018, which was not within the time permitted under this condition.	Condition U1.3 - Pollution Studies and Reduction Programs – Review of Surface Water Management Plan	Noted.	-	-
Administrative	Non-compliance – The Pacific Environment report (dated 29 March 2018) was submitted by NPM to the Dubbo EPA office on 29 March 2018, which was not within the time permitted under this condition.	Condition U2.2 - Pollution Studies and Reduction Programs – Review of Dust Management Plan	Noted.	-	-