

Friday, 25 November, 2011

Department reports significant number of penalties and enforcements for October

Seven penalty notices and five orders were issued by the Department of Planning and Infrastructure during October, in a busy month for compliance and enforcement.

The department's compliance officers in Singleton, Sydney and Jindabyne have an important role monitoring and enforcing the compliance of proponents with their conditions of consent.

They carried out a total of 26 enforcement actions in October 2011, the highest number since the department initiated monthly compliance reports in October 2010.

The department's Director-General, Sam Haddad, emphasised the important role carried out by the work of the compliance officers.

"The department takes its compliance role very seriously in regards to ensuring all development projects continue to meet all conditions of approval," Mr Haddad said.

Key features of the compliance report for October include:

- Shoalhaven Starches was issued with three \$3,000 penalty notices for not getting the necessary approvals to increase production levels at the Bomaderry plant.
- Goulburn Mulwaree Council was issued with a \$3,000 penalty notice for not obtaining the department's approval for an ongoing waterway monitoring program, prior to starting construction on the Highlands Source project.
- Ausgrid was issued with an enforceable direction for rehabilitation of seagrass beds and burial of submarine electricity cables across Botany Bay, addressing impacts from two incidents by former contractors.
- The Tumbarumba Timber Mill operator was issued with a draft order to commission an acoustic consultant to achieve noise criteria compliance, following significant breaches.
- Two independent environmental reviews were completed into potential air quality, noise and vibration impacts on homes near the Xstrata Coal Mangoola mine, in the Upper Hunter.
- The department initiated an independent noise review for Coal & Allied's Mt Thorley-Warkworth mine near Bulga, in the Upper Hunter, in response to noise complaints from the public.
- The department issued a penalty infringement notice for \$1,500 to the sub-lessee of an apartment building at Thredbo for unauthorised building works. This matter is subject to an appeal.
- A mediation session was held with the developer of the Illawarra International Health Precinct at Penrose, near Dapto. The session was unsuccessful and court action by the department, seeking the removal of a large stockpile and retaining wall near homes, will proceed in the NSW Land and Environment Court.

- A penalty infringement notice of \$3,000 was issued for unauthorised building works in Thredbo that did not comply with the Building Code of Australia.

The compliance activity report for October 2011 is available on the NSW Department of Planning and Infrastructure website at www.planning.nsw.gov.au

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