



Fairhill Coal Project

Annual Compliance Report – EPBC

2019-8549-2

Period: 15/10/2024 – 15/10/2025

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Declaration of accuracy

In making this declaration, I am aware that sections 490 and 491 of the Environment Protection and Biodiversity Conservation Act 1999 (Cth) (EPBC Act) make it an offence in certain circumstances to knowingly provide false or misleading information or documents. The offence is punishable on conviction by imprisonment or a fine, or both. I declare that all the information and documentation supporting this compliance report is true and correct in every particular. I am authorised to bind the approval holder to this declaration and that I have no knowledge of that authorisation being revoked at the time of making this declaration.

Signed



Full name (please print)

Peter O'Donnell

Position (please print)

General Manager

Organisation (please print including ABN/ACN if applicable)

Futura Mining Services 56 624 476 008

Date

12 / 01 / 2025

1 Introduction

The Fairhill Coal Project operates under the Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act) Approval 2019/8549 and the Environmental Authority (EA) BRID0071 granted under the Environmental Protection Act (EP Act).

Condition 13 of this approval requires an annual compliance report be prepared. This compliance report is for the period 15 October 2024 to 15 October 2025 (the period).

Condition 13 of the approval states;

The approval holder must prepare a compliance report for each 12-month period following the date of commencement of the action, or otherwise in accordance with an annual date that has been agreed to in writing by the Minister. The approval holder must:

- a) publish each compliance report on the website within 60 business days following the relevant 12-month period;*
- b) notify the department by email that a compliance report has been published on the website and provide the weblink for the compliance report within 5 business days of the date of publication;*
- c) keep all compliance reports publicly available on the website until this approval expires;*
- d) exclude or redact sensitive ecological data from compliance reports published on the website; and*
- e) where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the department within 10 business days of publication.*

Note: Compliance reports may be published on the department's website.

The action commenced on the 15th October 2024.

A variation to the conditions was approved on the 3rd June 2025 which then provided a definition of Annual Compliance Report Period:

Annual Compliance Report period means each subsequent 12-month period following the date of this approval decision until the expiry date of this approval, unless otherwise specified in writing by the Minister.

To fulfil the original intent of the condition this report has been prepared for the first 12-month period following the commencement of the action.

The next reporting period will be 15/10/2025 – 03/06/2027 to align with the new definition as well as allow for the initial round of impact monitoring to be completed (Sept-Nov 2026).

This report has been prepared in accordance with the Annual Compliance Report Guidelines (2014).

2 Description of Activities.

2.1 The Project

The Fairhill Coal Project (FCP) includes activities associated with construction, operation, decommissioning, and rehabilitation of the open-cut coal mine and associated infrastructure. These activities include:

- construction of the mine site infrastructure and water management infrastructure;
- construction of a haul road and site access road network;
- construction of associated ancillary facilities including offices, ablutions and workshop facilities;
- extraction of up to approximately 1.7 Mtpa of ROM coal for 7 years;
- temporary storage of ROM coal on site;
- transport of ROM coal via road train to a processing plant off site;
- formation of in-pit and out-of-pit waste dumps; and
- establishment of final landforms and associated drainage for decommissioning and rehabilitation.

The target coal occurs in the Fairhill Formation of the Fort Cooper Coal Measures at a depth favourable to open-cut mining. The mining operation involves mining ROM coal at a maximum rate of up to 1.7 million tonnes per annum (Mtpa) over a seven-year project life.

Initially the project utilised truck-shovel methodology to open up a box cut and the initial strip, from there forward a dozer push methodology will be used to move the bulk of the overburden. This will result in the majority of the waste material staying within the pit footprint and progressively back-filling the pit as mining continues.

Site infrastructure for the FCP includes:

- transportable administration office blocks for personnel;
- transportable ablution facilities;
- surface water and mine-affected water (MAW) management structures (dams);
- maintenance workshop and laydown area;
- warehouse facilities for mining and haulage contractors;
- power generators for workshop (1) and administration facilities (1);
- communications infrastructure including towers and cabling; haul road network, and site access road network; and
- ROM coal stockpile area.

The clearance footprint for the project is 465.18ha. this also relates to the Environmental Authority issued to the project. During the period construction commenced and was finalised and mining commenced. This resulted in 141 ha cleared as shown in Figure 1

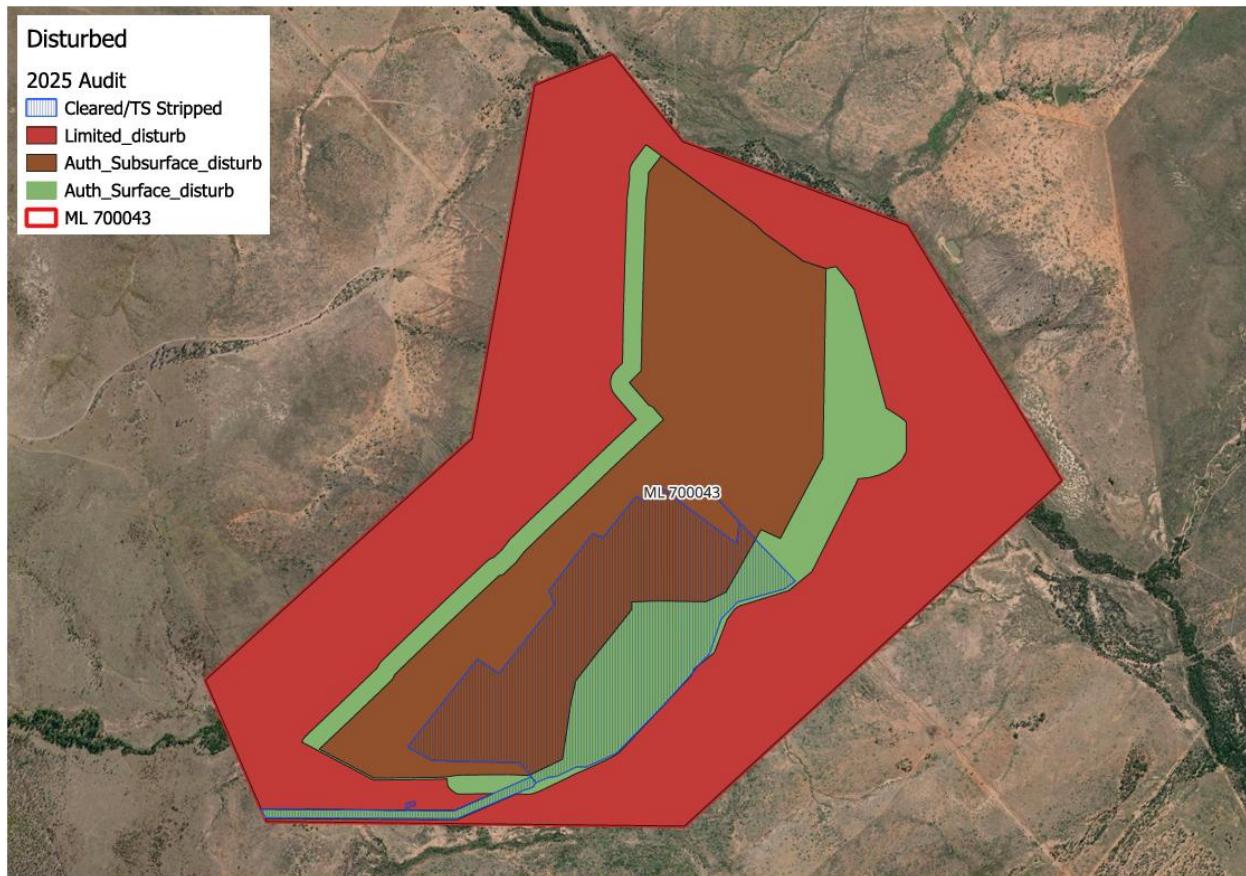


Figure 1: Map showing clearance up to 15/10/2025 and Disturbance Footprint from BRID0071

3 Compliance with Approval Conditions

This report has reviewed the operation for the period for compliance with the EPBC conditions of approval. The following definitions, taken from the Guideline were used during this review.

Compliant ‘Compliance’ is achieved when all the requirements of a condition have been met, including the implementation of management plans or other measures required by those conditions.

Non-compliant A designation of ‘non-compliance’ should be given where the requirements of a condition or elements of a condition, including the implementation of management plans and other measures, have not been met.

Not applicable A designation of ‘not applicable’ should be given where the requirements of a condition or elements of a condition fall outside of the scope of the current reporting period. For example, a condition which applies to an activity that has not yet commenced.

In summary the review indicates that are 20 conditions within the approval. The operation was compliant with 8 conditions, non-compliant with 1 condition and the remainder were not applicable.

See Appendix A for the detail of this review.

3.1 GDEMP Commitments

Condition 2 of the EPBC approval requires that the Approved GDEMP for the project be implemented. In addition, the GDEMP requires an internal annual audit be completed.

A review of the commitments in the GDEMP has been completed utilising the same definitions as above.

In summary the internal audit indicated that there are 18 commitments in the GDEMP. The operation was compliant with 8 commitments, 2 yet to be determined and the remainder were not applicable.

4 Correction Actions

The non-compliance mentioned in this review relates to Condition 7 of the EPBC Approval. It was found that the operation did not notify as required by the condition. This matter has previously been assessed by the Department, and a Warning Letter has been issued. No further corrective actions are required.

5 Environmental Risks

No new risks have been identified during the period.

Appendix A

EPBC Approval Review Table.

CONDITION NUMBER	CONDITION	IS THE PROJECT COMPLIANT WITH THE CONDITION?	EVIDENCE/COMMENTS
1	The approval holder must not clear outside of the project area.	Compliant	Figure 1.
2	The approval holder must submit a Groundwater Dependent Ecosystem Management Plan (GDEMP) for the Minister's approval that ensures there will be no adverse impacts on the biocondition and extent (in hectares) of terrestrial groundwater-dependent ecosystems (GDEs) associated with the alluvium aquifer of Cooroora Creek and Sandy Creek as a result of the action. If the Minister approves the GDEMP then the GDEMP must be implemented.	Compliant	Submitted date: 16 August 2024 Approval date: 23 September 2024 Variation Application Submitted date: 20 March 2025 Approval date: 03 June 2025
3	The approval holder must not commence the action unless the Minister has approved the GDEMP in writing.	Compliant	Notes on GDEMP Implementation in Appendix B. Copy of approved plan attached. Approval date: 23 September 2024
4	The GDEMP must be consistent with the department's Environmental Management Plan Guidelines, and must include: a) The GDEMP environmental objectives, relevant EPBC Act protected matter/s and a reference to EPBC Act approval conditions to which the GDEMP refers b) A table of commitments made in the GDEMP to achieve the objectives, and a reference to where the commitments are detailed in the GDEMP c) Reporting and review mechanisms, and documentation standards to demonstrate compliance with the GDEMP d) An assessment of risks to achieving GDEMP environmental objectives and risk management strategies that will be applied e) Impact avoidance, mitigation and/or repair measures, and their timing f) A monitoring program, which must include: i) measurable performance indicators ii) the timing and frequency of monitoring to detect changes in the performance indicators iii) trigger values for corrective actions	Compliant	GDEMP approved,

CONDITION NUMBER	CONDITION	IS THE PROJECT COMPLIANT WITH THE CONDITION?	EVIDENCE/COMMENTS
5	<p>iv) proposed corrective actions, if trigger values are reached.</p> <p>g) Provide any links to other plans or conditions of approval (including State/Territory approval conditions).</p> <p>If the approval holder detects that a trigger value has been reached or exceeded, the approval holder must report this to the Minister within 5 business days of the detection. Unless evidence can be provided, to the Minister's satisfaction, that the trigger value exceedance is not attributable to mining activities, corrective actions must be implemented within 30 business days of the detection</p>	Not applicable	Not triggered during period.
6	<p>If corrective actions fail to halt or reverse impacts to GDEs within 24 months from the detection of a breached trigger value, and a disturbance threshold has been exceeded, the approval holder must submit a GDE Offset Strategy in accordance with the Environmental offsets policy within 6 months for the written approval of the Minister. The approved GDE Offset Strategy must be implemented within 12 months of submission and for the remaining duration of the approval.</p>	Not applicable	Not triggered during period.
7	<p>The approval holder must notify the department in writing of the date of commencement of the action, within 5 business days of the date of commencement of the action.</p>	Non-compliant	<p>Action commenced 15/10/2024 Department was notified on 21/01/2025. A warning letter was issued in respect to this on the 21/08/2025.</p> <p>No further action taken.</p>
8	<p>If the commencement of the action does not occur within 5 years from the date of this approval, the approval holder must not commence the action without the prior written agreement of the Minister.</p>	Not applicable	Action has commenced.
9	<p>The approval holder must maintain accurate and complete compliance records</p>	Compliant	Records available as evidenced by this report.
10	<p>If the department makes a request in writing for the compliance records, the approval holder must provide electronic copies of the compliance records to the department within the timeframe specified in the request.</p>	Not applicable	Not triggered during period.
11	<p>The approval holder must:</p> <p>a) submit plans electronically to the department;</p> <p>b) publish each plan on the website within 20 business days of the date:</p> <p>i) of this approval, if the version of the plan to be implemented is specified in these conditions; or</p>	Compliant	<p>Plans provided electronically as required by this condition.</p> <p>Plan have been published on the Futura Website:</p>

CONDITION NUMBER	CONDITION	IS THE PROJECT COMPLIANT WITH THE CONDITION?	EVIDENCE/COMMENTS
	<ul style="list-style-type: none"> ii) the plan is approved by the Minister, unless otherwise agreed to in writing by the Minister; c) exclude or redact sensitive ecological data from plans to be published on the website or provided to a member of the public; and d) keep plans published on the website until the end date of this approval. 		FR001_Groundwater-dependent ecosystem (DGE) management plan (MET00292598-022)1
12	<p>The approval holder must ensure that any monitoring data (including sensitive ecological data), surveys, maps, and other spatial and metadata required under all plans is prepared in accordance with the department's Guidelines for biological survey and mapped data (2018), or subsequent revision, and submitted electronically to the department in accordance with the requirements of those plans.</p>	Compliant	Data has been recorded as required for period.
13	<p>The approval holder must prepare a compliance report for each 12-month period following the date of commencement of the action, or otherwise in accordance with an annual date that has been agreed to in writing by the Minister. The approval holder must:</p> <ul style="list-style-type: none"> a) publish each compliance report on the website within 60 business days following the relevant 12-month period; b) notify the department by email that a compliance report has been published on the website and provide the weblink for the compliance report within 5 business days of the date of publication; c) keep all compliance reports publicly available on the website until this approval expires; d) exclude or redact sensitive ecological data from compliance reports published on the website; and e) where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the department within 10 business days of publication. 	Compliant	This report
14	<p>The approval holder must notify the department in writing of any incident; non-compliance with the conditions; or non-compliance with the commitments made in plans. The notification must be given as soon as practicable, and no later than two business days after becoming aware of the incident or non-compliance. The notification must specify:</p> <ul style="list-style-type: none"> a) any condition which is or may be in breach; b) a short description of the incident and/or non-compliance; and c) the location (including co-ordinates), date, and time of the 	Not applicable	Not triggered during period.

CONDITION NUMBER	CONDITION	IS THE PROJECT COMPLIANT WITH THE CONDITION?	EVIDENCE/COMMENTS
	incident and/or non-compliance. In the event the exact information cannot be provided, provide the best information available.		
15	<p>The approval holder must provide to the department the details of any incident or non-compliance with the conditions or commitments made in plans as soon as practicable and no later than 10 business days after becoming aware of the incident or non-compliance, specifying:</p> <ul style="list-style-type: none"> a) any corrective action or investigation which the approval holder has already taken or intends to take in the immediate future; b) the potential impacts of the incident or non-compliance; and c) the method and timing of any remedial action that will be undertaken by the approval holder. 	Not applicable	Not triggered during period.
16	The approval holder must ensure that independent audits of compliance with the conditions are conducted when requested in writing by the Minister.	Not applicable	Not triggered during period.
17	<p>For each independent audit, the approval holder must:</p> <ul style="list-style-type: none"> a) provide the name and qualifications of the independent auditor and the draft audit criteria to the department; b) only commence the independent audit once the audit criteria have been approved in writing by the department; and c) submit an audit report to the department within the timeframe specified in the approved audit criteria. 	Not applicable	Not triggered during period.
18	The approval holder must publish the audit report on the website within 10 business days of receiving the department's approval of the audit report and keep the audit report published on the website until the end date of this approval.	Not applicable	Not triggered during period.
19	The approval holder may, at any time, apply to the Minister for a variation to a plan approved by the Minister, or as subsequently revised in accordance with these conditions, by submitting an application in accordance with the requirements of section 143A of the EPBC Act. If the Minister approves a revised plan the approval holder must then, from the date specified, implement the revised plan in place of the previous plan.	Not applicable	Not triggered during period.
19A	The approval holder may choose to revise a plan required to be implemented under condition 2 without submitting it for approval under section 143A of the EPBC Act, if:	Not applicable	Not triggered during period.

CONDITION NUMBER	CONDITION	IS THE PROJECT COMPLIANT WITH THE CONDITION?	EVIDENCE/COMMENTS
	<p>a) the taking of the action in accordance with the revised plan would be consistent with the approved Action,</p> <p>b) the taking of the action in accordance with the revised plan would be consistent with the conditions attached to this approval,</p> <p>c) the taking of the action in accordance with the revised plan would not be likely to have a new or increased impact, and</p> <p>d) the approval holder notifies the department electronically that it has prepared a revised version of the plan (the 'revised plan').</p> <p>In notifying the department, the approval holder must specify each condition which references the plan and provide the department with:</p> <p>i) an electronic copy of the revised plan</p> <p>ii) an electronic copy of the revised plan marked up with track changes to show the differences between the plan and the revised plan,</p> <p>iii) a comprehensive explanation of all differences between the plan and the revised plan,</p> <p>iv) a declaration that the approval holder has read and understands the Guidance on 'new or increased impact' relating to changes to approved management plans under EPBC Act environmental approvals, Commonwealth of Australia 2017,</p> <p>v) a comprehensive analysis and detailed discussion on the likelihood that taking the action in accordance with the revised plan will not have, or will be not likely to have, a new or increased impact,</p> <p>vi) written notice of the date on which the approval holder will implement the revised plan (the 'revised plan implementation date'), being at least 30 business days after the date of providing notice of the revision of the plan, or a date agreed to in writing with the department, and</p> <p>vii) a copy of the compliance report for the latest Annual Compliance Report period and a statement of any relevant history of compliance (including non-compliance) in</p>		

CONDITION NUMBER	CONDITION	IS THE PROJECT COMPLIANT WITH THE CONDITION?	EVIDENCE/COMMENTS
19B	<p>relation to the plan.</p> <p>The approval holder must commence implementation of the revised plan from the revised plan implementation date unless otherwise notified in writing by the Minister</p> <p>If the Minister notifies the approval holder that the Minister is satisfied that the taking of the action in accordance with a plan which has been revised without submitting it for the Minister's approval would be likely to have a new or increased impact, then:</p> <ul style="list-style-type: none"> a) the approval holder's ability to revise a plan without submitting the plan for Minister approval does not apply, or ceases to apply, in relation to the revised plan, b) the approval holder must implement the plan in force immediately prior to that revised plan or a version of the plan specified by the Minister in the notice, and c) the Minister may also notify that, for a specified period, the approval holder's ability to revise a plan without submitting the plan for Minister approval does not apply for one or more specified plans. 	Not applicable	Not triggered during period.
19C	<p>The approval holder may, at any time by giving written notice to the department, revoke its choice to implement a plan which has been revised without submitting it for the Minister's approval. If the approval holder revokes the choice to implement a revised plan, the approval holder must implement the plan in force immediately prior to that revised plan.</p>	Not applicable	Not triggered during period.
20	<p>Within 30 days after the completion of the action, the approval holder must notify the department in writing and provide the completion data.</p>	Not applicable	Not triggered during period.

Appendix B GDEMP Internal Audit Result

REF	COMMITMENTS	INTERNAL AUDIT RESULT	EVIDENCE/COMMENTS
TABLE 5.1	The mine pit that is ultimately constructed will conform to the original specifications of the drawdown model.	Not applicable	Mine pit construction is not complete
TABLE 5.1	A chain of communication will be implemented to ensure that the pit does not expand beyond its approved boundaries.	Compliant	All disturbance on site is approved through a Ground Disturbance Permit (GDP) process, which requires a map defining the disturbance boundaries and approval from the Environment Community and Approvals Co-ordinator.
TABLE 5.1	The pit will progressively be refilled with waste rock to reduce the total time that drawdown will occur.	Not applicable	Not started in period.
SECTION 6.1	Initial baseline survey(s) will be conducted to assess the health and cover of riparian vegetation prior to the first operational phase monitoring event.	Compliant	Completed for GDEMP compilation on data from 2013 – 2023.
SECTION 6.3	Monitoring of vegetation condition will commence during the construction phase of the FCP, before any significant interference with coal seam aquifers has commenced (i.e., during the operations phase).	Not applicable	Satellite imagery captured for period, full assessment cannot be completed until Sept – Nov 2026 following 12 months of mining.
SECTION 6.3	As there may be long lag times between an action occurring and symptoms appearing in a GDE (Doody et al. 2019), monitoring is to continue for a number of years after operations cease in order to demonstrate that there will be no adverse impacts on terrestrial GDEs.	Not applicable	Not triggered.
SECTION 6.4.2.1	Initial Bio-condition monitoring of Impact and Control sites to be completed within the first optimal survey period (September – October) following commencement of construction.	Compliant	Completed by MEC on 8-9 October 2025. Copy of report attached.
SECTION 6.4.2.1	Bio-condition monitoring to be completed annually following initial survey at same 8 sites.	Not applicable	Due Sept – Nov 2026.
SECTION 6.5	Prepare and implement the following Management Plans: Groundwater Monitoring and Management Plan Water Management Plan	Compliant	Documents available and attached.
SECTION 6.5	Each of the plans and respective management actions are required to be submitted to DESI prior to the commencement of mining activities.	Not applicable	GDEMP to be updated this statement is not correct.

			Management Plans are only to be submitted on request, no request made for period.
SECTION 8.1	Reports on GDE condition (after monitoring). Following each monitoring survey, a brief letter report will be prepared summarising the work completed and any problems encountered;	Compliant	Report for Baseline Bio-condition monitoring provided.
SECTION 8.1 SECTION 8.1	Corrective action and incident trigger communication to authorities; Annual report summarising the works that were completed each year and overall compliance with this GDEMP. A report will be prepared annually, which will provide a detailed summary of monitoring, analysis of results and any corrective actions undertaken. The annual report will assist in evaluating the effectiveness of the management and monitoring program and will provide information on the current status of the riparian vegetation in relation to the FCP;	Not applicable Not applicable	Not triggered. Not triggered, to be completed following first impact monitoring round Sep – Nov 2026.
SECTION 8.1	An annual audit. An internal report will be prepared that lists the tasks undertaken for the year and cross-checks against this GDEMP; and	Compliant	This report.
SECTION 8.1	A Completion Report for when the project has concluded, and GDEs have been monitored for a sufficient time to be certain that ongoing risks are nil.	Not applicable	Not triggered.
SECTION 8.2	A reporting schedule will be documented to include any conditions of approval requiring reporting prior to activity commencing at the FCP.	Compliant	Obligations register in use at Fairhill Coal Project.
SECTION 10	Environmental training relevant to the GDEMP will be facilitated through site inductions and tool box talks.	Compliant	Induction documents
SECTION 10	Copies of the GDEMP will be available on site.	Compliant	GDEMP is available from Environmental Office for any personnel to access.