

# DEPARTMENT OF PLANNING AND INFRASTRUCTURE MONTHLY AUDITING AND COMPLIANCE ACTIVITIES REPORT

November 2012

## Summary

This month, the department began to review blast fume reduction strategies, fined an Upper Hunter mine for excessive dust and fined a Central Coast mine for breaching its tonnage limits.

## Key outcomes

### SINGLETON OFFICE

#### *Blast fume management strategies*

- During 2012, the department's Singleton compliance office has been meeting with the Upper Hunter mining industry, including at a workshop in June, to find solutions to reduce the number and size of blast fumes.
- Mine blasts can, from time to time, result in a large orange-coloured fume that drifts outside the mine site. There are a range of causes for these blast fumes, including water penetration into the blast hole, unfavourable ground conditions or use of the wrong product. They can cause significant concern among the community.
- There has been genuine goodwill and action from the mining companies to better manage this issue.
- In August 2012, the department requested coal mines in the Upper Hunter provide a blast fume management strategy.
- As at the end of November 2012, all 16 open cut coal mines in the Upper Hunter had submitted a blast fume management strategy to the department and three strategies had been endorsed.
- The endorsed strategies are for Coal & Allied's Hunter Valley Operations and Mt Thorley-Warkworth mines and BHP Billiton's Mt Arthur mine.
- These strategies outline the procedures the mines will take to reduce blast fume issues. They are available on the mines' websites.
- The department will continue to assess the other proposed strategies and is expected to complete this work by the end of March 2013.

#### *Noise and dust incidences*

- The Singleton office received 27 complaints during November including 18 for noise, six for dust, one for blasting and two for other compliance issues.
- The department contacted the relevant mines in relation to these complaints.
- None of these complaints led to a warning or advisory letter or fine. Additional information was sought from the mines on a number of the complaints, but they were found to be compliant in each case.

#### *Ravensworth North mine fined for excessive dust*

- The department issued a \$3,000 fine during December in relation to unacceptable dust generation at Ravensworth North mine (pictured).
- The fine followed an unscheduled site inspection of the Ravensworth North mine by the department on November 30 to assess whether the mine's dust management practices were adequate in the hot, dry weather.



- The department observed unacceptable levels of wheel generated dust within the Ravensworth North pit, which was in breach of the mine's environmental assessment commitments to minimise wheel generated dust.
- The mine was previously issued a warning letter for wheel generated dust on 10 September 2012.
- The mine advised the department that it had voluntarily ceased operations for 85 hours over the past three months to ensure effective dust management during adverse weather conditions.
- Ravensworth North advised the department that following the incident, the mine ceased operations in the area, verified that dust levels at the boundary air quality monitors were compliant, held a training and debriefing session on dust management (which was attended by departmental staff) and spoke to the machinery operators.
- The mine co-operated with the department during the investigation and subsequent response to the incident.

## **SYDNEY OFFICE**

### *Penalty notices to Lake Macquarie coal mine*

- The department issued two \$3,000 penalty notices and a warning letter to Mandalong Coal Mine, near Morisset, during November.
- The fines followed the mine's exceedance of tonnage limits on coal transportation to a processing site at Cooranbong and to Eraring power station earlier in 2012.
- The amount of coal transported by underground conveyor to the Cooranbong processing site exceeded the approved limit of four million tonnes per annum by 6 per cent, while the amount of coal transported from Cooranbong to Eraring Power Station by overland conveyor exceeded the limit of 2 million tonnes per annum by 24 per cent.
- The tonnage limits were imposed primarily to restrict noise emissions at the Cooranbong processing site.
- The approval was modified in August 2012 to increase the tonnage limits that can be transported to the Eraring power station, subject to conditions requiring noise attenuation works at the Cooranbong site.

### *Illawarra International Health Precinct stockpile*

- In May 2012, the Land and Environment Court made orders requiring the proponent of the Illawarra International Health Precinct near West Dapto - La Vie Developments - to relocate excavated material that had been unlawfully stockpiled adjacent to homes in Goolagong Street, Penrose.
- A department inspection on 1 November found the first stage of these works nearing completion. The proponent subsequently provided a contour survey and certification after the 18 November completion date.
- Work to remove 50 per cent of the remaining stockpiled material off the site, which is due to be completed by 18 February 2013, is also well advanced.

## **JINDABYNE OFFICE**

### *Advisory letter to permit more time for fire safety upgrades*

- The department sent an advisory letter during November, agreeing to allow the lessee of a ski lodge in Smiggin Holes to prepare a staging plan to obtain an extension of time to complete fire safety upgrades.
- The department issued an order to the lessee in December 2011 to require the works to be completed, but has been advised the upgrades cannot be completed within the specified period.
- The lessee must now prepare an appropriate staging plan for the upgrade works and have it endorsed by a qualified fire engineer.

The department's key compliance actions over the past month are summarised below:

<b>SINGLETON OFFICE</b>		
<i>ACTIVITY TYPE</i>	<i>MONTHLY TOTAL</i>	<i>2012-13 TOTAL</i>
Inspections and surveillance	<b>18</b>	<b>124</b>
Meetings	<b>0</b>	<b>68</b>
Reviews of reports	<b>8</b>	<b>13</b>
<i>Subtotal compliance monitoring</i>	<b>26</b>	<b>205</b>
Negotiated outcome	<b>0</b>	<b>1</b>
Advisory letters	<b>9</b>	<b>52</b>
Warning letters	<b>0</b>	<b>8</b>
Orders	<b>0</b>	<b>0</b>
Penalty Notices	<b>0</b>	<b>2</b>
Prosecutions	<b>1</b>	<b>1</b>
<i>Subtotal enforcement</i>	<b>10</b>	<b>64</b>
Complaints	<b>27</b>	<b>179</b>
<b>SYDNEY OFFICE</b>		
Audits	<b>0</b>	<b>1</b>
Inspections and surveillance	<b>5</b>	<b>12</b>
Meetings	<b>1</b>	<b>8</b>
<i>Subtotal compliance monitoring</i>	<b>6</b>	<b>21</b>
Negotiated outcomes	<b>0</b>	<b>1</b>
Advisory letters	<b>1</b>	<b>2</b>
Warning letters	<b>1</b>	<b>2</b>
Orders	<b>0</b>	<b>2</b>
Penalty Notices	<b>2</b>	<b>2</b>
Prosecutions	<b>0</b>	<b>0</b>
<i>Subtotal enforcement</i>	<b>4</b>	<b>9</b>
<b>JINDABYNE OFFICE</b>		
Audits	<b>0</b>	<b>0</b>
Inspections and surveillance	<b>0</b>	<b>12</b>
Meetings	<b>0</b>	<b>0</b>
<i>Subtotal compliance monitoring</i>	<b>0</b>	<b>12</b>
Negotiated outcomes	<b>0</b>	<b>7</b>
Advisory letters	<b>1</b>	<b>10</b>
Warning letters	<b>0</b>	<b>0</b>
Orders	<b>0</b>	<b>1</b>
Penalty Notices	<b>0</b>	<b>0</b>
Prosecutions	<b>0</b>	<b>0</b>
<i>Subtotal enforcement</i>	<b>1</b>	<b>18</b>
<b>TOTAL ACTIONS</b>		
Compliance monitoring	<b>32</b>	<b>238</b>
Enforcement	<b>15</b>	<b>91</b>