

**Response given to the Goulburn Post regarding compliance action on
Highlands Source**

In response to queries from Goulburn Mulwaree Council questioning a \$3,000 fine handed to it

The project approval required the waterway monitoring program to be prepared in consultation with relevant agencies and approved by the Director General before construction commenced. For compliance purposes the key date, therefore, is the date of the Director General's approval, not the date that the program was submitted. In fact the program originally received by the Department was unsatisfactory and needed further work before the Director General's approval could be given – it was approved by the Director General on 9 June 2011. However, this was after construction had started, which was understood to be March, 2011.

On the NSW Office of Water (NOW) issue, the concern stems from the need for Council to provide NOW with "scour calculations" which are required to gauge if the pipeline is buried deep enough below waterway crossings to prevent its exposure by future erosion of the waterway beds. However, neither had the scour calculations been provided nor had adequate consultation with NOW occurred on appropriate waterway crossing methodology, as was required by the approval.

The Department monitored construction of the project through a number of methods. Firstly, an independent Environmental Representative was appointed to the project under a condition of approval, to monitor the environmental management of the project, ensure the required environmental auditing is undertaken and recommend steps to minimise environmental impact including ceasing work if necessary. Secondly, the approval required Council to implement a compliance tracking program including independent environmental auditing. Thirdly, the Department conducted a site inspection of the project during construction.