11. Draft Statement of Commitments

The Environmental Assessment of the project has identified a range of environmental outcomes and management measures with the aim of minimising and/or mitigating, as far as practicable, the identified impacts associated with the project. These measures, which are identified in Chapters 9 and 10, have informed the development of the draft Statement of Commitments described in this chapter.

ERM Power commits to undertaking the investigations and mitigation measures outlined in the draft Statement of Commitments throughout construction and operation of the project.

The draft Statement of Commitments may be revised in response to stakeholder and/or community input during the public exhibition of the Environmental Assessment. Following approval of the project, the revised Statement of Commitments will guide subsequent phases of design development to minimise impacts on the environment. Any consortium or contractor involved in the future planning approvals, design, construction and/or operational phases of the project will be required to undertake all works in accordance with the Statement of Commitments.

The draft Statement of Commitments is provided in Table 11-1. Each commitment includes:

- an objective
- details of the commitment
- reference to the timing of when the commitment applies (design, pre-construction, construction, pre-operation or operation)
- reference to any guiding principle(s) influencing the objective and implementation of the commitment.

Table 11-1 Draft Statement of Commitments

Objective	Ref No.	Commitment	Timing	Guiding principle(s)
Environmental management systems				
Effective management of the potential environmental impacts of the project	M1	A construction environmental management plan (CEMP) will be prepared prior to construction, which will outline the operating conditions and temporary environmental measures to mitigate the impact(s) of construction activities.	Pre-construction	*Guideline for the Preparation of Environmental Management Plans* (Department of Infrastructure, Planning and Natural Resources 2004)
	M2	The CEMP will be implemented in accordance with this Statement of Commitments and any additional measures identified in the Submissions Report, and will include the conditions of any licences issued by government authorities.	Construction	
	M3	The CEMP will be periodically reviewed with the aim of continuous improvement.	Construction	
	M4	An operation environmental management plan (OEMP) will be prepared prior to the commencement of operation, which will outline details of all systems to meet the environmental management requirements for operation of the project. The approval of the Director-General of the Department of Planning will be sought for the OEMP prior to the commencement of operation.	Pre-operation	
Communication and consultation				
Proactive consultation with the community and stakeholders	C1	A community and stakeholder involvement plan will be prepared to facilitate clear and open communication with the local community and stakeholders throughout construction and operation of the project. This communication will be implemented by an established Community Liaison Group. Where relevant, the plan will be consistent with the principles of *Community Engagement in the NSW Planning Systems* (PlanningNSW 2003).	Pre-construction	*Community Engagement in the NSW Planning Systems* (PlanningNSW 2003)
	C2	Newsletters and media releases will be used regularly to provide project updates. These will include contact details and phone numbers of relevant project staff.	Pre-construction, Construction	

Objective	Ref No.	Commitment	Timing	Guiding principle(s)
	C3	A project internet site will be established prior to the commencement of pre-construction activities. The site will contain: ▪ periodic updates of work progress ▪ consultation activities ▪ proposed work schedules ▪ descriptions of relevant approval authorities and their areas of responsibility ▪ contact details and phone numbers of relevant project staff ▪ the 24-hour complaints telephone number and project email address. The project internet site will be regularly updated during the construction phase.	Pre-construction, Construction	
Proactive consultation with directly affected property owners	C4	Property owners will be consulted with regard to the implementation of mitigation measures that affect their property, and any issues raised will be addressed, where reasonable and feasible.	Pre-construction, Construction	
Effective and proactive management of complaints	C5	A 24-hour, toll-free complaints and community information telephone number will be established for the project and will be advertised prior to the commencement of pre-construction activities.	Pre-construction, Construction	
	C6	The project email address established during preparation of the Environmental Assessment will be maintained throughout the construction phase.	Pre-construction, Construction	
	C7	A complaints register to receive, record, track and respond to complaints within a specified timeframe will be established through the Community and Stakeholder Involvement Plan and will be implemented throughout the project. This register will be made available on ERM Power's website.	All	
Power station layout				
Minimise impact of the final design and layout of the power station on the environment and surrounding properties.	L1	Any changes in the final layout and orientation of the gas-fired turbines and exhaust stacks will be reviewed to ensure the environmental impacts associated with those changes are consistent with the predictions made in the Environmental Assessment. Any increase in the environmental impact of the final design will be assessed, and mitigation measures developed accordingly, prior to the commencement of construction.	Pre-construction	Chapters 7, 9 and 10 of the Environmental Assessment

Objective	Ref No.	Commitment	Timing	Guiding principle(s)
Noise and vibration				
Manage noise and vibration generated during construction, and minimise the effects of construction noise and vibration on surrounding sensitive receptors and the community.	N1	Through the CEMP, noise and vibration management measures, as identified in the Environmental Assessment and Submissions Report, will be implemented to reduce the noise and vibration impact of construction activities on sensitive receptors and the community.	Pre-construction, Construction	Section 9.3 of the Environmental Assessment
	N2	Construction hours will be restricted to: ▪ 7 am to 6 pm Monday to Friday ▪ 8 am to 2 pm Saturday ▪ no work on Sundays or public holidays.	Construction	AS 2436-1981 *Guide to Noise Control on Construction, Maintenance and Demolition Sites* BS 5228 *Noise and Vibration Control on Construction and Open Sites*
	N3	Works outside standard construction hours will be limited to: ▪ any works that do not cause construction noise to be audible, or construction vibration to be felt, at any sensitive receptors ▪ the delivery of material required outside of construction hours by the Police or other authorities for safety reasons ▪ emergency work to avoid the loss of lives, property and/or to prevent environmental harm ▪ any other work as agreed after appropriate consultation with affected residences, the Department of Environment and Climate Change (DECC) and local councils.	Construction	AS 2436-1981 *Guide to Noise Control on Construction, Maintenance and Demolition Sites* BS 5228 *Noise and Vibration Control on Construction and Open Sites*
	N4	Prior consultation will be undertaken with and written notification provided to nearby residents that may be affected by noise or vibration generating activities.	Construction	
	N5	Public address systems (including amplified telephone ringers) used at any construction site will not be used outside normal construction hours except in accordance with commitment N3 above. Public address systems will be designed to limit noise spillage off-site.	Construction	AS 2436-1981 *Guide to Noise Control on Construction, Maintenance and Demolition Sites*
Identify if construction noise goals set prior to construction are being met	N6	Construction noise and vibration monitoring will be undertaken at sensitive receptors during construction to determine the effectiveness of mitigation strategies.	Construction	*Industrial Noise Policy* (EPA 2000)

Objective	Ref No.	Commitment	Timing	Guiding principle(s)
Manage noise and vibration generated during operation to minimise effects on surrounding sensitive receptors and the community	N7	A reasonable and feasible approach will be adopted to limit operational noise impacts in accordance with relevant guidelines and conditions of approval. The approach to management of operational noise impacts will be finalised during detailed design. Noise management will be undertaken in consultation with relevant property owners and will be flexible enough to take account of the findings of commitment N9 below.	Design, Operation	*Industrial Noise Policy* (EPA 2000)
	N8	Management of the operational noise impacts from the power station will be undertaken considering the following zones of impact: ▪ Zone 1: compliance zone — up to 35 dB(A) $L_{Aeq, 15min}$ ▪ Zone 2: noise management zone — >35 – 40 dB(A) L_{Aeq} (for the amelioration of internal noise environments) ▪ Zone 3: acquisition zone — >40 dB(A) L_{Aeq} (for the negotiation of property procurement).	Operation	
	N9	Operational noise mitigation measures will be further reviewed and optimised during detailed design and installed at sensitive receptors identified and set out in Section 9.3 of the Environmental Assessment and Technical Paper No. 3 – *Noise and Vibration Assessment*.	Design, Operation	Section 9.3 of the Environmental Assessment Technical Paper No. 3 – *Noise and Vibration Assessment*
Verify the presence of low frequency noise emissions from the power station	N10	Once operational, noise monitoring at the power station will be undertaken to verify the presence of low frequency noise emissions and hence verify the +5 dB(A) low frequency modifying correction factor that was applied for the operational noise impact assessment. The results of this monitoring will be incorporated into the measures implemented for management of operational noise.	Operation	
Air quality				
Manage air quality impacts during construction to minimise the effects on surrounding sensitive receptors and the community	A1	Through the CEMP, air quality management measures as identified in the Environmental Assessment and Submissions Report will be implemented to reduce the air quality impact of construction activities on sensitive receptors and the community.	Pre-construction, Construction	Section 9.2 of the Environmental Assessment
	A2	Dust monitoring will be undertaken at selected locations to determine compliance with ambient air quality standards.	Construction	*Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (DEC 2005b)

Objective	Ref No.	Commitment	Timing	Guiding principle(s)
	A3	Disturbed areas will be stabilised and/or revegetated as soon as possible to prevent or minimise wind-blown dust.	Construction	
	A4	In dry and windy conditions, dust generating activities (particularly clearing and excavating) will be avoided or minimised as far as practicable.	Construction	
	A5	On-site speed limits for all vehicles will be enforced to minimise dust generation.	Construction	
	A6	Vehicles transporting materials to and from the site will be covered immediately after loading to prevent wind-blown dust emissions and spillages.	Construction	
Manage air quality impacts during operation to minimise the effects on surrounding sensitive receptors and the community	A7	A reasonable and feasible approach will be adopted to limit air quality impacts in accordance with relevant guidelines and conditions of approval.	Design, Operation	
	A8	Periodic extractive monitoring will be undertaken to demonstrate compliance with operating in-stack limits.	Operation	
	A9	A regular and documented maintenance and inspection program will be implemented for all plant items.	Operation	
Greenhouse gas generation				
Minimise energy consumption and greenhouse gas generation	G1	Through the CEMP, an efficient construction program will be implemented to minimise greenhouse gas emissions, which will involve: ▪ adequately maintaining and efficiently operating all equipment (i.e. not unnecessarily revving or idling engines) ▪ staging works to minimise double-handling ▪ giving preference to locally-sourced materials during procurement.	Pre-construction, Construction	
	G2	Prior to the commencement of operation, a maintenance plan detailing the level of maintenance, timeframes, specific measures and anticipated outcomes will be prepared to ensure the power station is operated efficiently, thus minimising greenhouse gas intensity.	Pre-operation, Operation	
Aboriginal heritage				
Minimise the impact on identified and potential sites/objects of Aboriginal significance	AH1	If the detailed design phase results in realignment of the pipeline route to anywhere outside of the buffered corridor surveyed during the Environmental Assessment, Aboriginal heritage specialists will be consulted, and reassessment undertaken by a qualified Aboriginal heritage specialist.	Design	

Objective	Ref No.	Commitment	Timing	Guiding principle(s)
	AH2	Management measures will be implemented to ensure the identified scarred tree within the buffered corridor of the proposed pipeline route is not impacted during construction activities.	Pre-construction, Construction	
	AH3	Representatives of Aboriginal groups consulted during the Environmental Assessment will be provided the opportunity to participate in a one-day drive-by survey of the finalised, pegged pipeline route to allow confirmation of the final development impact area.	Pre-construction	
	AH4	If any items of Aboriginal heritage significance are identified during construction activities, work will cease immediately and the Aboriginal heritage specialist will be consulted.	Construction	
Historic heritage				
Minimise the impact on identified and potential sites/objects of historic significance	HH1	If the detailed design phase results in realignment of the pipeline route to anywhere outside of the buffered corridor surveyed during the Environmental Assessment, historic heritage specialists will be consulted, and reassessment undertaken by a qualified historic heritage specialist.	Design	
	HH2	If any items of non-Aboriginal heritage significance are identified during construction, work will cease immediately and a qualified non-Aboriginal heritage specialist will be consulted.	Construction	
Visual impact				
Minimise the visual impact of the project	V1	The colour and texture of infrastructure at the power station and compressor station will be selected to blend with the surrounding landscape and will incorporate non-reflective materials.	Pre-construction, Construction	
	V2	Vegetation screening using suitable plant species will be implemented at the power station and compressor station, and other locations (in negotiation with third parties) as identified and set out in Section 9.4 of the Environmental Assessment and Technical Paper No. 5 – *Visual Impact Assessment*.	Pre-operation	Section 9.4 of the Environmental Assessment Technical Paper No. 5 – *Visual Impact Assessment*
	V3	Any areas disturbed during construction of the power station that are not required for operation (i.e. construction car park and laydown area) will be revegetated with suitable plant species.	Pre-operation, Operation	
Minimise light spill from the project	V4	Lighting at the power station and compressor station will be arranged to minimise the direct line of site from sensitive receptors.	All	AS4282(INT)-1997 *Control of Obtrusive Effects of Outdoor Lighting*
	V5	Security lighting at the power station and compressor station will not spill onto sensitive receptors.	All	

Objective	Ref No.	Commitment	Timing	Guiding principle(s)
	V6	Large floodlights at the power station and compressor station will not be used other than for emergency lighting.	All	
Biodiversity				
Minimise the impact on biodiversity during construction of the project	B1	If the detailed design results in realignment of the pipeline route to anywhere outside the buffered corridor surveyed during the Environmental Assessment, reassessment will be undertaken by a qualified ecologist in accordance with DECC guidelines.	Design	
	B2	The width of the construction corridor will be minimised where the pipeline traverses significant habitats and vegetation.	Construction	
	B3	Through the CEMP, biodiversity management measures as identified in the Environmental Assessment and Submissions Report will be implemented to reduce the impact of construction activities on biodiversity. A revegetation plan and weed and pest management measures will be included in the CEMP.	Pre-construction, Construction	Section 9.5 of the Environmental Assessment Technical Paper No. 1 – *Biodiversity Assessment*
	B4	Clearing protocols will be implemented for removal of habitat trees, including: ▪ All habitat trees to be cleared will be identified by survey and marked. ▪ Marked habitat trees and corridors of retained trees linking marked habitat trees with the nearest uncleared (secure) habitat areas will be left standing after initial vegetation clearance for at least 24 hours to encourage dispersal of animals, after which time standing habitat trees and corridors of retained trees may be felled. ▪ If habitat trees are in short supply, artificial nest sites (nest boxes) will be installed in adjacent (secure) habitat before clearing.	Pre-construction, Construction	
	B5	Rehabilitation of cleared areas not required for operation will occur in a progressive manner as construction proceeds. This rehabilitation will: ▪ comprise the planting of a range of locally occurring and sourced native shrubs, trees and ground cover plants ▪ include logs, dead trees and stumps in landscaping works ▪ include foraging plant species ▪ incorporate existing native vegetation where possible.	Construction	

Objective	Ref No.	Commitment	Timing	Guiding principle(s)
	B6	Soil management practices will be implemented to ensure that: ▪ no transfer of stockpiles occurs between areas ▪ exotic species are not distributed by wind or watercourses.	Construction	
Ensure biodiversity impacts are minimised during operation of the project	B7	Through the OEMP, management measures and monitoring programs will be implemented to ensure operation of the project does not impact on biodiversity. Such measures will include: ▪ ongoing monitoring of impacts ▪ rehabilitation ▪ ongoing management of weed invasion in the pipeline easement to ensure weeds do not spread.	All	
Minimise the residual impacts of the project on biodiversity	B8	An offset strategy will be implemented in consultation with the DECC that will contribute to the long-term conservation of biodiversity.	Pre-construction, Construction	
Traffic and access				
Maintain traffic movements and minimise traffic delays on the road network during construction of the project	T1	Through the CEMP, traffic management measures as identified in the Environmental Assessment and Submissions Report will be implemented to reduce the impact of construction activities on the road network.	Pre-construction, Construction	
	T2	During the detailed design phase a specialist heavy equipment transport contractor with specific experience in lifting and transporting large plant items will be engaged to determine and confirm the most appropriate transport route for this infrastructure to the power station site. The contractor will obtain the necessary approvals from the relevant authorities and will prepare a plan to ensure safe transport of these large plant items.	Pre-construction, Construction	
	T3	A basic left turn and auxiliary right turn treatment will be developed at the access point to the power station site on Gulgong Road.	Pre-construction, Construction	*Road Design Guide* (Roads and Traffic Authority (RTA) 2000)
	T4	Site-specific traffic control plans will be developed where works affect roads or at access points to work sites.	Pre-construction, Construction	*Traffic Control at Work Sites Guidelines* (RTA 2003)
	T5	All road shoulders will be maintained at their existing standard to cater for any cyclist and pedestrian movements.	Construction	

Objective	Ref No.	Commitment	Timing	Guiding principle(s)
Manage access to private properties during construction of the project	T6	Access arrangements to private properties during construction of the gas pipeline will be determined in consultation with the land owners.	Pre-construction	
	T7	Where access to private properties is temporarily affected by construction of the project, alternative access arrangements to an equivalent standard will be provided (where reasonable and feasible), or alternative arrangements will be agreed in consultation with the land owner.	Pre-construction	
Maintain safe and effective traffic management during operation of the project	T8	The access arrangement at the power station site on Gulgong Road will be maintained throughout operation of the project to allow heavy vehicle deliveries and maintain safe intersection performance.	Operation	
Soil and water quality				
Minimise impacts on water quality during construction of the project	SW1	Through the CEMP, soil and water quality management measures as identified in the Environmental Assessment and Submissions Report will be implemented to reduce the impact of construction activities on soil and water quality. These measures will include: ▪ installing erosion and sediment controls ▪ diverting surface run-off away from disturbed areas ▪ planning construction works to minimise the length of time soils are disturbed ▪ planning construction activities for the pipeline at watercourse crossings to coincide with dry periods where possible ▪ containing and managing spoil and bentonite slurry from directional drilling activities for the pipeline and removing these materials from site ▪ clearly identifying areas required to be disturbed to ensure such disturbance is minimised and as little vegetation is cleared as possible ▪ restricting construction traffic to defined roads ▪ ensuring appropriate storage and bunding of chemicals and fuels.	Pre-construction, Construction	*Soils and Construction: Managing Urban Stormwater* (Landcom 2004)
	SW2	The gas pipeline will be located below the bed of all watercourses to prevent impacts on water quality and flow.	Pre-construction, Construction	

Objective	Ref No.	Commitment	Timing	Guiding principle(s)
Minimise impacts on water quality during operation of the project	SW3	A site stormwater management system will be developed, in accordance with best practice stormwater management, during detailed design of the power station. The stormwater management system will: ▪ give particular attention to the provision of safe overland flow paths across the site, especially through areas that currently drain to the upper reaches of the unnamed tributary on the site ▪ ensure the peak stormwater flows from the site do not increase as a result of the development ▪ implement on-site stormwater detention and/or stormwater reuse to control any increase in run-off ▪ ensure no discharge of wastewater occurs from the site ▪ maximise reuse of captured stormwater for purposes such as site irrigation, stock watering and general washdown/maintenance requirements ▪ implement measures to prevent erosion/scour of any diversion channel or stormwater discharge point.	Design, Pre-construction	*AUS-Spec #1 (Development and Design Construction Specifications)*
	SW4	Regular monitoring of the quality of stormwater discharges will be undertaken to ensure the system at the power station site is operating effectively.	Operation	
	SW5	During the detailed design phase of the project, each proposed watercourse crossing for the gas pipeline will be comprehensively assessed to ensure the pipeline profile is suitable to prevent scour or changes to river morphology. The Department of Water and Energy will be consulted during this process.	Design	Part 3A of the *Rivers and Foreshores Improvement Act 1948*
Hazard and risk				
Minimise hazards and risks associated with the project	HR1	During the detailed design phase, consideration will be given to the identified issues and recommendations in the Environmental Assessment and preliminary hazard analysis (PHA) to ensure design of the project minimises potential hazards and risks.	Design	Section 9.7 of the Environmental Assessment Technical Paper No. 6 – *Preliminary Hazard Analysis* Australian Standard *AS 2885:2007 Pipelines: Gas and Liquid Petroleum, Design and Construction*

Objective	Ref No.	Commitment	Timing	Guiding principle(s)
	HR2	Construction and operational hazards and risks associated with noise, air quality, biodiversity, and soil and water quality will be managed through implementation of the commitments identified above.	All	
	HR3	Prior to the commencement of operation, the PHA would be updated to a final hazard analysis (FHA), where necessary. In the event of significant design changes occurring during the detailed design phase, this revision of the PHA would occur prior to the commencement of construction.	Pre-operation	
	HR4	Any hazardous substances delivered to/removed from the power station site will be transported and handled according to appropriate regulations. Different hazardous substances will be carried in separate (appropriate) containers at separate times.	Operation	*Australian Code for the Transportation of Dangerous Goods by Road and Rail*
Waste and resource management				
Minimise waste generated, and maximise reuse and recycling during the project	W1	Through the CEMP, construction waste management measures will be implemented to ensure waste generation is minimised, reuse and recycling is maximised, and management of waste (including classification and disposal) is undertaken in accordance with the relevant provisions of legislative guidelines.	Pre-construction, Construction	*Protection of the Environment Operations Act 1997* *Waste Avoidance and Resource Recovery Act 2001* *Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes* (DEC 1999c)
	W2	At the power station site, waste storage areas and procedures will be developed to ensure that wastes are appropriately segregated, recycled or reused, and/or disposed of.	Design, Operation	As above
	W3	During construction of the gas pipeline, generated waste (particularly bentonite slurry from directional drilling) will be removed from site and disposed of according to relevant legislative guidelines.	Construction	As above
	W4	The waste minimisation hierarchy principles of avoid/reduce/recycle/dispose will be applied to all aspects of the project.	All	*Waste Avoidance and Resource Recovery Act 2001*

Objective	Ref No.	Commitment	Timing	Guiding principle(s)
Public safety				
Ensure public safety	PS1	All construction compounds and work areas will be fenced to limit public access during construction.	Construction	
	PS2	Appropriate signage will be installed at construction compounds and work areas to maximise public safety.	Construction	
Property impacts				
Provide an appropriate level of compensation in relation to property acquisitions	P1	The licence required to construct the 100 kilometre pipeline will be sought under the *Pipelines Act 1967* and in accordance with section 13 of that Act. As part of this process, consultation will be undertaken with all affected land owners. All property acquisitions (partial and full) will be negotiated in accordance with, and compensation assessed under the provisions of, the *Land Acquisition (Just Terms Compensation) Act 1991*.	Pre-construction	NSW *Pipelines Act 1967* NSW *Land Acquisition (Just Terms Compensation) Act 1991*
Socio-economic				
Maximise economic benefits to the local community	SO1	Where practicable, local contractors and suppliers will be used for the provision of labour and services during construction of the project.	Construction	
	SO2	Where practicable, local contractors and suppliers will be used for the provision of services, particularly maintenance, during operation of the project.	Operation	
Services and utilities				
Minimise disruption to utilities and services	SU1	Utilities and services potentially affected by construction of the project will be identified and requirements for their diversion, protection and/or support identified. Alterations to services will be determined in negotiation with the service providers and disruptions to services resulting from the project will be minimsed and advised to customers.	Pre-construction	
Ancillary facilities				
Minimise environmental and social impacts from construction of temporary ancillary facilities	AF1	Sites chosen for temporary ancillary facilities will satisfy the environmental criteria provided in the Environmental Assessment, unless otherwise approved through the CEMP.	Pre-construction	Chapters 9 and 10 of the Environmental Assessment