

Compliance report

Sonoma Coal Mine, Queensland
EPBC 2011/5800

1 December 2018 to 30 November 2019



30 November 2019

Document version control

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1 Introduction

The Sonoma Coal Mine (SCM) is an open cut coal mine located in the northern Bowen Basin, approximately six (6) km south of the town of Collinsville, operated by Sonoma Mine Management Pty Ltd (SMM). SMM was granted approval to divert a stretch of Coral Creek by EPBC Approval 2011/5800 (the Approval), under section 130(1) and 133 of the *Environment Protection & Biodiversity Conservation Act 1999* on 7 February 2013, with a variation to the approval granted on 30 June 2014. Construction of the Coral Creek Diversion was completed in November 2018.

The approval is subject to sixteen (16) conditions and remains in effect until 30 December 2032. This compliance report is required by Condition 15 of the approval and has been prepared for the Commonwealth Department of the Environment and Energy (DotEE). The reporting period for this compliance report is 1 December 2018 to 30 November 2019.

The approved action is as follows:

Approved action:

To extend the northern reach of the open-cut pit of the Sonoma Coal Mine, including the diversion of Coral Creek, 6 kilometres south of Collinsville, Queensland.

The EPBC Act approval decision encompasses the following controlling provisions:

Controlling Provision

Decision

Listed threatened species and communities (sections 18 & 18A)

Approve

1.1 Sonoma Coal Mine corporate details

The SCM is a joint venture between QCoal Sonoma Pty Ltd (QCoal), JS Sonoma Pty Ltd, CSC Sonoma Pty Ltd, and Watami (Qld) Pty Ltd. QCoal is a privately-owned Queensland company based in Brisbane and has been active in the Queensland coal exploration and mining industry since 1989. JS Sonoma Pty Ltd is a subsidiary of JFE Shoji Trade Corporation (a JFE Holdings subsidiary), and CSC Sonoma Pty Ltd is a subsidiary of China Steel Corporation.

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1.2 Description of activities

The SCM is an open-cut mining operation located in the northern Bowen Basin, approximately 6 km south of the township of Collinsville, and is accessed via the State-controlled Bowen Development Road. The abutting rail line, the Newlands System, connects the SCM to the Port of Abbot Point where all coal products are shipped to international customers (see **Figure 1**).

The SCM is permitted to extract up to 6.5 million tonnes per annum (Mtpa) of run-of-mine (ROM) coal to produce coking and thermal coal products for the export market. The SCM operates 24 hours a day, 7 days a week.

The main stratigraphic unit of interest is the Moranbah Coal Measures, which are part of the Blackwater Group. The Moranbah Coal Measures are characterised by seven persistent coal seams. All coal seams are potentially economic.

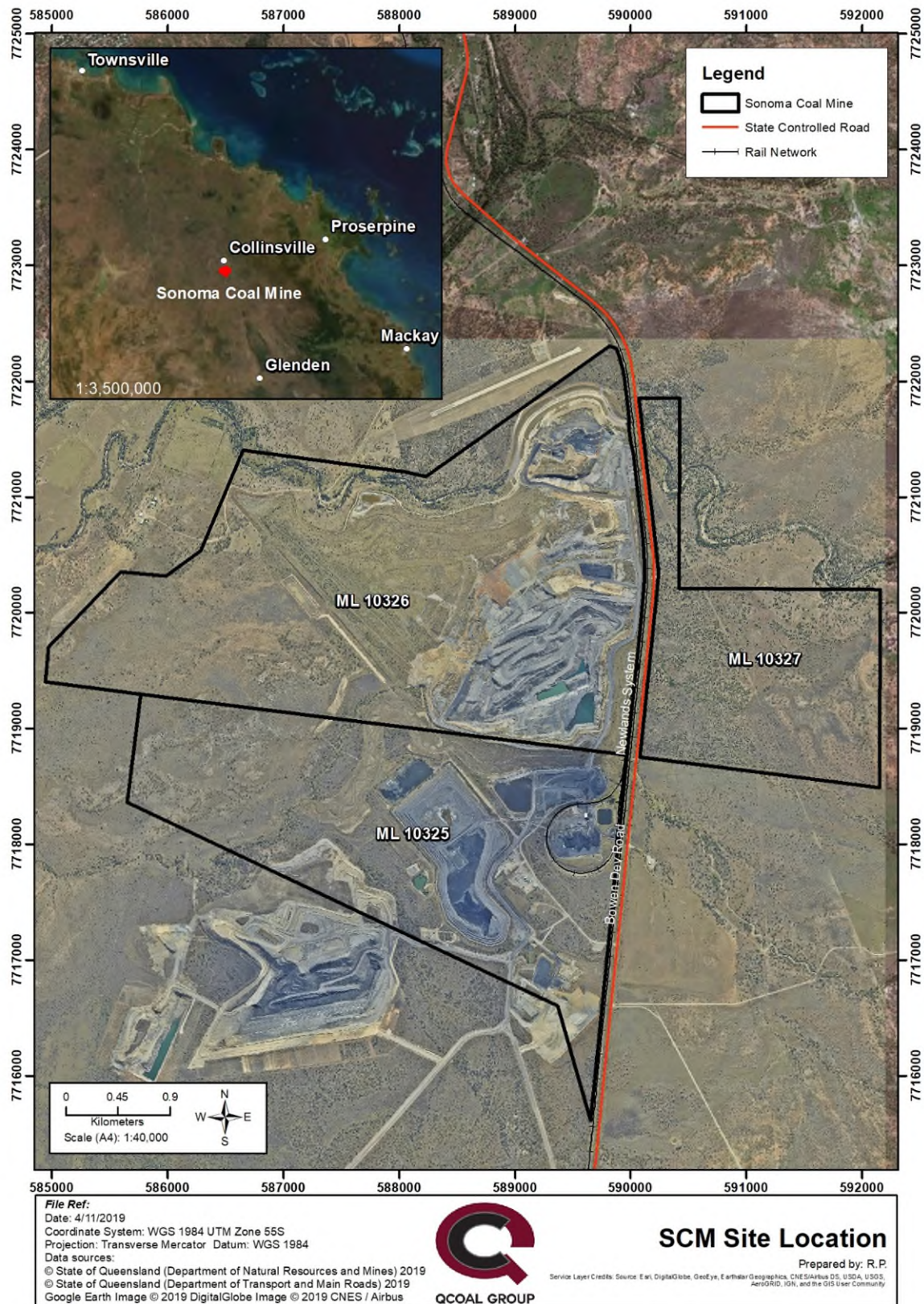


Figure 1 – Sonoma Coal Mine location

2 EPBC approval conditions compliance table

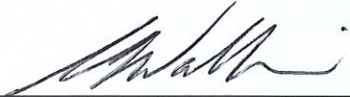
The conditions attached to the varied approval granted on 30 June 2014 are replicated in **Table 1** and a statement of compliance for each condition is included. A copy of the approval is provided as **Appendix A**.

1.3 Declaration of accuracy

As recommended in section 3.1 of the *Annual Compliance Report Guidelines* (DotE 2014), the following declaration of accuracy is provided by the approval holder.

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: Christopher Ian Wallin

Position: Director

Organisation: QCoal Sonoma Pty Ltd ABN 72 117 116 784

Date: _____



Table 1 – EPBC approval conditions compliance table

Condition number/ reference	Condition	Is the project compliant with this condition?	Evidence/comments
1	For the protection of black ironbox , the person taking the action must not clear more than 13 hectares or 160 individuals of black ironbox .	Compliant	The area cleared for the diversion of Coral Creek did not cover more than 13 hectares or 160 individual Black Ironbox.
2	The person taking the action must undertake the planned diversion of Coral Creek in accordance with statutory approvals issued under the <i>Environmental Protection Act 1994</i> (Qld) and <i>Water Act 2000</i> (Qld).	Compliant	The diversion of Coral Creek was undertaken in accordance with conditions of the Queensland Department of Environment and Science Environmental Authority EPML00707713.
3	The person taking the action must within six (6) months of the date of this approval, establish within ML 10326 and ML 10327 the “Coral Creek Riparian Zone”, being an area of not less than 40 hectares and carrying no fewer than 400 naturally occurring black ironbox trees. Mining activity must be excluded from the Coral Creek Riparian Zone, including through the establishment of a fenced buffer to protect the true riparian zone to a distance of 60 metres from the high bank of Coral Creek.	Compliant	The Coral Creek Riparian Zone covers 40 ha of Coral Creek, which contained approximately 432 Black Ironbox as identified in the initial 2010 survey and verified during the 2015 survey. Mining activities are excluded from the zone, and the buffer is either fenced or otherwise inaccessible.
4	The person taking the action must within three (3) years of the date of this approval establish no fewer than 500 black ironbox plants within the Coral Creek Riparian Zone, to be managed in accordance with the care, monitoring and reporting provisions of the management plan described in Condition 5.	Compliant	Five hundred (500) Black Ironbox saplings were planted within the Coral Creek Riparian Zone (CCRZ) in 2013 and early 2014. 1,092 Black Ironbox individuals (including 299 juveniles) were observed in the November 2019 Black Ironbox survey. This indicates a robust, self-sustaining, and growing population of Black Ironbox in the CCRZ as a result of ongoing management actions. This has been observed in spite of a significant Force Majeure event in 2017 (Tropical Cyclone Debbie), which resulted in the removal of more than 400 juveniles from the population.

5	<p>The person taking the action must prepare a Coral Creek Riparian Zone management plan, with the objective of indefinitely sustaining a healthy population of black ironbox within the zone in support of the VDec described in Condition 6. The plan must include a map and be accompanied by a shapefile that addresses at least the following matters:</p> <ul style="list-style-type: none"> a) access, signage and fencing; b) fire management; c) browsing management; d) weed management; e) erosion control; f) hydrology; g) early establishment care of any seedlings or translocated plants; h) monitoring and reporting on the health of the black ironbox population including in particular, survival and recruitment; and i) performance measures and responses. <p>The plan must identify timing, funding and roles and responsibilities in relation to specific tasks as outlined above.</p> <p>Within six (6) months of the date of this approval, the person taking the action must submit the plan to the minister for approval. When approved, the plan must be implemented.</p>	Compliant	<p>The <i>Sonoma Coal Mine Coral Creek Riparian Zone Management Plan</i> (CCRZMP), dated 12 June 2014, was approved by delegate to the Minister, Deb Callister, on 30 June 2014.</p>
6	<p>To secure the Coral Creek Riparian Zone, the person taking the action must, by 30 September 2014, make application for a voluntary declaration (VDec) under the <i>Vegetation Management Act 1999</i> (Qld) to provide enduring protection for the Coral Creek Riparian Zone from future mining, agriculture and other land clearing or</p>	Compliant	<p>The Voluntary Declaration (Ref 2014/009178) was certified by DNRN on 6 August 2015.</p>

	development activities. The management plan required as part of a VDec application must be the management plan approved under Condition 5, or a similar management plan approved by the minister prior to the action.		
7	If for any reason a VDec cannot be established in relation to the Coral Creek Riparian Zone, the person taking the action must cease the approved action until alternative legal protection has been agreed to the satisfaction of the minister .	Not applicable	A VDec has been established for the Coral Creek Riparian Zone.
8	Within thirty (30) days after the commencement of the action, the person taking the action must advise the department in writing of the actual date of commencement .	Compliant	The action commenced on 6 February 2018, and the department was notified of commencement on 8 March 2018, within the 30-day notification timeframe.
9	If, at any time after five (5) 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 within the written agreement of the minister .	Not Applicable	The activity substantially commenced on 6 February 2018, within the five-year timeframe.
10	Unless otherwise agreed in writing by the minister , the person taking the action must publish all management documents referred to in the conditions of this approval on their website, within thirty (30) days of being approved. A management document must be published in a specified location or format and/or with specified accompanying text, if requested by the minister .	Compliant	The <i>Sonoma Coal Mine Coral Creek Riparian Zone Management Plan</i> is published on the QCoal Publications page (qcoal.com.au/publications/) and can be found at the following specific location: qcoal.com.au/wp-content/uploads/2018/03/Sonoma-Coal-Mine-Coral-Creek-Riparian-Zone-Management-Plan.pdf
11	If the person taking the action wishes to carry out any activity otherwise than in accordance with a management document as specified in the conditions of this approval, the person taking the action must submit to the	Not applicable	The activities are carried out in accordance with the Coral Creek Riparian Zone Management Plan.

	<p>department for the minister's written approval a revised version of that management document. The varied activity shall not commence until the minister has approved the varied management document in writing. The minister will not approve a varied management document unless the revised management document would result in an equivalent or improved environmental outcome over time. If the minister approves the revised management document, that management document must be implemented in place of the management document originally approved.</p>		
12	<p>If the minister believes that it is necessary or convenient for the better protection of listed threatened species and communities to do so, the minister may request that the person taking the action make specific revisions to a management document specified in the conditions of this approval and submit the revised management document for the minister's written approval. The person taking the action must comply with any such request. The revised approved management document must be implemented. Unless the minister has approved the revised management document, then the person taking the action must continue to implement the management document originally approved, as specified in the conditions of this approval.</p>	Not applicable	The minister has not requested any revisions to the Coral Creek Riparian Zone Management Plan to date.
13	<p>The person taking the action must maintain accurate records substantiating all activities associated with or relevant to the conditions of this approval, including measures taken to implement management documents required by this approval, and make them available upon request to the department. Such records may be subject to audit by the department or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of this approval. Summaries of audits will be posted on the department's</p>	Compliant	Records substantiating activities associated with, or relevant to, the conditions of this approval are made available to the department upon request.

	website. The results of audits may also be publicised through the general media.		
14	<p><i>The person taking the action</i> must, when first becoming aware of a non-compliance with the conditions of this approval or a <i>management document</i>:</p> <ul style="list-style-type: none"> a) report the non-compliance to <i>the department</i> within five (5) business days; b) discuss with <i>the department</i> how the matter may be brought into compliance within a reasonable timeframe; and c) comply with any consequent written direction from <i>the minister</i> regarding the matter. 	Compliant	To date, SMM has complied with the conditions of this approval and the Coral Creek Riparian Zone Management Plan.
15	By 30 November of each year after the <i>commencement</i> of the action, <i>the person taking the action</i> must publish a report on their website addressing compliance (including any non-compliance) with the conditions of this approval, including implementation of any <i>management documents</i> , since the previous compliance report.	Compliant	Publication and submission of this compliance report will be undertaken on 30 November 2019.
16	Upon the direction of <i>the minister</i> , <i>the person taking the action</i> must ensure that an independent audit of compliance with the conditions of the approval is conducted (at the expense of <i>the person taking the action</i>) and a report submitted to <i>the department</i> . The independent auditor and audit criteria must be approved by <i>the minister</i> prior to the <i>commencement</i> of the audit. The audit report must address the criteria to the satisfaction of <i>the minister</i> .	Not applicable	The Minister has not required an independent audit of compliance with the conditions of the approval to date.

Appendix A Approval, 30 June 2014



Australian Government
Department of the Environment

Variation of conditions attached to approval

Sonoma Coal Mine expansion – Coral Creek diversion, near Collinsville, Queensland
(EPBC 2011/5800)

This decision is made under Section 143 of the *Environment Protection and Biodiversity Conservation Act 1999*.

Approved action

person to whom the approval is granted	Sonoma Mine Management Pty Ltd
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ACN	124 677 443
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approved action	to extend the northern reach of the open-cut pit of the Sonoma Coal Mine, including the diversion of Coral Creek, 6 kilometres south of Collinsville, Queensland (see referral EPBC 2011/5800)
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Variation

details of the variation	<p>The approved variation is to change Condition 6 from:</p> <p>To secure the Coral Creek Riparian Zone, the person taking the action must, within twelve (12) months of the date of this approval, make application for a voluntary declaration (VDec) under the <i>Vegetation Management Act 1999</i> (Qld) to provide enduring protection for the Coral Creek Riparian Zone from future mining, agriculture and other land clearing or development activities. The management plan required as part of a VDec application must be the management plan approved under Condition 5, or a similar management plan approved by the minister prior to the application.</p> <p>to:</p> <p>To secure the Coral Creek Riparian Zone, the person taking the action must, by 30 September 2014, make application for a voluntary declaration (VDec) under the <i>Vegetation Management Act 1999</i> (Qld) to provide enduring protection for the Coral Creek Riparian Zone from future mining, agriculture and other land clearing or development activities. The management plan required as part of a VDec application must be the management plan approved under Condition 5, or a similar management plan approved by the minister prior to the application.</p>
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Complete revised conditions of approval are provided at Annexure 1.

date of effect the variation has effect from the date this notice is signed

Decision-maker

name and position Deb Callister
Assistant Secretary
Queensland and Sea Dumping Assessment Branch

signature



date of decision 30 June 2014

Annexure 1 – Conditions attached to the approval

Scope of proposal

1. For the protection of **black ironbox**, **the person taking the action** must not clear more than 13 hectares or 160 individuals of **black ironbox**.

Coral Creek diversion

2. The person taking the action must undertake the planned diversion of Coral Creek in accordance with statutory approvals issued under the *Environmental Protection Act 1994* (Qld) and *Water Act 2000* (Qld).

Biodiversity offsets

3. The person taking the action must within six (6) months of the date of this approval, establish within **ML10326** and **ML10327** the "Coral Creek Riparian Zone", being an area of not less than 40 hectares and carrying no fewer than 400 naturally occurring **black ironbox** trees. Mining activity must be excluded from the Coral Creek Riparian Zone, including through the establishment of a fenced buffer to protect the true riparian zone to a distance of 60 metres from the high bank of Coral Creek.
4. **The person taking the action** must within three (3) years of the date of this approval establish no fewer than 500 **black ironbox** plants within the Coral Creek Riparian Zone, to be managed in accordance with the care, monitoring and reporting provisions of the management plan described in Condition 5.
5. **The person taking the action** must prepare a Coral Creek Riparian Zone management plan, with the objective of indefinitely sustaining a healthy population of **black ironbox** within the zone in support of the VDec described in Condition 6. The plan must include a map and be accompanied by a **shapefile** and must address at least the following matters:
 - a) access, signage and fencing;
 - b) fire management;
 - c) browsing management;
 - d) weed management;
 - e) erosion control;
 - f) hydrology;
 - g) early establishment care of any seedlings or translocated plants;
 - h) monitoring and reporting on the health of the **black ironbox** population including in particular, survival and recruitment; and
 - i) performance measures and responses.

The plan must identify timing, funding and roles and responsibilities in relation to specific tasks as outlined above.

Within six (6) months of the date of this approval, **the person taking the action** must submit the plan to **the minister** for approval. When approved, the plan must be implemented.

6. To secure the Coral Creek Riparian Zone, **the person taking the action** must, by 30 September 2014, make application for a voluntary declaration (VDec) under the *Vegetation Management Act 1999* (Qld) to provide enduring protection for the Coral Creek Riparian Zone from future mining, agriculture and other land clearing or development

activities. The management plan required as part of a VDec application must be the management plan approved under Condition 5, or a similar management plan approved by *the minister* prior to the application.

7. If for any reason a VDec cannot be established in relation to the Coral Creek Riparian Zone, *the person taking the action* must cease the approved action until alternative legal protection has been agreed to the satisfaction of *the minister*.

Standard and administrative conditions

8. Within thirty (30) days after the **commencement** of the action, the person taking the action must advise the department in writing of the actual date of **commencement**.
9. If, at any time after five (5) 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*.
10. Unless otherwise agreed to in writing by *the minister*, *the person taking the action* must publish all **management documents** referred to in the conditions of this approval on their website, within thirty (30) days of being approved. A **management document** must be published in a specified location or format and / or with specified accompanying text, if requested by *the minister*.
11. If *the person taking the action* wishes to carry out any activity otherwise than in accordance with a **management document** as specified in the conditions of this approval, *the person taking the action* must submit to *the department* for *the minister's* written approval a revised version of that **management document**. The varied activity shall not commence until *the minister* has approved the varied **management document** in writing. *The minister* will not approve a varied **management document** unless the revised **management document** would result in an equivalent or improved environmental outcome over time. If *the minister* approves the revised **management document**, that **management document** must be implemented in place of the **management document** originally approved.
12. If *the minister* believes that it is necessary or convenient for the better protection of listed threatened species and communities to do so, *the minister* may request that *the person taking the action* make specified revisions to a **management document** specified in the conditions of this approval and submit the revised **management document** for *the minister's* written approval. *The person taking the action* must comply with any such request. The revised approved **management document** must be implemented. Unless *the minister* has approved the revised **management document**, then *the person taking the action* must continue to implement the **management document** originally approved, as specified in the conditions of this approval.
13. *The person taking the action* must maintain accurate records substantiating all activities associated with or relevant to the conditions of this approval, including measures taken to implement **management documents** required by this approval, and make them available upon request to *the department*. Such records may be subject to audit by *the department* or an independent auditor in accordance with section 458 of the EPBC Act, or used to verify compliance with the conditions of this approval. Summaries of audits will be posted on *the department's* website. The results of audits may also be publicised through the general media.

14. **The person taking the action** must, when first becoming aware of a non-compliance with the conditions of this approval or a **management document**:
 - a) report the non-compliance to **the department** within five (5) business days;
 - b) discuss with **the department** how the matter may be brought into compliance within a reasonable timeframe; and
 - c) comply with any consequent written direction from **the minister** regarding the matter.
15. By 30 November of each year after the **commencement** of the action, **the person taking the action** must publish a report on their website addressing compliance (including any non-compliance) with the conditions of this approval, including implementation of any **management documents**, since the previous compliance report.
16. Upon the direction of **the minister**, **the person taking the action** must ensure that an independent audit of compliance with the conditions of this approval is conducted (at the expense of **the person taking the action**) and a report submitted to **the department**. The independent auditor and audit criteria must be approved by **the minister** prior to the **commencement** of the audit. The audit report must address the criteria to the satisfaction of **the minister**.

Definitions applying to the conditions

Black ironbox is the tree species, *Eucalyptus raveretiana* F.Muell.

Clearance of native vegetation means the complete or partial removal, by any means, of plants native to the site of the action. Note that native vegetation can include grasslands.

Commencement and **substantial commencement** of the action both include any mining activity within the footprint of the approved extension and / or the construction of any infrastructure associated with the proposed action, excluding signage, fencing, and the construction of unsealed roads not requiring **clearance of native vegetation**.

The **EPBC Act** is the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*.

Management documents are any plans, strategies, reports or other documents required by the conditions of this approval that direct or report on management arrangements for the proposal. To avoid any doubt, multiple **management documents** (including those required under a state approval) may be combined, provided that **the person taking the action**, when submitting the documents, explains how they have been arranged.

Matters of national environmental significance are as defined in the EPBC Act, and include **listed threatened species and communities**.

ML10326 and **ML10327** are mining leases issued by the Queensland Government and known by those names.

Offset means "compensate for", and is interpreted in light of the *Environment Protection and Biodiversity Conservation Act 1999 Environmental Offsets Policy*, October 2012.

A **shapefile** is an ESRI Shapefile, containing .shp, .shx and .dbf files and other files capturing attributes including at least the EPBC reference number of the proposal and matters of national environmental significance present at the relevant site. Attributes should also be captured in .xls format.

The department is the Australian Government department administering the **EPBC Act**.

The minister is the Australian Government minister administering the **EPBC Act** and includes delegates of **the minister** as established by a relevant legal instrument.