



2022 ANNUAL COMPLIANCE REPORT

CENTRAL NORTH EXTENSION EPBC 2018/8139

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Document Control

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Abbreviations

CNE	Central North Extension
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EA	Environmental Authority
ERA	Environmentally relevant activity
Jellinbah	Jellinbah Group Pty Ltd
MLs	Mining Leases
PRCP	Progressive Rehabilitation and Closure Plan

Introduction

The 2022 Annual Compliance Report for the Jellinbah Coal Mine, Central North Extension (CNE) has been prepared in accordance with Condition 9 of the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) Approval (EPBC 2018/8139). This report provides the compliance assessment for the reporting period of 24 June 2021 to 24 June 2022.

Scope of work

This report has been prepared in accordance with EPBC Act approval Condition 9 and presents the findings of the annual compliance audit. The scope of the audit included:

- A detailed desktop review of the documentation relevant to the EPBC Act approval; and
- Interviews with key personnel on-site.

In conjunction with regular compliance and environmental inspections, the approved delegate has undertaken site inspections throughout the reporting period to collect and validate evidence of compliance in support of this audit.

Description of activities

An overview of EPBC 2018/8139 project details is outlined in Table 1.

Table 1: Project Details

Matter	Information
EPBC Number	EPBC 2018/8139
Project Name	Jellinbah Coal Mine – Central North Extension
Approval Holder	Jellinbah Group Pty Ltd
ACN of Approval Holder	010 754 793
The Approved Action	To extend mining activities at Jellinbah Coal Mine, the Central North Extension, in central Queensland on mining leases ML 700011, 700012, and 700013; as described in the referral received by the Department on 22 March 2018.
Project Location	30 kilometres (km) north-east of Blackwater and 180 km west of Rockhampton, within the Central Highlands Regional Council area.
Dates for the Reporting Period	24 June 2021 to 24 June 2022

The Jellinbah Coal Mine and CNE is located in the Bowen Basin region of Central Queensland. The Environmental Authority (EA) for the Project (EPML00516813) authorises the environmentally relevant activity (ERA) of mining black coal (ERA 13) under Schedule 3 of the Environmental Protection Regulation 2019. The Project is made up of three active mining areas and two currently inactive mine areas. The active mine areas consist of Jellinbah Central, Jelinbah Central North and Mackenzie North. Jellinbah South and Jellinbah Plains, which were previously mined, remain inactive but will resume activity in the future. CNE was approved on mining leases (MLs) ML 700011, 700012, and 700013 as an expansion of the approved Central North mining area.

As described in the EPBC referral submission, the purpose of CNE is to extend approved mining activities further to the east and expand the area available for spoil dumping and topsoil placement. Economically viable coal resources were identified in a long, narrow section of ML 700011. The approved action involves topsoil stripping as required and prior to mining, with topsoil stockpiles for later use in rehabilitation. Overburden will be relocated from above the coal seams to in-pit dumps and out-of-pit spoil dumps located on site. Development of the Project will involve the construction and operation of access tracks and haul roads, dams for water management, and water management drains.

Jellinbah conducts annual lease audits to monitor and record disturbance areas across the entire mine. Activities undertaken during the reporting period of this Annual Compliance Report included:

- the construction, operation and maintenance of water management infrastructure as per the Water Management Plan (Engeny 2021) including:
 - clean water and sediment dams;
 - sediment drains; and
 - operation of interconnected water management system pipelines.
- vegetation clearing minimised to the extent required for mining activities (ML 700011 and ML 700012);
- use of access tracks and haul roads;
- topsoil stripping and stockpiling (ML 700011 and ML 700012);
- spoil dumping (ML 700011 and ML 700012);
- small laydown areas for equipment required for mining activities (ML 700011 and ML 700012); and
- other areas of disturbance that include indirect disturbance by machinery as a result of construction or rehabilitation works that are undertaken in close proximity (ML 700012).

Conditions and compliance audit

All conditions of the EPBC approval have been considered and addressed in Table 2. If a management plan is required under an approval condition, where applicable the specifics of a management plan that supports the condition are detailed in this compliance report.

Table 2: EPBC 2018/8139 condition compliance status

Condition number	Condition	Compliance	Evidence/comments
Part A – Conditions specific to the action			
1	The action must be undertaken in accordance with the Preliminary Documentation.	C	<p>The action has been undertaken in accordance with the Preliminary Documentation under the EPBC approval, meaning the Central North Extension Preliminary Documentation Ver 2 (dated November 2019).</p> <p>The action has been undertaken to the extent of the activities described in this compliance report. The described activities relate to sections 2.0, 2.3, 2.5, and 11 (including relevant sub-sections) of the Preliminary Documentation.</p>
2	<p>The approval holder must publish on the website the following plans required under Environmental Authority EPML00516813 within 20 business days of the commencement of the action:</p> <ul style="list-style-type: none"> a) Water Management Plan b) Receiving Environment Monitoring Program; and c) Erosion and Sediment Control Plan. 	C	<p>In accordance with this condition, the plans were published on the website and remain available. The Jellinbah website: https://jellinbah.com.au/</p>
3	<p>The approval holder must:</p> <ul style="list-style-type: none"> a) exclude or redact sensitive ecological data from plans published on the website; b) republish plans on the website within 20 business days of when they are revised and updated; c) keep plans published on the website until the completion of the action; and d) where sensitive ecological data is excluded or redacted from plans published on the website, complete versions of plans must be provided to the Department within 5 business days of publication on the website. 	C	<p>The revised and updated Water Management Plan is published on the website. This plan is reviewed and updated on an annual basis, and as such the latest version will be available on the website.</p> <p>Any future revisions of the plans will be republished as required. Plans will remain published on the website until the completion of the action.</p> <p>There is no sensitive ecological data required to be excluded or redacted from the plans.</p>

Condition number	Condition	Compliance	Evidence/comments
4	A copy of the plans required to be published under condition 2 must be provided to the Department on request.	C	On request from the Department, a copy of the plans can be provided.
Part B – Standard administrative conditions			
5	The approval holder must notify the Department in writing of the date of commencement of the action within 5 business days after the date of commencement of the action.	C	The approval holder has notified the Department in a letter dated 24 June 2020 of the commencement of the action, in accordance with this condition.
6	If the commencement of the action does not occur within 5 years from the date of this approval, then the approval holder must not commence the action without the prior written agreement of the Minister.	C	As described above for condition 5 the commencement of the action has occurred as notified.
7	The approval holder must maintain accurate and complete compliance records.	C	It has been verified, through the development of this report, that accurate compliance records required to demonstrate compliance with the conditions of approval are maintained, reviewed and updated as necessary. This includes but is not limited to, all plans required to be published and made available as per the EPBC approval.
8	If the Department makes a request in writing, the approval holder must provide electronic copies of compliance records to the Department within the timeframe specified in the request.	C	On request from the Department, compliance records can be made available.
9(a)	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;	NC	On the 09/10/2024, Jellinbah identified that it had not published annual compliance reports on a website as required by this condition. The reason for the failure was an internal misunderstanding of responsibilities, that has now been corrected. The approval holder will publish the annual compliance reports as soon as possible, and then notify the Department of the publication. Notification of the non-compliance with condition 9(a) has been reported to the Department by the approval holder, as required by the conditions of approval. The notification letter details the corrective measures immediately implemented to ensure no future re-occurrence. This includes; <ul style="list-style-type: none"> • updating internal systems to ensure reporting responsibilities under the EPBC Act are included, and;

Condition number	Condition	Compliance	Evidence/comments
			<ul style="list-style-type: none"> updating reporting obligations and responsibilities in employee inductions.
9(b)	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 five business days of the date of publication;	C	The Department will be notified that the compliance report has been published on the website as soon as possible within five business days following the date of publication. The weblink will also be provided.
9(c)	c) keep all compliance reports publicly available on the website until this approval expires;	C	All compliance reports will remain publicly available on the website until the approval expires.
9(d) and (e)	<p>d) exclude or redact sensitive ecological data from compliance reports published on the website; and</p> <p>e) where any sensitive ecological data has been excluded from the version published, submit the full compliance report to the Department within 5 business days of publication.</p>	NA	There is no sensitive ecological data required to be excluded or redacted from the plans.
10	<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> <p>a) any condition which is or may be in breach;</p> <p>b) a short description of the incident and/or non-compliance; and</p> <p>c) the location (including co-ordinates), date, and time of the incident and/or non-compliance. In the event the exact information cannot be provided, provide the best information available.</p>	C	In accordance with condition 10, the Department has been notified in writing of non-compliance with condition 9 of the approval. The notification letter provided includes all the required information to be specified.
11	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	C	The Department has been provided with the details of non-compliance with condition 9. The notification letter has specified the corrective actions that have been implemented and those that will take place in the immediate future. This includes

Condition number	Condition	Compliance	Evidence/comments
	<p>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. 		
12	<p>The approval holder must ensure that independent audits of compliance with the conditions are conducted when requested in writing by the Minister.</p>	NA	<p>No request by the Minister has been made in this reporting period for an independent audit. However, this condition will be complied with as required an audit be requested in writing by the Minister.</p>
13	<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. 	NA	<p>As mentioned above, an independent audit has not been requested. If an audit is requested, Jellinbah will ensure and demonstrate compliance with this condition.</p>
14	<p>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.</p>	NA	<p>Jellinbah will comply with this condition if an audit report is requested. An audit has not been requested within the reporting period relevant to this annual compliance report.</p>
15	<p>Within 30 days after the completion of the action, the approval holder must notify the Department in writing and provide completion data.</p>	NA	<p>Completion of the action, as defined under the EPBC approval conditions, has not occurred. Jellinbah will comply with this condition as required.</p>

New environmental risks

No new environmental risks have been identified during the reporting period. The activities that have been undertaken as described in this compliance report have been completed following the Preliminary Documentation and plans, conditions and commitments within those plans, required under the EPBC approval. All activities also comply with the Project EA conditions, and the Progressive Rehabilitation and Closure Plan (PRCP) approved for the Project.

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: Nigel Ryan

Position: Environmental Superintendent

Organisation: Jellinbah Group Pty Ltd; ACN 010 754 793

Date: 14/10/2024

References

Department of Agriculture, Water and the Environment (DAWE) 2018, *Approval Jellinbah Coal Mine – Central North Extension, Queensland (EPBC 2018/8139)*

Engeny Australia Pty Ltd (Engeny) 2021, *Jellinbah Mine Water Management Plan*, Prepared 8 December 2021

