

17. STATEMENT OF COMMITMENTS

The Director General's Requirements issued for the Project require the inclusion of a draft Statement of Commitments (SOC) incorporating or otherwise capturing measures to avoid, minimise, manage, mitigate, off-set and/or monitor impacts identified in the specialist reports of the Environmental Assessment. The SOC must clearly articulate the desired environmental outcome of the commitment and cover the life of the project through design, construction, operation and decommissioning phases of the project. The SOC must be achievable, measureable (with regard to compliance), and time specific where relevant. To meet these requirements a draft SOC is detailed below.

17.1 STATEMENT OF COMMITMENTS

A comprehensive set of commitments have been developed which incorporate the specific recommendations from the specialist reports and further consultation with the community and government agencies. The following table details the draft Statement of Commitments for the Project. The NSW Department of Planning would be the responsible approval agency for these commitments. All draft commitments are proposed to be undertaken by the Proponent.

Table 1: Draft Statement of Commitments

SOC	COMMITMENT	PROJECT PHASE	OBJECTIVE
GENERAL COMPLIANCE			
1	The Project shall be undertaken generally in accordance with the Environmental Assessment Report prepared by Monteath and Powys dated December 2010.		
2	The Proponent will be responsible for environmental impacts resulting from the actions of all persons on site, including contractors, sub-contractors and visitors.	During Construction CEMP/OEMP	Manage
3	The Proponent will meet the requirements of the Director-General in respect of the implementation of any measure necessary to ensure compliance with the Conditions of Approval.	Prior to Construction Department of Planning	Compliance

SOC	COMMITMENT	PROJECT PHASE	OBJECTIVE
4	<p>The Proponent will submit a Pre-Construction Compliance Report to the Director-General at least two weeks prior to the commencement of construction (or within a time agreed to by the Director-General). The Pre-Construction Compliance Report will include details of:</p> <ul style="list-style-type: none"> a) How the Conditions of Approval required to be addressed prior to construction have been complied with. b) When each relevant condition of this Approval was complied with, including submission dates of any required report and/or approval dates. c) Any approvals or licences required to be issued by relevant Government Agencies prior to the commencement of construction. 	<p>Prior to Construction</p> <p>Department of Planning</p>	Monitor
5	<p>The Proponent will provide the Director-General with a Construction Compliance Report within six weeks of the end of the first six months of construction (or at any other time interval agreed to by the Director-General). The Environmental Representative must certify the adequacy of the report before it is submitted to the Director-General. The Construction Compliance Report must be made publicly available and include:</p> <ul style="list-style-type: none"> a) Information on compliance with the Construction Environmental Management Plan (CEMP) and the Conditions of Approval. b) Information on compliance with any approvals or licences issued by Relevant Government Agencies for Construction. c) Information on the implementation and effectiveness of environmental controls. The assessment of effectiveness should be based on a comparison of actual impacts against performance criteria identified in the CEMP. d) A summary and analysis of environmental monitoring results. 	<p>During Construction</p> <p>Department of Planning</p>	Monitor

SOC	COMMITMENT	PROJECT PHASE	OBJECTIVE
	<p>e) The number and details of any complaints, including a summary of the main areas of complaint, action taken, response given and intended strategies to reduce recurring complaints.</p> <p>f) Details of any review and amendments to the CEMP resulting from construction during the reporting period.</p> <p>g) Any other matters relating to compliance with the Conditions of Approval or as requested by the Director-General.</p>		
6	<p>The Proponent will submit a Pre-Operation Compliance Report to the Director-General at least two weeks prior to the commencement of Operation (or within a time agreed to by the Director-General). The Pre-Operation Compliance Report will include details of:</p> <p>a) How the Conditions of Approval required to be addressed prior to commencement of Operation have been complied with.</p> <p>b) When each relevant condition of this Approval was complied with, including submission dates of any required report and/or approval dates.</p> <p>c) Any approvals or licences required to be issued by Relevant Government Agencies prior to the commencement of Operation.</p>	<p>Prior to Operation</p> <p>Department of Planning</p>	Monitor
ENVIRONMENTAL MANAGEMENT			
7	<p>An Environmental Impact Audit Report – Construction will be prepared and submitted to the Director-General within three months of Construction completion, or at any other time interval agreed to by the Director-General. The Director-General may request the Proponent to make the construction audit report available to other Relevant Government Agencies. The Environmental Impact Audit Report – Construction will:</p>	<p>Prior to Operation</p> <p>Department of Planning</p>	Monitor

SOC	COMMITMENT	PROJECT PHASE	OBJECTIVE
	<ul style="list-style-type: none"> a) Identify the major environmental controls used during construction and assess their effectiveness. b) Summarise the main environmental management plans and processes implemented during construction and assess their effectiveness. c) Identify any innovations in construction methods used to improve environmental management. d) Discuss the lessons learned during construction, including recommendations for future wind farm developments. 		
8	<p>An Environmental Impact Audit Report – Operation will be prepared and submitted to the Director-General within three months after a 24 month period of Operation and then at any additional periods requested by the Director-General. The Director-General may request the Proponent to make the operation audit report available to other relevant government agencies and Council. The Environmental Impact Audit Report – Operation will:</p> <ul style="list-style-type: none"> a) Be certified by an independent person at the Proponents expense. The certifier must be approved by the Director-General prior to the preparation of the audit report. b) Assess the effectiveness of implemented mitigation measures and safeguards. c) Assess compliance with the systems for operation maintenance and monitoring. d) Discuss the results of consultation with the local community particularly any feedback or complaints. 	<p>Prior to Operation</p> <p>Department of Planning</p>	Monitor

SOC	COMMITMENT	PROJECT PHASE	OBJECTIVE
9	<p>Prior to commencement of construction, the Proponent will nominate a suitably qualified and experienced Environmental Representative(s) (ER) whose appointment requires the approval of the Director-General. The Proponent will employ the ER(s) on a full time basis, or as otherwise agreed by the Director-General, during the construction and commissioning. An ER will also be employed during operation. The ER will be:</p> <ul style="list-style-type: none"> a) The primary contact point in relation to the environmental performance of the Development. b) Responsible for all management plans and monitoring programs. c) Responsible for considering and advising on matters specified in the Conditions of Approval, and all other licences and approvals related to the environmental performance and impacts of the Development. d) Responsible for receiving and responding to complaints. e) Given the authority and independence to require reasonable steps be taken to avoid or minimise unintended or adverse environmental impacts, and failing the effectiveness of such steps, to direct that relevant actions be ceased immediately should an adverse impact on the environment be likely to occur. <p>The Proponent will obtain approval from the Director-General for changes to the appointment of the ER during construction. The Proponent must notify the Director-General of any changes to the appointment during operation.</p>	<p>Prior to Construction</p> <p>CEMP</p>	Manage and monitor
10	<p>A Greenhouse and Energy Management Strategy will be prepared to ensure the use of non-renewable resources from construction and operation is minimised.</p>	<p>Prior to Construction</p>	Minimise

SOC	COMMITMENT	PROJECT PHASE	OBJECTIVE
	<p>The strategy will incorporate but not necessarily be limited to:</p> <ul style="list-style-type: none"> a) Design and layout plans to balance the generation and requirement for fill materials, minimising the amount required to be transported to the site from off-site sources. b) Work schedule and methods that minimise equipment idle time and double handling of material. c) Instructions to throttle down and switch off idle construction equipment particularly when trucks are waiting to access the site or while being loaded and unloaded. d) Measures to ensure equipment is regularly and correctly maintained for energy efficient operation. e) Management practices to ensure site office equipment and lights are switched off after hours except for security lighting. f) Instructions to use local materials and recycled materials (demolition materials, construction materials, paper, glass etc.) where appropriate. 		
CONSTRUCTION MANAGEMENT			
11	<p>The Proponent will prepare and implement a Construction Environmental Management Plan (CEMP) in accordance with the Department's publication entitled Guideline for the Preparation of Environmental Management Plans (2004) or its latest revision.</p> <p>The CEMP will be prepared in consultation with the relevant government agencies and Councils, and certified by the ER as being in accordance with the Conditions of Approval. The CEMP will incorporate the following:</p>	<p>Prior to Construction</p> <p>CEMP</p>	Manage

SOC	COMMITMENT	PROJECT PHASE	OBJECTIVE
	<ul style="list-style-type: none"> a) No physical access to trigonometric reserves will take place; b) Consultation with the Land and Property Management Authority prior to any works on Crown road reserves or waterways managed by the LPMA will occur. c) The proponent commits to bitumen seal the 400m section of road between 3.00 – 3.40 km from Taylors Creek Road. 		
AIR QUALITY CONTROL			
12	<p>An Air Quality Management Strategy will be prepared to control dust and air emissions resulting from construction and operation. The strategy will include but not necessarily be limited to:-</p> <ul style="list-style-type: none"> a) Wetting of access tracks with water during dry and wind periods. b) Stabilisation of exposed soils and stockpiles. c) Placement of stockpiles in sheltered locations, where necessary. d) Restrict traffic to defined tracks and roads and implement speed limits. e) Restoration of disturbed areas as soon as possible. 	<p>Prior to Construction</p> <p>CEMP</p>	Manage and mitigate
TRAFFIC AND ACCESS MANAGEMENT			
13	<p>As part of the CEMP, a Construction Traffic and Transport Management Sub-Plan will be prepared in consultation with Goulburn Mulwaree Council, Palerang Council, the RTA and NSW Police. The Sub-Plan will:-</p> <ul style="list-style-type: none"> a) Include the mitigation measures outlined in Chapter 11.4 of the Environmental Assessment report. b) Provide daily and peak hour traffic volumes to the Roads and Traffic Authority prior to the commencement of construction. 	<p>Prior to Construction</p> <p>CEMP</p>	Manage and mitigate

SOC	COMMITMENT	PROJECT PHASE	OBJECTIVE
	<p>c) Provide effective permanent drainage works within the properties in the vicinity of each entrance to divert stormwater away from driveways and away from public roads.</p> <p>d) Identify designated transport routes for heavy vehicles to the Development Site.</p> <p>e) Include measures to minimise traffic disruption through Goulburn and in the vicinity of the Development Site.</p> <p>f) Include measures to manage Construction traffic to ensure the safety of:-</p> <ul style="list-style-type: none"> i. Livestock and limit disruption to livestock movement. ii. Equestrian activities. iii. School children and limit disruption to school bus timetables. <p>g) Include a community information program to inform the community of traffic disruptions resulting from the construction program.</p> <p>Outline a complaints management procedure for traffic impacts.</p>		
FLORA AND FAUNA MANAGEMENT AND MITIGATION			
14	<p>A Flora and Fauna Management Sub-Plan will be prepared as part of the CEMP. The Sub-Plan will be prepared in consultation with the DECCW and include:-</p> <p>a) Plans showing terrestrial vegetation communities; important flora and fauna habitat areas; locations where threatened species, populations or ecological communities were recorded; and areas to be cleared.</p> <p>b) Methods to manage impacts on flora and fauna species (terrestrial and aquatic) and their habitat which may be directly or indirectly affected by the Development. These will include:-</p>	<p>Prior to Construction</p> <p>CEMP</p>	<p>Avoid, manage and mitigate</p>

SOC	COMMITMENT	PROJECT PHASE	OBJECTIVE
	<ul style="list-style-type: none"> i. Procedures for vegetation clearing, soil management and minimising other habitat damage (terrestrial and aquatic) during Construction. ii. Wherever possible, the Proponent will commit to avoid or mitigate impacts on existing threatened species or endangered ecological communities that occur on the site. iii. The Proponent will also commit to having a pre-construction biodiversity survey which will be conducted on those areas to be disturbed during construction during the optimal season for any threatened species or endangered ecological communities. iv. Following the pre-construction surveys, where it is not possible to avoid patches of native grassland, conservation measures will be taken on the remainder of the patch and/or other patches on-site at a ratio of 10 to 1. These measures, to be confirmed with DECCW before implementation, may include weed control, establishment of particular grazing regimes and/or fencing. After consultation with DECCW, the mitigation technique and further details on the biodiversity offset will be addressed in the CEMP once it has been confirmed that the final layout impacts or does not impact any patches of native grassland. Similar characteristics/value to that of the impacted land is available in close proximity to the project site as can be seen on page 197 of the EA, Figure 77. v. The Proponent will commit to search habitat of threatened reptile species immediately prior to clearing, manage open trenches with regular reptile recovery and appropriately relocate individual reptiles recovered. 		

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	<p>c) Rehabilitation details including:-</p> <ul style="list-style-type: none"> i. Identification of locally native species to be used in rehabilitation and landscaping works, including flora species suitable as a food resource for threatened fauna species. ii. The source of all seed or tube stock to be used in rehabilitation and landscaping works including the identification of seed sources within the Site. Seed of locally native species within the Development Site should be collected before Construction commences to provide seed stock for revegetation. iii. Methods to re-use topsoil (and where relevant sub-soils) and cleared vegetation. iv. Measures for the management and maintenance of all preserved, planted and rehabilitated vegetation (including aquatic vegetation). v. The Proponent will avoid extracting rock and micro site infrastructure around rocky outcrops. <p>d) The mitigation measures outlined in Chapter 9.6 of the Environmental Assessment report.</p> <p>e) A Weed Management Strategy including:-</p> <ul style="list-style-type: none"> i. Identification of weeds within the Development Site and adjoining areas. 		

SOC	COMMITMENT	PROJECT PHASE	OBJECTIVE
	<ul style="list-style-type: none"> ii. Weed eradication methods and protocols for the use of herbicides. iii. Methods to treat and re-use weed infested topsoil. iv. Strategies to control the spread of weeds during Construction. <p>A program for reporting on the effectiveness of terrestrial flora and fauna management measures against the identified performance criteria. Management methods must be reviewed where found to be ineffective.</p>		
SOIL AND WATER QUALITY MANAGEMENT			
15	<p>A Construction Soil and Water Management Sub-Plan will be prepared as part of the CEMP. The Sub-Plan will be prepared in consultation with Relevant Government Agencies and Council. The Sub-Plan will:-</p> <ul style="list-style-type: none"> a) Incorporate the mitigation measures identified in Chapter 13.5 of the Environmental Assessment report. b) Where relevant, be consistent with the Department of Land and Water Conservation's Guidelines for the Planning, Construction and Maintenance of Tracks (1994); RTA's Guidelines for the Control of Erosion and Sedimentation in Road Works, the DIPNR Constructed Wetlands Manual and Landcom's manual entitled Managing Urban Stormwater: Soils and Construction (2004). c) Identify the Construction activities that could cause soil erosion or discharge sediment or water pollutants from the Development Site. 	<p>Prior to Construction</p> <p>CEMP</p>	Mitigate

SOC	COMMITMENT	PROJECT PHASE	OBJECTIVE
	<ul style="list-style-type: none"> d) Describe the location and capacity of erosion and sediment control measures. e) Identify the timing and conditions under which Construction stage controls will be decommissioned. f) Include contingency plans to be implemented for events such as fuel spills. g) Identify how the effectiveness of the sediment and erosion control system will be monitored, reviewed and updated. h) All water requirements will be met by existing water supplies. Additional water supplies will be sourced in consultation with the NSW Office of Water. Where licenses are required for proposed groundwater works, submissions will be made to NOW for these licenses. i) The design and construction of any new or upgraded track crossings of Taylors Creek or Butmarro Creek will be undertaken in accordance with the Department of Industry and Investments Policy and Guidelines for Fish Friendly Waterway Crossings (2004) and Why Do Fish Need to Cross the Road. 		
ABORIGINAL CULTURAL HERITAGE MANAGEMENT SUB PLAN			
16	An Aboriginal Cultural Heritage Management Sub Plan which was developed in full consultation with the registered stakeholders as part of the existing Capital Windfarm project will be updated by the Proponent and included as part of the CEMP. This Sub Plan includes a Care and Control Agreement.		

SOC	COMMITMENT	PROJECT PHASE	OBJECTIVE
	<p>a) If additional un-recorded Aboriginal archaeological material is encountered during construction, works must cease immediately within 100m of the site to allow an archaeologist to make an assessment of the finds. The archaeologist may need to consult with NSW DECCW and registered stakeholder groups concerning the significance of any such material. A new Aboriginal Site Impact Recording Form will be submitted to DECCW.</p> <p>b) Protocols for ongoing consultation with the relevant Aboriginal stakeholders will be established in the Aboriginal Cultural Heritage Management Sub Plan and included in the CEMP.</p> <p>c) Copies of the final report and layout will be provided to the relevant stakeholders including Aboriginal groups.</p> <p>d) DECCW will be provided with information regarding the location of recorded Archaeological material for inclusion in the AHIMS database.</p> <p>e) DECCW will be provided with a copy of the Austral Archaeology 2009 Aboriginal Archaeological Excavation Report.</p>		
OPERATION MANAGEMENT			
17	<p>The Proponent will prepare and implement an Operation Environmental Management Plan (OEMP) in accordance with the Department's publication entitled Guideline for the Preparation of Environmental Management Plans (2004) or its latest version. The OEMP will be prepared in consultation with the Relevant Government Agencies and Councils, and will be certified by the ER as being in accordance with the Conditions of Approval. The OEMP is to be submitted for the approval of the Director-General no later than one month prior to the commencement of Operation, or within such period otherwise agreed to by the Director-General.</p>	<p>Prior to Operation</p> <p>OEMP</p>	Manage

SOC	COMMITMENT	PROJECT PHASE	OBJECTIVE
18	<p>Operation will not commence until written approval of the OEMP has been received from the Director-General. Upon receipt of the Director-General's approval, the Proponent will supply a copy of the OEMP to the DECCW and Councils as soon as practicable.</p> <p>The OEMP will include protocols to manage the components of CWFII at the end of their economic life.</p>	<p>Prior to Operation</p> <p>Department of Planning</p>	Compliance
ONGOING FLORA AND FAUNA MANAGEMENT AND MITIGATION			
19	<p>An Operation Flora and Fauna Management Sub-Plan will be prepared as part of the OEMP. The Sub-Plan will include:-</p> <ul style="list-style-type: none"> a) Plans showing terrestrial vegetation communities, important flora and fauna habitat areas, areas to be protected, and areas to be planted. b) Methods for managing flora and fauna and their habitats which are directly or indirectly affected by the Development. c) The mitigation measures outlined in Chapter 9.6 of the Environmental Assessment report. <p>Strategies to control the spread of weeds during Operation.</p>	<p>Prior to Operation</p> <p>OEMP</p>	Avoid, manage and mitigate
20	<p>A Bird and Bat Adaptive Management Program will be prepared as part of the OEMP and undertaken by a suitably qualified expert and will:-</p> <ul style="list-style-type: none"> a) Incorporate monitoring, and a decision matrix that clearly describes how the Proponent will respond to the outcomes of monitoring. 	<p>Prior to Operation</p> <p>OEMP</p>	Mitigate and Monitor

SOC	COMMITMENT	PROJECT PHASE	OBJECTIVE
	<p>b) Set out monitoring techniques, taking into account best practice bird and bat monitoring methods for wind farms such as those identified in the current editions of AusWEA Best Practice Guidelines for the Implementation of Wind Energy Projects in Australia and Assessing the Impacts of Wind Farms on Birds – Protocols and Data Set Standards.</p> <p>c) Account for natural and human changes to the surrounding environment that might influence bird and/or bat behaviour such as changes in land use practices and significant changes in water levels in nearby water-bodies.</p> <p>d) Incorporate a decision making framework that sets out specific actions and when they may be required, to reduce identified impacts on birds and bats.</p> <p>Identify “at risk” bird and bat groups and include monthly censuses of their movement.</p>		
21	<p>The Proponent will prepare annual reports commencing 12 months from the start of Operation describing the activities undertaken with the Bird and Bat Adaptive Management Program. The reports will be prepared within two months of the end of the reporting period and be provided to the Director-General. The reports will address the:-</p> <p>a) Outcomes of monitoring.</p> <p>b) Application of the decision making framework.</p> <p>c) Need for mitigation measures.</p> <p>d) Progress with implementation of mitigation measures.</p> <p>e) Effectiveness of the mitigation measures.</p>	<p>Prior to Operation</p> <p>Department of Planning</p>	Monitor

SOC	COMMITMENT	PROJECT PHASE	OBJECTIVE
OPERATION SOIL AND WATER QUALITY MANAGEMENT AND MITIGATION			
22	<p>An Operation Soil and Water Management Sub-Plan will be prepared as part of the OEMP. The Sub-Plan will:-</p> <ul style="list-style-type: none"> a) Include regular inspection of disturbed ground, particularly after rain, to ensure sediment control devices are maintained. b) Incorporate the use of appropriate containment facilities for chemical storage in the control room, bunding around the padmount transformers, and facilities building to prevent discharge to the ground. c) Include measures to maintain site tracks to prevent erosion and discharge of sediment from the site. 	<p>Prior to Operation</p> <p>OEMP</p>	Minimise