Section 6

Draft Statement of Commitments

This section has been prepared in accordance with the requirements of Part 3A of the Environmental Planning and Assessment Act 1979, and presents a compilation of the actions and initiatives the Proponent commits to implement if the proposed New Berrima Clay/Shale Quarry is approved. These commitments are effectively built upon a wide range of actions that the Proponent implements at its other quarries and are designed to effectively manage, mitigate, guide and monitor the Project from commencement through to full production and eventually rehabilitation of the Project Site.

The Environmental Assessment of the Project has identified a range of environmental, social and management outcomes and measures, all required to avoid or reduce the environmental and social impacts of the Project.

*All parties involved in the design, establishment and operational phases of the Project would be required to undertake their work in accordance with these commitments. The commitments are presented in tabular form (**Table 6.1**) and identify the desired outcome, action and timing of commitments.*

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Table 6.1
Draft Statement of Commitments for Site Construction, Operations and Management

Desired Outcome	Action		Timing
1. Area of Activities and Operations			
All approved activities are undertaken in the area(s) nominated on the approved plans and figures (unless moved slightly to avoid individual trees).	1.1	Survey and mark the boundaries of the areas of disturbance on the ground.	Prior to any vegetation clearing.
Satisfaction of the requirement of Industry and Investment NSW for production data.	1.2	Provide annual production data to Industry and Investment NSW (and include in the AEMR).	Annually (July).
2. Operating Hours			
Management of operations in accordance with the approved operating hours.	2.1	Undertake extraction operations between 7:00am and 5:00pm on Monday to Fridays and 7:00am to 2:00pm on Saturdays.	During operations.
	2.2	Undertake product clay/shale despatch between 7:00am and 4:00pm, Monday to Friday, 7:00am and 4:00pm on Saturdays if required due to special circumstances and 8:00am to 4:00pm Sundays if required due to special circumstances.	During operations.
	2.3	Undertake repairs and maintenance between 6:00am and 6:00pm on Monday to Fridays, 7:00am and 6:00pm on Saturdays and 8:00am to 6:00pm on Sundays.	During operations.
3. Traffic			
Minimisation of traffic impacts, including road safety.	3.1	Construct a Basic Rural intersection treatment (BAR) to permit safe and easy access for 19m articulated vehicles to the Project Site from Berrima Road. This would be incorporated with the construction of a new entrance gate and driveway, which would be at least 12.5m in width to comply with AS 2890.2:2002.	During six month construction period.
	3.2	Align the transport route along Cavendish Street in Mittagong to avoid Lyell Street in which a school is located and has parking on both sides of the road.	Prior to off-site transportation.
	3.3	Construct a rubble pit at the western end of the site access road, which all vehicles exiting the Project Site must pass over, to reduce soil and mud on their wheels.	During six month construction period.
	3.4	Seal the last 400m of the site access road from the entrance to the Project Site	During six month construction period.
	3.5	Cover all loads.	Ongoing.
	3.6	Ensure truck drivers adhere to the existing Austral Bricks Drivers Code of Conduct which identifies the required safety and courtesy requirements for drivers travelling to and from all Austral Bricks quarries.	Ongoing.
	3.7	Adopt all safety procedures during the Berrima Road / access driveway intersection construction and incorporate in the Section 138 Permit sought under the Roads Act 1993.	During six month construction period.

Table 6.1 (Cont'd)
Draft Statement of Commitments for Site Construction, Operations and Management

Desired Outcome	Action	Timing
4. Surface Water		
Minimisation of potential impacts on surface water quality and supply of the local watercourse system, particularly the Wingecarribee River.	4.1 Commence extraction on the southern slopes of the hill in the middle of the Project Site to minimise the risk of sediment – laden flows to the Wingecarribee River.	Commencement of extraction.
	4.2 Ensure early and progressive revegetation of amenity bunds and rehabilitation of completed extraction areas.	Ongoing.
	4.3 Use of any water sourced from the sedimentation basins for dust suppression within the upslope catchment of a sedimentation basin.	As required.
	4.4 Install sediment control fencing around the amenity bunds under construction and other areas of exposed soil until vegetation has been established.	As required.
	4.5 Construct and operate various surface water management controls such as diversion structures and sedimentation basins.	During six month construction period.
	• Design operational sedimentation basins including an emergency spillway designed to safely convey the 100-year ARI flow (DECC, 2008).	During six month construction period.
	• Inspect sedimentation basins fortnightly and within 24 hours following any rain event exceeding 5mm to check their capacity and integrity.	Ongoing.
	• Repair any damaged components of the sedimentation basins as soon as practicable.	As required.
	• Discharge sedimentation basins only when water has 50mg/L or less of suspended sediment.	As required.
	• Discharge waters within five days after the conclusion of a rain event, at or below the required water quality limit of 50mg/L.	As required.
	• Install a marker in each sedimentation basin showing the boundary between the Storage Zone (i.e. the lower zone) and the Settling Zone (i.e. the upper zone) in the basin.	During six month construction period.
	• Inspect the level of retained sediment after discharging treated water from any sedimentation basin. If retained sediment exceeds the marked level of the Storage Zone, remove sediment and add to an active stockpile.	As required.
	• Regularly review the management procedures for the sedimentation basins to ensure ongoing efficient operation and protection of downstream water quality.	Ongoing.

Table 6.1 (Cont'd)
Draft Statement of Commitments for Site Construction, Operations and Management

Desired Outcome	Action		Timing
4. Surface Water (Cont)			
Minimisation of potential impacts on surface water quality and supply of the local watercourse system, particularly the Wingecarribee River.		• Armour potential scour points (e.g. channel inlets/outlets and bends) with rock. • Inspect diversion structures monthly and within 24 hours following any rain event that generates flow in the drains to identify areas of erosion, scour or damage. Repair any problem areas and/or take appropriate stabilising action.	During six month construction period. Ongoing.
	4.6	Undertake any maintenance/upgrade of the Stony Creek crossing in accordance with the NOW Guidelines for Controlled Activities Watercourse Crossings.	As Required.
5. Noise			
Minimise of the noise impacts attributable to extraction and transportation of clay /shale product from the Project Site.	5.1	Construct amenity bunds on three sides (southern, western and northern) of the extraction area and retain the existing tree screen on the eastern side of the extraction area.	During six month construction period.
	5.2	Commence extraction (Stages 1 to 3) on the southern side of the hill, providing noise screening to residences on the northern side of Wingecarribee River, until amenity bunds are fully established with trees.	Commencement of extraction.
	5.3	Align the proposed transport route avoiding wherever possible residential, school and other sensitive receiver areas.	Prior to off-site transportation.
	5.4	Under NE wind conditions, bund construction would be limited to the northern end of the western bund or the northern bund.	During six month construction period.
	5.5	Construction of the southern bund and southern section of the western bund would be limited to westerly wind conditions or neutral conditions.	During six month construction period.
	5.6	Construction of the southern bund and southern section of the western bund would not occur during any transportation campaign.	During six month construction period.
	5.7	Adhere to all hours of operation presented in Section 2.8.1.	Ongoing.
	5.8	Regularly service all equipment on site to ensure sound power levels of each item remains at or below that nominated for noise modelling purposes.	Ongoing.
	5.9	Ensure all truck drivers comply with the Bowral Brick Plant Drivers Code of Conduct which outlines procedures for reducing noise impacts during transportation.	Ongoing.

Table 6.1 (Cont'd)
Draft Statement of Commitments for Site Construction, Operations and Management

Desired Outcome	Action		Timing
6. Flora			
Minimisation of the spread of weeds, on and off site.	6.1	Quick establishment of a selected cover crop.	During six month construction period and ongoing.
	6.2	Spray weeds with an authorised herbicide.	As required.
	6.3	Ensure all earthmoving equipment is appropriately cleaned prior to being brought to site for each campaign.	Prior to each campaign.
7. Visual Amenity			
Reduce visible amenity impacts.	7.1	Construct 7m high southern and western amenity bunds to screen the views of the extraction area and the surplus overburden stockpile area from the west and south.	During six month construction period.
	7.2	Plant trees screenings at the eastern side of the surplus overburden stockpile area to screen stockpiles from the east.	During six month construction period.
	7.3	Establish a farm forest over the Stage 4 area at the commencement of the project. These trees would be of sufficient height at the commencement of Stage 4 (18 years) to provide screening of the Stage 4 extraction area. Strip clearing as extraction proceeds northward of farm forest would ensure that screening is maximised.	During six month construction period.
	7.4	Screen the extraction area during Stages 5 and 6 from the north by the vegetated northern amenity bund.	During extraction period.
	7.5	Commence progressive rehabilitation of completed faces and all other completed disturbed areas as soon as possible after completion of extraction. Rehabilitation of the southern extraction area wall would be very advanced (13-18 years) and protect against views of extraction faces during Stages 5 and 6.	Ongoing.
8. Air Quality			
Limit the generation of dust and other emissions from site activities.	8.1	Construct vegetated amenity bunds to provide barriers to minimise the spread of dust from the Project Site.	During six month construction period.
	8.2	Commence progressive rehabilitation of all disturbed areas as soon as possible after the completion of excavation in that area.	Ongoing.
	8.3	Use water truck to routinely spray unsealed roads, tracks and stockpile areas.	Ongoing.
	8.4	Routinely spray stockpiles and stockpile transfer points with water.	Ongoing.
	8.5	Cover and effectively seal tailgates of trucks leaving the Project Site.	Ongoing.

Table 6.1 (Cont'd)
Draft Statement of Commitments for Site Construction, Operations and Management

Desired Outcome	Action		Timing
8. Air Quality (Cont'd)			
	8.6	Install a truck shaker grid or rubble pit near the Project Site exit to minimise the amount of clay adhering to the truck.	During six month construction period.
	8.7	Prohibit all vehicles and machinery from idling unnecessarily.	Ongoing.
	8.8	Maintain all vehicles and machinery in accordance with manufacturers' specifications.	Ongoing.
Limit the generation of dust and other emissions from site activities.	8.9	Amend extraction practices as required during adverse wind conditions to minimise the generation and spread of dust from the Project Site.	As required.
	8.10	Minimise drop heights between front-end loader buckets and truck trays through operator training and education on the management of dust.	Ongoing.
9. Soils, Land Capability and Agricultural Sustainability			
Conservation of topsoil resources.	9.1	Strip all available topsoil to a depth of approximately 0.15m from the surface of each extraction stage.	Ongoing.
	9.2	Wherever practicable, place stripped topsoil directly onto the constructed amenity bunds or areas prepared and awaiting rehabilitation.	Ongoing.
	9.3	Stockpile topsoil in predetermined areas for later reclamation if no areas are available. Limit topsoil stockpiles to no more than 2.0m in height to minimise adverse impacts upon the biological activity of the topsoil.	Ongoing.
	9.4	Broadcast a native seed mix to assist with temporary stabilisation if topsoil stockpiles are likely to remain for extended periods.	As required.
	9.5	Avoid excessive handling of soil during the stripping and stockpiling operation and handling when the soils are wet to protect soil structure.	Ongoing.
	9.6	Restrict driving of machinery on the topsoil and subsoil stockpiles, as well as the respread soil, to maximise soil aggregation and prevent compaction, particularly when the stockpiles are moist.	Ongoing.
	9.7	Position stockpiles where run-off water from upslope does not pose a problem.	During six month construction period.
	9.8	Place silt-stop fencing or similar immediately down-slope of stockpiles and amenity bunds where required, until a stable vegetation cover is established.	During six month construction period.

Table 6.1 (Cont'd)
Draft Statement of Commitments for Site Construction, Operations and Management

Desired Outcome	Action		Timing
9. Soils, Land Capability and Agricultural Sustainability (Cont'd)			
Minimise the potential for soil contamination.	9.9	Restrict all refuelling and vehicle maintenance activities to designated areas which are either sealed, bunded or located with access to spill control kits.	Ongoing.
	9.10	Complete regular house keeping and maintenance of vehicle maintenance areas.	Ongoing.
10. Heritage			
Comply with the provisions of the *National Parks and Wildlife Act 1974* (as amended).	10.1	Instruct employees, earthmoving contractors, subcontractors, machine operators and their representatives, whether working in the survey area or elsewhere, that in the event of any bone or stone artefacts, or discrete distributions of shell, or any objects of cultural association, being unearthed during earthmoving, work would cease immediately in the area of the find.	Ongoing.
	10.2	Immediately report the find to the Department of Environment, Climate Change and Water (DECCW) and the relevant Local Aboriginal Land Councils.	As required.
	10.3	In the event that any bone cannot be clearly identified by a qualified archaeologist as being of animal remains, inform the police of its discovery, and officials and/or their representatives of the Illawarra Local Aboriginal Land Council, Wodi Wodi Elders Corporation, and Korewal Elouera, Jerrungarugh, and the Archaeologist, DECCW (Wollongong) advised that the bone is subject to police investigation.	As required.
	10.4	Do not recommence work in the area of the find, until both the police (if unidentified bone has been found) and those officials or representatives have given their permission to do so.	As required.
11. Groundwater			
Appropriate management of any unexpected groundwater inflows	11.1	In the event that significant groundwater inflows are encountered a monitoring bore network will be established and an ongoing program of water level monitoring implemented to identify potential impacts on surrounding areas. Any water licences required to account for these inflows will be obtained to the satisfaction of NOW.	If significant groundwater inflows occur.