

DEPARTMENT OF PLANNING AND INFRASTRUCTURE
MONTHLY AUDITING AND COMPLIANCE ACTIVITIES REPORT

March 2012

SINGLETON OFFICE

| ACTIVITY TYPE | MONTHLY TOTAL | 2011-12 TOTAL |
|--|---------------|---------------|
| Audits | 0 | 0 |
| Inspections | 8 | 123 |
| Meetings | 17 | 134 |
| Surveillances | 8 | 77 |
| <i>Subtotal compliance monitoring</i> | 33 | 334 |
| Negotiated outcomes | 0 | 0 |
| Advisory letters | 5 | 49 |
| Warning letters | 0 | 12 |
| Enforceable undertakings | 0 | 0 |
| Notices to produce information and records | 0 | 0 |
| Draft orders | 0 | 1 |
| Orders | 0 | 3 |
| Penalty Notices | 0 | 5 |
| Court Orders | 0 | 0 |
| Prosecutions | 0 | 0 |
| <i>Subtotal enforcement</i> | 5 | 70 |
| Complaints received | 41 | 209 |

HEAD OFFICE

| | | |
|--|-----------|-----------|
| Audits | 0 | 1 |
| Inspections | 7 | 37 |
| Meetings | 5 | 20 |
| <i>Subtotal compliance monitoring</i> | 12 | 58 |
| Negotiated outcomes | 0 | 0 |
| Advisory letters | 0 | 10 |
| Warning letters | 0 | 9 |
| Enforceable undertakings | 0 | 0 |
| Notices to produce information and records | 0 | 1 |
| Draft orders | 0 | 2 |
| Orders | 0 | 0 |
| Penalty Notices | 0 | 7 |
| Court Orders | 0 | 0 |
| Prosecution | 0 | 0 |
| <i>Subtotal enforcement</i> | 0 | 29 |

JINDABYNE OFFICE

| | | |
|-------------|---|---|
| Audits | 0 | 1 |
| Inspections | 2 | 8 |
| Meetings | 0 | 0 |

| | | |
|--|-----------|------------|
| <i>Subtotal compliance monitoring</i> | 2 | 9 |
| Negotiated outcomes | 2 | 3 |
| Advisory letters | 1 | 2 |
| Warning letters | 0 | 0 |
| Enforceable undertakings | 0 | 0 |
| Notices to produce information and records | 0 | 0 |
| Draft orders | 0 | 0 |
| Orders | 3 | 10 |
| Penalty Notices | 0 | 3 |
| Court Orders | 0 | 0 |
| Prosecutions | 0 | 0 |
| <i>Subtotal enforcement</i> | 6 | 18 |
| TOTAL ACTIONS | | |
| Compliance monitoring | 47 | 401 |
| Enforcement | 11 | 117 |

SINGLETON OFFICE - KEY ACTIVITIES UNDERTAKEN

Independent review for noise at Bulga completed

- Noise monitoring has been completed for an independent review of noise at Bulga. The independent review began in November 2011 for eight properties in and around Bulga. This review was approved by the department in response to resident concerns that noise levels had increased significantly in Bulga with the recommencement of mining in the Mt Thorley pit.
- The review included attended monitoring at the eight homes, as well as unattended continuous monitoring.
- The mine and Bulga community representatives, including members of the Mt Thorley-Warkworth Community Consultative Committee have reviewed and commented on the noise consultants' preliminary findings. The report on the independent review is expected to be finalised by early May.

Complaints for blasting and noise

- The Singleton office received 41 complaints regarding compliance issues during March. These included 34 for noise, three for dust and four for blasting.
- The complaints included 25 from Bulga residents, concerning noise from the Mt Thorley-Warkworth mine. The mine is currently the subject of an independent review for noise (as above).

HEAD OFFICE - KEY ACTIVITIES UNDERTAKEN

Wind farm compliance audits

- The department is undertaking compliance audits of the three government-approved wind farms that are operating in NSW - the Cullerin Range, Capital and Woodlawn wind farms.
- The audits, to be conducted in the coming months, will assess the operations of each wind farm against its conditions of consent, with a particular focus on compliance with noise limits.
- In March, the department called for tenders for an independent acoustic consultant to conduct the noise monitoring component of the audits and placed information about the audits on a new page on the department's website.

- Updates on the audits will be published on the department's website and in future monthly compliance reports.

Illawarra International Health Precinct inspection

- The department inspected this project, near Dapto, on 26 March to ascertain whether appropriate controls were in place during the ongoing development of sediment control basins.
- The department found sediment controls to be in place.
- Meanwhile, an appeal lodged by the proponent and separate enforcement proceedings initiated by the department to seek the removal of a large stockpile on the site both remain before the Land and Environment Court.

Vibration complaints over Sydney inner-city construction project

- The department inspected a Sydney CBD construction site during March in response to complaints about alleged vibration within an adjoining building.
- Monitoring results indicated the site was generally operating in accordance with its approval.

Sediment concerns over residential construction project

- The department inspected a construction site at Epping on three occasions in March in response to sediment control issues.
- Sediment controls were found to be inadequate during the inspection and the proponent was directed to rectify this to ensure water is being managed in accordance with an approved sedimentation and erosion control plan.
- The department will continue to work with the local council to monitor the site.

JINDABYNE OFFICE - KEY ACTIVITIES UNDERTAKEN

Perisher ski lodges directed to undertake repairs and structural work

- The department issued an Order to the lessee of a Perisher ski lodge to ensure upgrades to building entries to comply with relevant standards are completed by 1 June 2013. The work will include installing structural awnings to prevent snow and ice falling from above and obstructing the building exits.
- An Order was issued on 30 March to the lessee of a Perisher ski lodge to direct that work to remove three redundant diesel fuel tanks and remediate the site is completed and validated by 30 December 2012.
- In response to unauthorised building works commenced in February at a Perisher ski lodge, the department met a builder on-site during March. The department and lessee reached a negotiated outcome, requiring the lessee to provide the department with details of work already carried out and a Building Code of Australia compliance report. The builder will provide details of rectification work still required.

Works to rectify excavation collapse at Perisher building site

- The department reached a negotiated outcome with a Perisher ski lodge operator after heavy rainfall contributed to an excavation collapse at a building site.
- The negotiated outcome followed an on-site inspection by the department and Office of Environment and Heritage.
- The builder will be required to consult structural and geotechnical engineers and provide the department with details of additional retaining wall works, drainage works and any geotechnical remediation works to stabilise the site.