



Baralaba Coal Mine

TRAIN LOAD OUT ANNUAL COMPLIANCE REPORT

2016

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1 Background

Baralaba Coal Company Limited (BCCL) submitted a referral to the Department of the Environment (DotE) regarding the construction of a Train Load Out (TLO) approximately 3 kilometers to the east of the township of Moura in Central Queensland. In late 2012 it was communicated that the proposed development was assessed as a 'controlled action' under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act), meaning that the proposed development would be subject to an assessment under the EPBC Act.

On the 4th of September 2014 DotE approved the controlled action (EPBC2012/6548) with 10 conditions of approval, of which one requires that -

Condition 5. Within 3 months of every 12 month anniversary of the commencement of the action, the approval holder must publish a report on their website for the life of the approval addressing compliance with each of the conditions of the approval, including implementation of the management plan specified in condition 2. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published.

The action commenced on Thursday 2 October 2014, with the commencement of clearing works to facilitate construction of the TLO. This report has been produced to meet the above requirement from the DotE approval.

2 Compliance with Conditions of the DotE Controlled Action Approval Conditions.

Attachment 1 shows each of the 10 approval conditions with details of the associated compliance evidence or action taken to achieve compliance. The same is provided in Attachment 2 in relation to the Management Actions outlined in the Ornamental Snake Mitigation and Management Plan which is referred to in the DotE approval condition 2.

There has been no instance of a non-compliance event at the TLO in the reporting period. This is not unexpected given the TLO is yet to be fully commissioned and operated for the designed purpose of loading coal trains.

3 Environmental Studies Completed for the TLO and Associated Haul Route

Below is the list of studies and management plans that have been completed for the Train Load Out. The Ornamental Snake Mitigation and Management Plan Baralaba Train Load Out Facility, is of particular relevance to the DotE approval as it is referenced in condition 2.

Condition 2 To avoid, mitigate and manage impacts to the Ornamental Snake (Denisonia maculata) and its habitat, the approval holder must undertake the approved action in accordance with the Ornamental Snake Mitigation and Management Plan Baralaba Train Load Out Facility (August 2014).

- Ornamental Snake Mitigation and Management Plan Baralaba Train Load Out Facility, EcoSM August 2014
- Baralaba Mine TLO Facility and Haul Route Species Management Program – NC Act Listed Fauna, EcoSM updated in April 2015 to reflect EHP Conditions
- Assessment of Gilgai Areas Surface Water Flows Impacts - Baralaba Mine Expansion Train Load Out Facility, Engeny April 2014
- Baralaba Train Load Out Facility Preliminary Documentation, EcoSM June 2014
- Assessment of Proposed Coal Stockpile Stormwater Quality Controls at Baralaba Mine Expansion TLO Facility, Engeny June 2013
- Baralaba Train Load-Out and Rail Loop Terrestrial Flora Assessment, RPS March 2013
- Baralaba Train Load-Out and Rail Loop Terrestrial Fauna Assessment, RPS April 2013
- Cockatoo Coal Train Load Out Facility – Aquatic Values and Impacts Report, BMT WBM June 2013
- Baralaba Mine Train Load Out Facility Revised Air Quality Impact Assessment, ASK April 2015

- Baralaba Mine Train Load Out Facility Noise Impact Assessment, ASK March 2015
- Train Load Out Facility Impact Management Plan and Offset Delivery Strategy, EcoSM July 2014
- Cockatoo Coal – Stormwater Management Plan Baralaba Mine Train Load Out Site, Engeny August 2014
- Cockatoo Coal Construction Environmental Management Plan Train Load Out, Cockatoo Coal Ltd July 2014
- Assessment of Matters of National Environmental Significance – Baralaba Train Load Out and Rail Loop, RPS 2013).

4 Environmental Incidents

In the first 12 months of the implementation of the DotE controlled action approval, there was one environmental incident. This incident was reported to DotE at the time, in accordance with approval condition 10. The incident related to vegetation clearing that was completed in a manner that was not consistent with the requirements of the Ornamental Snake Mitigation and Management Plan (a breach of approval condition 2) and was not contained within the designated 'project area' (a breach of approval condition 1). Following the submission of additional information by BCCL and investigation by DotE, DotE advised on the 23rd of December 2014 that as the incident was reported as required in the approval conditions, and there was no significant impact on Ornamental Snakes, no further action would be taken by DotE.

To date, this has been the only breach of the DotE approval conditions. There have been no incidents in the 2016 reporting period.

ATTACHEMENT 1 - Department of the Environment Approval Conditions and Associated Actions

Condition/ Commitment reference	Condition/Commitment	Actions	Complete?	Details
1	The project area is designated as the Property Extent at Appendix 1.	Ensure all works are confined to the approved project area	Yes	Works have been completed within the Property Extent with the exception of minor unauthorised clearing which was undertaken outside this area in 2014. This incident was reported to DotE as required under Condition 10 and deemed to not constitute a significant impact.
2	To avoid, mitigate and manage impacts to the Ornamental Snake (<i>Denisonia maculata</i>) and its habitat, the approval holder must undertake the approved action in accordance with the <i>Ornamental Snake Mitigation and Management Plan Baralaba Train Load Out Facility</i> (August 2014).	Include requirements of the Mitigation and Management Plan in this Commitments Register	Yes	Commitments of Mitigation and Management Plan are part of this register and audit requirements. Details of compliance with this Management Plan are provided in Attachment 2 of this Report.
3	Within 30 calendar days after the commencement of the action, the approval holder must advise the Department in writing of the actual date of commencement.	Send written notification to DotE of commencement of clearing works, including indicative schedule of works and operations	Yes	Notification of the commencement of works was provided to DotE on 3/10/2014.

4	<p>The approval holder must maintain accurate records substantiating all activities associated with or relevant to the conditions of approval, including measures taken to implement the management plan referenced in condition 2 of 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 approval. Summaries of audits will be posted on the Department's website. The results of audits may also be publicized through the general media.</p>	<p>Include monitoring and reporting requirements of the Mitigation and Management Plan in this Commitments Register</p>	<p>Yes</p>	<p>Commitments of Mitigation and Management Plan are part of this register and audit requirements.</p>
5	<p>Within three months of every 12 month anniversary of the commencement of the action, the approval holder must publish a report on their website for the life of the approval addressing compliance with each of the conditions of this approval, including implementation of the management plan specified condition 2. Documentary evidence providing proof of the date of publication and non-compliance with any of the conditions of this approval must be provided to the Department at the same time as the compliance report is published.</p>	<p>Prepare report on compliance with conditions</p>	<p>Yes</p>	<p>Final draft completed 19/12/16</p>
6	<p>Upon the direction of the Minister, the approval holder 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.</p>	<p>Carry out independent audit of compliance with the conditions of approval and submit report.</p>	<p>N/A</p>	<p>Direction for an independent audit of compliance with the conditions of this approval has not been received in the reporting period.</p>

7	If the Minister believes that it is necessary or convenient for the better protection of listed threatened species and ecological communities to do so, the Minister may request that the approval holder make specified revisions to the management plan specified in condition 2.	Make amendments requested by the Minister	N/A	A request from the Minister to revise the approved management plan has not been received in the reporting period.
8	If at any time after five years from the date of this approval, the approval holder has not substantially commenced the action, then the approval holder must not substantially commence the action without the written agreement of the Minister	Substantially commence the approved action	Yes	Construction of the TLO Facility commenced on 2 October 2014. Operations are expected to commence in mid 2017.
9	Unless otherwise agreed to in writing by the Minister, the approval holder must publish all management plans referred to in these conditions of approval on their website. Each management plan must be published on the website within 1 month of being approved by the Minister and remain on the website for the life of the approval.	Publish the <i>Ornamental Snake Mitigation and Management Plan Baralaba Train Load Out Facility</i> (August 2014) on the Baralaba Coal website	Yes	The <i>Ornamental Snake Mitigation and Management Plan Baralaba Train Load Out Facility</i> (August 2014) is available on the www.baralabacoal.com.au website.

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The approval holder must notify the Department in writing of potential non-compliance with any conditions of this approval as soon as practical and within no later than ten business days of becoming aware of the potential non-compliance. The notice provided to the Department under this condition must specify: a) The condition which the approval holder has potentially breached b) The nature of the potential non-compliance c) When and how the approval holder became aware of the non-compliance d) How the non-compliance will affect the approved action e) How the non-compliance will affect the anticipated impacts of the approved action, in particular how the non-compliance will affect the impacts on the matters of national environmental significance f) The measures the approval holder will take to address the impacts of the non-compliance on the matters of national environmental significance and rectify the non-compliance g) The time by when the approval holder will rectify the non-compliance

Notify the Department of non-compliance

Yes

An incident involving minor unauthorised clearing occurred in October 2014. This incident was reported to DotE as required under Condition 10 and deemed to not constitute a significant impact. DotE required no further action in relation to this incident. There have been no repeats or other incidents since.

ATTACHEMENT 2 – Ornamental Snake Mitigation and Management Plan Actions

Condition/Commitment	Actions	Complete?	Details
<p>A pre-clearing survey targeting the Ornamental Snake will be conducted by a suitably qualified ecologist over 5 nights within the proposed disturbance footprint immediately prior to clearing to capture snakes from the proposed disturbance footprint and relocate these snakes to similar habitat on or immediately adjacent to the site but a minimum of 500 m from the area to be disturbed.</p> <p>The survey will involve 8 sites across high quality and medium quality habitat to be disturbed, involving 4 pitfall traps and 3 pairs of funnel traps as well as a minimum of 1 person hour of active searching and 4 person hours of spotlighting each night over a minimum of 4 nights to capture and relocate snakes.</p> <p>The possibility of radio tracking a proportion of relocated snakes to assess the success of relocation will also be investigated.</p>	<p>Engage ecologist for pre-clearance survey</p>	<p>Yes</p>	<p>Pre-clearance survey was completed over five nights from 25 September to 1 October 2014.</p>
<p>A pre-clearing inspection will be undertaken by a spotter/catcher within 24 hours of clearing works, including progress clearing activities.</p> <p>The inspection will be undertaken in accordance with the requirements of the Species Management Program (SMP) (Attachment B), with the aim of minimising disturbance to breeding species and direct harm to matters of national environmental significance.</p> <p>The inspection will involve searches of habitat features such as logs, fallen bark and if possible, soil cracks. Searches for active Squatter Pigeon nests will be included in this pre-clearing inspection.</p>	<p>Engage ecologist for fauna spotter/catcher work during clearing works</p>	<p>Yes</p>	<p>A spotter/catcher was present on site to inspect clearing areas prior to clearing activities.</p>

A number of features and criteria have been incorporated into the design of the TLO Facility to minimise air quality impacts, particularly coal dust emissions that could potentially affect Ornamental Snake habitat, during operation of the project, including:

- Sealing of the internal haul road
- Use of a telescopic feed chute on the TLO Bin to minimise dust generated during train loading
- Incorporation of a veneering system adjacent to the TLO Bin to coat each train wagon with a polymer to minimise dust release during travel
- Planning for dozer operations to be limited to an average of 9 hours per day to minimise emissions of particulates
- Limiting haul truck and stockpile feed conveyor operation to periods when trains are not being loaded at night (ie 10pm to 7am)
- Allowance for an onsite water cart for dust suppression of non-sealed areas, e.g. vehicle parking areas
- Provision of six water cannons around the stockpile perimeter for dust suppression (discharging 10-12 litres per second).

Ensure mitigation measures are incorporated into design

Yes

The mitigation measures identified were incorporated into the detailed design of TLO Facility and will be implemented during operations as required. All infrastructure required to meet the mitigation measure commitments has been constructed.

<p>A number of features and criteria have been incorporated into the design of the TLO Facility to minimise noise impacts that could potentially affect Ornamental Snake habitat during operation of the project, including:</p> <ul style="list-style-type: none"> - Ensuring the cross feed conveyor, stockpile feed conveyor and stacker conveyors are not in operation when a train is on-site being loaded with coal - Limiting reclaim conveyor operation to when a train is on-site at the TLO Facility being loaded with coal - Planning for dozer operations to be limited to the hours of 7am and 10pm - Ensuring haul trucks are not operating when trains are being loaded. 	<p>Ensure mitigation measures are incorporated into design</p>	<p>Yes</p>	<p>The mitigation measures identified were incorporated into the detailed design of TLO Facility and will be implemented during operations as required.</p>
<p>A number of features have been incorporated into the design of the TLO Facility to minimise water quality impacts that could potentially affect Ornamental Snake habitat during operation of the project, including:</p> <ul style="list-style-type: none"> - Provision of a sediment trap immediately downstream of the coal stockpile area to capture coarser coal particles suspended in stormwater discharges from coal handling areas around the TLO - Inclusion of a stormwater retention pond downstream of the sediment trap to capture finer coal particles not intercepted within the sediment trap - Site drains to divert upstream 'clean' catchment runoff around the TLO Facility and to direct runoff from the coal stockpiles and other site facilities into the sedimentation devices - Discharge from the stormwater retention pond via culverts under the adjacent railway and Dawson Highway towards Kianga Creek, approximately 1.1 km north-west of the TLO Facility site. 	<p>Ensure mitigation measures are incorporated into design and operational management plans</p>	<p>Yes</p>	<p>From site inspections it has been confirmed that these items have been included in the design and constructed, and will be implemented during operations as required.</p>

<p>An SMP has been prepared to manage all aspects of construction impacts to fauna and habitat during the construction stage of the TLO Facility. The Ornamental Snake is addressed as part of this SMP.</p>	<p>Ensure requirements of Species Management Plan are communicated to contractors through CEMP</p>	<p>Yes</p>	<p>SMP provided to construction contractor for implementation during construction. Compliance with this SMP is audited during construction.</p>
<p>An onsite water cart will be available for dust suppression during construction.</p>	<p>Ensure water cart is onsite during construction</p>	<p>Yes</p>	<p>Water cart were used extensively during construction.</p>
<p>As part of site inductions, all staff and contractors accessing the TLO site will be trained about the potential for Ornamental Snake to occur within the TLO Facility, the location of habitat, measures implemented to manage impacts to the species on site. All staff and contractors will be required to report any snakes or nests found particularly any that have been struck by vehicles or machinery.</p>	<p>Ensure ecological requirements are included in contractor inductions</p>	<p>Yes</p>	<p>Refer site induction documentation.</p>
<p>Work areas within or in the vicinity of the Brigalow patches of Ornamental Snake habitat will be clearly delineated and signed prior to works to prevent inadvertent encroachment of disturbance into vegetation. Weekly monitoring will be undertaken to ensure that no clearing or disturbance of Brigalow vegetation outside the project footprint has occurred. Where inadvertent disturbance to Brigalow and/or Ornamental Snake habitat is detected, an investigation will be undertaken and further measures implemented to strengthen the demarcation of the area of vegetation to be retained.</p>	<p>Ensure 'no go' areas are demarcated</p>	<p>Yes</p>	<p>Demarcation of 'no go' areas was undertaken on site prior to the commencement of clearing, with the exception of the area of non-compliant clearing for which a non-compliance was reported. This incident was investigated and reported to DotE and was determined that there was no significant impact and no further action was required.</p>
<p>All retained areas of Brigalow habitat on site will be enhanced through implementation of the Weed Management Plan, including the regular control of exotic grasses and other species.</p>	<p>Implement Pest and Weed Management Plan</p>	<p>Yes</p>	<p>Weed Management Plan has been completed and approved for use by BSC. Expected to commence dry season grazing in Q2 2016.</p>

<p>To minimise the risk of snakes being struck by trains or haul trucks and to minimise the effects of habitat fragmentation, it is proposed to install culverts at locations where the haul road and rail loop traverse the mapped areas of high quality Ornamental Snake habitat and medium quality habitat. 'Furniture' such as rocks and logs will be installed within and adjacent to culverts. The relatively flat topography of the TLO site has limited the maximum height of culverts that can be installed to 450 mm.</p>	<p>Include in design</p>	<p>Yes</p>	<p>Post construction inspection have confirmed the culverts, fencing and furniture have been installed.</p>
<p>Exclusion fencing is to be installed in areas where the rail loop and haul road traverse high quality Ornamental Snake habitat and extend a minimum of 20 m either side of the patch of high quality habitat. The exclusion fence will comprise sheet metal (or similar material that does not allow snakes to climb over or through) attached to star pickets with the bottom of the fence buried a minimum of 100 mm below the soil surface. The sheet metal (or similar) should have a minimum height of 300 mm above the soil surface. This configuration will prevent snakes and other fauna from accessing the railway track and haul road.</p>	<p>Include in design</p>	<p>Yes</p>	<p>Post construction inspection have confirmed the culverts, fencing and furniture have been installed.</p>
<p>Brigalow root stock translocation trials will be conducted in medium quality habitat areas. These trials will involve collecting root sections from the Brigalow during clearing operations and cutting roots into 20 – 30 cm lengths. These sections will then be buried in pre-watered soil and then watered again following burial. Each section of buried root will be permanently marked to allow for monitoring of success of this technique. Where these trials prove to be successful this method should be applied progressively throughout the medium quality habitat areas. Where these trials prove to be unsuccessful, alternatives to rehabilitating these areas should be investigated, e.g. sourcing tube stock.</p>	<p>Engage ecologist for Brigalow root stock translocation trials</p>	<p>Yes</p>	<p>A trial area was established on the TLO Facility site in October 2014 with the area regularly watered and inspected. –In January 2015, it was determined that the translocation trial appears to be unsuccessful - no evidence of root stocks growing and small specimen translocated has not survived. A similar trial was conducted at the Baralaba Mine, in nursery style conditions, and was also unsuccessful.</p>

<p>Approximately 11 Biocondition monitoring plots will be established within the retained Brigalow vegetation, including high quality and medium quality Ornamental Snake habitat areas. Baseline conditions will be collected and monitoring conducted every 2 years in the post wet season for a period of at least 15 years.</p>	<p>Engage ecologist for Biocondition baseline monitoring and discuss ongoing monitoring requirements</p>	<p>Yes</p>	<p>1 st round of biocondition monitoring was completed in Q2 2015. All sites were permanently marked out for future monitoring.</p>
<p>If Biocondition monitoring indicates that the ecological condition of the Brigalow vegetation is not improving additional measures to enhance the condition of these areas of vegetation will be investigated.</p>	<p>As required</p>	<p>N/A</p>	<p>Pending outcomes of monitoring.</p>
<p>Monitoring of Ornamental Snake presence/abundance and habitat usage at the TLO site is to be undertaken on an annual basis during optimal detection conditions, i.e. post-wet season. Surveys are to be conducted throughout all high quality and medium quality habitat areas and will include mark-recapture techniques to allow population analysis and gross movements of snakes between monitoring events to be determined (e.g. from one side of the rail loop to the other). The method of marking snakes will be determined in consultation with the relevant animal ethics committee but could include techniques such as branding (Winne et al. 2006) or Passive Integrated Transponder (PIT) tags.</p>	<p>Engage ecologist for annual Ornamental Snake monitoring program</p>	<p>N/A</p>	<p>Monitoring will be arranged and undertaken following the commencement of operations.</p>

<p>Monitoring of installed culverts will be undertaken twice per year between October and December and February and April for two years following construction and then annually thereafter for a period of 5 years.</p> <p>Monitoring will use infrared cameras at each culvert location if trials show that cameras are effective at detecting snakes. The use of a substrate to maximise temperature differential and increase the detectability of snakes will be investigated. For example, cork tiles were found to increase the detectability of reptiles with infrared cameras (Welbourne 2013). Monitoring of the use of culverts will be undertaken in conjunction with targeted surveys/monitoring for Ornamental Snake.</p>	<p>Engage ecologist for biannual Ornamental Snake culvert monitoring program</p>	<p>N/A</p>	<p>Monitoring will be arranged and undertaken following the commencement of operations.</p>
<p>The Rail loop and haul road should be checked each morning to search for snakes that may have been struck by trains or haul trucks to ensure that the exclusion fencing is effective.</p>	<p>Inspections to be undertaken.</p>	<p>N/A</p>	<p>Monitoring will be arranged and undertaken following the commencement of operations.</p>
<p>Where feasible within the operational requirements of the TLO Facility, pulse grazing of Ornamental Snake habitat will be undertaken for short durations in the dry season (generally between May-September) to assist in weed management. This will only be undertaken when gilgai are completely dry to assist in reducing the cover of exotic pasture grasses. Gilgai areas should not be grazed while gilgai contain water as this can lead to gilgai habitat degradation, e.g. gilgai trampling, water quality impacts.</p>	<p>Incorporate into Pest and Weed Management Plan</p>	<p>Yes</p>	<p>Weed Management Plan has been completed and approved for use by BSC. Grazing with the TLO Paddock commenced in 2016.</p>

<p>Feral animal monitoring, particularly Cane Toads (<i>Rhinella marina</i>) and Feral Pigs (<i>Sus scrofa</i>), will be undertaken throughout the TLO Facility. All staff and contractors will be required to report any sightings or incidences of habitat degradation. Observations and recording numbers of Cane Toads caught will be made during Ornamental Snake surveys and monitoring events. Where survey or monitoring data indicates potential mortality of Ornamental Snake due to an abundance of Cane Toads, further targeted and quantitative monitoring will be considered. Where habitat degradation by Feral Pigs is identified during surveys and monitoring or by staff and contractors, mitigation and management actions will be required such as baiting and/or trapping.</p>	<p>Ensure feral animal reporting requirements are included in Operational Environmental Management Plan and Pest and Weed Management Plan</p>	<p>Yes</p>	<p>The BCCL Pest Management Plan has been updated to include these requirements at the TLO.</p>
<p>All retained areas of Brigalow habitat on site will be enhanced through implementation of the Pest and Weed Management Plan (Attachment C), including the regular control of exotic grasses and other species.</p>	<p>Ensure requirement is incorporated into Weed Management Plan</p>	<p>Yes</p>	<p>Weed Management Plan has been completed and approved for use by BSC. Expected to commence dry season grazing in Q2 2016.</p>
<p>A comprehensive air quality monitoring programme will be implemented for the TLO Facility. This will ensure dust emissions remain within acceptable limits.</p>	<p>Engage consultant to design and implement air quality monitoring programme</p>	<p>Yes</p>	<p>Two air quality studies have been completed for the TLO prior to construction. Depositional, PM10 and noise monitoring commenced in November 2015 at the locations identified in the studies as the highest risk.</p>
<p>A noise monitoring programme will be implemented for the TLO Facility. Monitoring and management of noise will consider atmospheric conditions, e.g. thermal inversions at night, during operation.</p>	<p>Engage consultant to design and implement noise quality monitoring programme</p>	<p>Yes</p>	<p>A noise study has been completed for the TLO prior to construction. Noise monitoring commenced in November 2015 at the locations identified in the studies as the highest risk.</p>

<p>Daily water quality monitoring of pH and turbidity will be conducted of stormwater releases from the Sediment Retention Pond and Raw Water Dam during release events.</p>	<p>Ensure requirement is incorporated into Operational Environmental Management Plan</p>	<p>Yes</p>	<p>Dam levels are being kept low prior to the TLO becoming operational to reduce the risk of either dam releasing. BCCL environmental staff have the required instruments on hand to complete this monitoring as required.</p>
<p>The results of all pre-clearance surveys, monitoring surveys and rehabilitation monitoring should be documented in stand-alone progress reports and where relevant a final report prepared. All other activities, including spotter/catcher works, injuries and deaths, disturbance to habitats, sightings, rehabilitation works as they relate to the Ornamental Snake are to be recorded in an onsite environmental works diary/register. The following information is to be recorded as a minimum:</p> <ul style="list-style-type: none"> - Dates, location and description of habitat where Ornamental Snake is identified - Detection methods employed - Number and location of each breeding place identified - A record, including locations of all breeding places or young - Methods of survey or rehabilitation, e.g. targeted, standard or incidental - All incidences of injury or death to Ornamental Snake - Details of any non-compliance with this MMP. 	<p>Ensure scope of reporting is included in monitoring works by consultants</p>	<p>Yes</p>	<p>Reporting from the ecologist on pre-clearance surveys have been completed.</p> <p>Reporting for ongoing monitoring and rehabilitation will be undertaken following commencement of those programs.</p> <p>A 'final' report is not necessary, as monitoring and reporting will be ongoing.</p>