

DEPARTMENT OF PLANNING AND INFRASTRUCTURE  
MONTHLY AUDITING AND COMPLIANCE ACTIVITIES REPORT

January 2012

**SINGLETON OFFICE**

ACTIVITY TYPE	MONTHLY TOTAL	2011-12 TOTAL
Audits	0	0
Inspections	25	105
Meetings	5	100
Surveillances	7	64
<i>Subtotal compliance monitoring</i>	<b>37</b>	<b>269</b>
Negotiated outcomes	0	0
Advisory letters	2	40
Warning letters	2	11
Enforceable undertakings	0	0
Notices to produce information and records	0	0
Draft orders	0	1
Orders	0	3
Penalty Notices	1	3
Court Orders	0	0
Prosecutions	0	0
<i>Subtotal enforcement</i>	<b>5</b>	<b>58</b>
Complaints received	28	128

**HEAD OFFICE**

Audits	0	1
Inspections	1	28
Meetings	0	14
<i>Subtotal compliance monitoring</i>	<b>1</b>	<b>43</b>
Negotiated outcomes	0	0
Advisory letters	0	6
Warning letters	1	9
Enforceable undertakings	0	0
Notices to produce information and records	0	0
Draft orders	0	2
Orders	0	0
Penalty Notices	0	7
Court Orders	0	0
Prosecution	0	0
<i>Subtotal enforcement</i>	<b>1</b>	<b>24</b>

**JINDABYNE OFFICE**

Audits	0	1
Inspections	1	5
Meetings	0	0

<i>Subtotal compliance monitoring</i>	<b>1</b>	<b>6</b>
Negotiated outcomes	<b>0</b>	<b>1</b>
Advisory letters	<b>0</b>	<b>1</b>
Warning letters	<b>0</b>	<b>0</b>
Enforceable undertakings	<b>0</b>	<b>0</b>
Notices to produce information and records	<b>0</b>	<b>0</b>
Draft orders	<b>0</b>	<b>0</b>
Orders	<b>0</b>	<b>7</b>
Penalty Notices	<b>0</b>	<b>3</b>
Court Orders	<b>0</b>	<b>0</b>
Prosecutions	<b>0</b>	<b>0</b>
<i>Subtotal enforcement</i>	<b>0</b>	<b>12</b>
<b>TOTAL ACTIONS</b>		
Compliance monitoring	<b>39</b>	<b>318</b>
Enforcement	<b>6</b>	<b>94</b>

## SINGLETON OFFICE - KEY ACTIVITIES UNDERTAKEN

### *Penalty infringement notice issued to the Integra mine*

- On 13 January, the department issued a \$3000 penalty notice to the operator of the Integra mine, near Camberwell, for a blast which exceeded the relevant overpressure limits on 29 December 2011.
- The blast exceeded the 120 decibel limit at one monitor, recording 125.16 decibels, and resulted in one complaint.
- After a review of the incident in line with the department's compliance policy, and given a recent history of blasts exceeding the overpressure limit at Integra, the fine was issued.
- In response to the department's actions, Integra Coal has committed to:
  - Modify its stemming gravel loading practice, so adequate material is placed on top of the explosive to prevent the gravel being ejected during the blast and reduce the risk of overpressure exceedance;
  - Investigate ways stemming gravel can be measured to ensure the designed quantity of gravel can be applied to every hole; and
  - Undertake mitigation measures at the residence nearest to where the relevant limit was exceeded, in consultation with the property owner.

### *Extra dust inspections during warmer weather*

- The department conducted 25 mine inspections in January. Most were dust inspections, in recognition of the risk of increased dust generation during the warmer weather.
- Most mines were found to be complying with relevant conditions and dust mitigation measures. A small number of mines were asked to improve their standards in regards to dust mitigation. Follow-up inspections by the department observed improvements at these mines.

### *Complaints for blasting and noise*

- The Singleton office received 28 complaints regarding compliance issues during January. These included 21 for noise, three for dust, two for blasting and one each for odour and compliance with other conditions.
- Easterly breezes and low cloud cover during mid to late January contributed to noise transfer from a number of mines. Of the 21 noise complaints, 18 were from Bulga residents, concerning noise from Mt Thorley and Warkworth mines. An independent

review is already underway into noise impacts from these mines and the complaints were referred to the review for consideration. The review is scheduled to be completed by the end of March 2012.

- On the other noise complaints, the department negotiated with the relevant mines to modify operations or improve noise mitigation measures.

## **HEAD OFFICE - KEY ACTIVITIES UNDERTAKEN**

### *Illawarra International Health Precinct court proceedings*

- The department is continuing to keep residents updated on court proceedings relating to the Illawarra International Health Precinct and wrote to residents on 17 January and 7 February.
- The developer has given the Land and Environment Court an undertaking to complete interim drainage measures on the construction site at Penrose, near Dapto, by 1 April 2012. The department is closely monitoring these works and carried out a site inspection on 27 January.
- The Court has fixed a hearing date for 2-4 April for a merit appeal lodged by the developer in relation to a modification application not determined in the statutory time frame.
- The related enforcement proceedings seeking the removal of a large stockpile and retaining wall near homes have not yet been set down for a hearing, and are expected to proceed after the merit appeal concludes.

### *Response requested on Blakebrook Quarry compliance issues*

- The department issued an enforcement letter to Lismore Council, the operator of Blakebrook Quarry, on 20 January. The letter identifies a number of potential breaches identified during a compliance inspection on 29 November 2011.
- The issues include delays to road works required under the quarry's approval, truck movements, groundwater assessment, dust management and environmental monitoring and management.
- Lismore Council has been asked to respond to the issues within 28 days and the department will consider Council's response before deciding if further action is required.

## **JINDABYNE OFFICE - KEY ACTIVITIES UNDERTAKEN**

- The department inspected a ski lodge in Smiggin Holes during January to ensure compliance with the Building Code of Australia and relevant fire safety standards. As a result of the inspection, the lessee of the ski lodge has agreed to provide certification of fire rated walls and plumbing works.