

DEPARTMENT OF PLANNING AND INFRASTRUCTURE
MONTHLY AUDITING AND COMPLIANCE ACTIVITIES REPORT

June 2011

SINGLETON OFFICE

| ACTIVITY TYPE | MONTHLY TOTAL | 2010-11 TOTAL |
|--|---------------|---------------|
| Audits | 0 | 1 |
| Inspections | 13 | 131 |
| Meetings | 10 | 98 |
| Surveillances | 7 | 39 |
| <i>Subtotal compliance monitoring</i> | 30 | 269 |
| Negotiated outcomes | 0 | 6 |
| Advisory letters | 5 | 31 |
| Warning letters | 1 | 10 |
| Enforceable undertakings | 0 | 0 |
| Notices to produce information and records | 0 | 1 |
| Draft orders | 0 | 0 |
| Orders | 0 | 0 |
| Penalty Notices | 0 | 3 |
| Court Orders | 0 | 0 |
| Prosecutions | 0 | 0 |
| <i>Subtotal enforcement</i> | 6 | 51 |
| Complaints received | 12 | 138 |

HEAD OFFICE

| | | |
|--|----------|-----------|
| Audits | 0 | 8 |
| Inspections | 5 | 55 |
| Meetings | 2 | 15 |
| <i>Subtotal compliance monitoring</i> | 7 | 78 |
| Negotiated outcomes | 0 | 0 |
| Advisory letters | 0 | 9 |
| Warning letters | 4 | 27 |
| Enforceable undertakings | 0 | 1 |
| Notices to produce information and records | 0 | 5 |
| Draft orders | 0 | 0 |
| Orders | 0 | 1 |
| Penalty Notices | 2 | 7 |
| Court Orders | 0 | 0 |
| Prosecution | 0 | 1 |
| <i>Subtotal enforcement</i> | 6 | 51 |

JINDABYNE OFFICE

| | | |
|-------------|---|----|
| Audits | 0 | 3 |
| Inspections | 4 | 46 |
| Meetings | 0 | 3 |

| | | |
|--|-----------|------------|
| <i>Subtotal compliance monitoring</i> | 4 | 52* |
| Negotiated outcomes | 2 | 5 |
| Advisory letters | 0 | 2 |
| Warning letters | 0 | 0 |
| Enforceable undertakings | 0 | 0 |
| Notices to produce information and records | 0 | 0 |
| Draft orders | 0 | 0 |
| Orders | 0 | 2 |
| Penalty Notices | 0 | 0 |
| Court Orders | 0 | 0 |
| Prosecutions | 0 | 0 |
| <i>Subtotal enforcement</i> | 2 | 9* |
| TOTAL ACTIONS | | |
| Compliance monitoring | 41 | 399 |
| Enforcement | 14 | 111 |

* Jindabyne office currently doesn't have 2010-11 figures before December 2010.

SINGLETON OFFICE - KEY ACTIVITIES UNDERTAKEN

Wambo Homestead final inspection

- On June 7, the Department conducted a final inspection of the Wambo Homestead in relation to the tasks and activities listed in Wambo Coal's Voluntary Action Plan (VAP). The inspection included a review of each task carried out under the plan, an assessment of the standard of maintenance works carried out on each building, and a water-shedding test on the main homestead building, when water was sprayed onto the roof to ensure rainwater run-off from the roof and guttering would be directed away from the building.
- The Department was satisfied that all actions required by the Voluntary Action Plan had now been completed, and were in accordance with the plan and the mine's development consent. A compliance report was prepared by the Department and submitted to the Office of Environment and Heritage.
- Additional maintenance work on the homestead, including a timetable to complete work, will be incorporated into a revised Conservation Management Plan to be submitted by the mine to the Office of Environment and Heritage and the Department by August 15.

Warning letter to an Upper Hunter Valley mine

- On June 14, the Department received a complaint alleging that an Upper Hunter Valley mine was working on their highest overburden dump at night. This appeared to be contrary to the statement of commitments included in the mine's development consent, which stated: "At night trucks will be restricted to operate below the maximum elevation of the overburden emplacement area."
- The Department initiated an investigation and after discussions with the relevant mine, it was established that dumping operations had been carried out on the highest overburden dump the previous night.
- The Department issued a formal warning letter to the mine and the Department will continue to monitor the issue and conduct random surveillance.

Meetings on blasting practices

- The Department has held further meetings with drill and blast staff from a number of Upper Hunter Valley mines and attended information sessions with explosive

manufacturing companies. This is to enhance the Department's understanding of mine blasting practices with a view to minimising blast fumes and assist in developing broader policies about regulating fume from mine blasts.

HEAD OFFICE - KEY ACTIVITIES UNDERTAKEN

Penalty notice issued for Illawarra International Health Precinct

- Stage 1 of the above project, including a surgical centre and two storeys of basement parking, is under construction at Penrose, south of Wollongong. The activities at the site have included excavating a large amount of soil and rock, and stockpiling the excavated material on part of the site adjacent to residential dwellings and a residential street.
- On June 10, the Department issued the proponent, La Vie Developments Pty Ltd, with a \$3000 penalty notice for commencing construction without a construction certificate.
- The Department has received a number of complaints concerning the stockpiled material and a dry rock retaining wall constructed along the toe of the stockpile, including allegations of dust emissions, sediment laden water discharges, concerns about the stability the structure and the loss of views to the Illawarra escarpment. In June, the Department inspected the project on two occasions with Wollongong City Council, met with the proponent, and issued two warning letters to the proponent.

Smart Skip materials recycling facility issued penalty notice

- On June 7, the Department issued a \$3000 penalty notice to Cardinal Project Services Pty Limited, the operator of the Smart Skip materials recycling facility at Silverwater, in western Sydney. The penalty notice, issued for parking a waste truck on the road in the vicinity of the site in breach of the project approval, is the second penalty notice issued for this offence and the third penalty notice issued for this project within the last three months.
- The Department held a meeting with the operator on June 24 and conducted a further site inspection on June 30.

Crane operations on IKEA development site at Tempe

- The Department has received complaints from residential neighbours about noise from construction allegedly occurring at night, outside approved construction hours, on the IKEA development site at Tempe, in Sydney's south.
- The Department issued the construction company, Cockram, with a warning letter on June 3 about the alleged out-of-hours construction activities, and inspected the site on June 5. The council had previously issued Cockram with a number of penalty notices for alleged out-of-hours construction activities.
- The problem involved the use of a crane, which was not allowed to operate during daylight hours because of potential interference with Sydney Airport flights. The Planning Assessment Commission subsequently approved a modification to the approval on June 21, allowing operation of the crane at night until July 15.
- The Department met representatives of IKEA and Cockram on June 22 to ensure the conditions of the modified approval would be strictly complied with, in particular to minimise noise at night.

Inspection of Southern Highlands Regional Shooting Complex

- On June 15, the Department conducted a follow-up inspection of the shooting complex under construction at Hilltop, in the Southern Highlands, to check the adequacy of the site's stormwater run-off erosion and sediment controls. This followed problems identified at earlier inspections. The inspection found substantial improvements in soil stabilisation and sediment basin operation. The Department will continue to monitor the site as necessary.

JINDABYNE OFFICE - KEY ACTIVITIES UNDERTAKEN

- Two building compliance inspections were undertaken for the issuing of occupation certificates for ski lodges at Thredbo and Perisher. All works were satisfactory and two certificates were issued.
- Three fire safety compliance inspections were undertaken for a building in Perisher Valley and two ski lodges at Smiggin Holes. One re-inspection was required for a ski lodge in Smiggin Holes to ensure that a fire exit was operating without obstructions. The buildings were satisfactory and all works had been completed in accordance with the Audit Report.
- Two negotiated outcomes have been reached for buildings in Thredbo where works had commenced without development consent. In each case, works ceased after a site inspection and meeting. Certification has been submitted to the Department to demonstrate that there are no risks to the public or the properties. Further works will be required to address these issues. A written undertaking has been provided for one building, and a BCA upgrade strategy was provided for the other.