

DEPARTMENT OF PLANNING AND INFRASTRUCTURE MONTHLY AUDITING AND COMPLIANCE ACTIVITIES REPORT

December 2012

Summary:

This month, the Department commenced its proactive audit campaign of potentially hazardous industry projects approved by the NSW Government. The audit campaign will run to the end of 2013, and a report of the findings will be published on the Department's website at the conclusion of the campaign.

Key outcomes:

SINGLETON OFFICE

Noise and dust incidences

- The Singleton office received 10 complaints during December, including six for blasting, two for dust, one for noise, and one for other compliance issues.
- The six complaints for blasting raised concerns relating to odour, blast fumes and their effect on residences, and road closures.
- The department contacted all the mines linked to these complaints and held site meetings regarding blasting issues with three mines.
- The department met with the mine facing a blast odour complaint and the mine agreed to suspend blasting in certain wind conditions that may effect down wind residents and to review its blasting procedures.
- The department met with the mine facing a road closure complaint and the mine agreed to engage with the Community Consultative Committee about its scheduling of road closures and to look into improved procedures.
- The department met with the mine facing a blast fume complaint and found the mine's blast activities met the department's expectations.
- All the department's investigations for dust and noise in December focused on reviewing the monitoring results of mines and making recommendations to improve particular mining practices.

SYDNEY OFFICE

Hazardous Industries audit campaign

- In December, the Department commenced a compliance audit campaign of potentially hazardous industry projects approved by the NSW government. The campaign will evaluate compliance against the relevant conditions of development consents or project approvals for each facility.
- Letters regarding the audit campaign have been sent to approximately 40 facilities notifying them of the intended audit and requesting site specific information concerning hazard management.
- Initial desktop audits will commence in February 2013, and follow up on-site inspections will also be carried out where required.
- At the conclusion of the campaign, an audit report will be published on the Department's website.

Penalty Notices

- A total of four penalty notices for \$3000 each were issued in December by the Sydney Office.
- The Shoalhaven Starches facility at Bomaderry on the NSW south coast was issued with a penalty notice and warning letter on 12 December for failing to obtain development consent before commencing construction of two fermenter tanks.
- The company constructing a commercial development at Wollie Creek, Nahas Construction, was issued with two penalty notices on 13 December for failing to obtain an Occupation Certificate prior to occupation and for failing to obtain approval for a loading dock Management Plan prior to an Occupation Certificate being issued.
- The Genesis waste facility at Eastern Creek was issued with a penalty notice on 18 December for unauthorised advertising signage on the roof of its waste processing building.

JINDABYNE OFFICE

Advisory letter - building audit completion

- The department issued an advisory letter to a lessee of a ski lodge in Perisher Valley advising that fire safety and BCA compliance works which were identified in a building audit report had been satisfactorily completed.

Advisory letter - building audit completion and building certificate

- The department issued an advisory letter to a lessee of a ski lodge in Smiggin Holes identifying that building compliance works, including a voluntary fire upgrade had been satisfactorily completed. A building certificate was also issued identifying that the ski lodge is fit for occupation and use in accordance with its classification under the BCA.

Negotiated outcome - building certificate

- The department issued a building certificate to a lessee of a ski lodge in Guthega for internal building works, resulting in a successful negotiated outcome. Development consent had been obtained for the project however the works were undertaken without a construction certificate.

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

SINGLETON OFFICE

ACTIVITY TYPE	MONTHLY TOTAL	2012-13 TOTAL
Inspections and surveillance	7	131
Meetings	19	87
Reviews of reports	4	17
<i>Subtotal compliance monitoring</i>	30	235
Negotiated outcome	0	1
Advisory letters	1	53
Warning letters	0	8
Orders	0	0
Penalty Notices	1	3
Prosecutions	0	1
<i>Subtotal enforcement</i>	2	66
Complaints	10	189

SYDNEY OFFICE

Audits	0	1
Inspections and surveillance	3	15
Meetings	0	8
<i>Subtotal compliance monitoring</i>	3	24
Negotiated outcomes	0	1
Advisory letters	1	3
Warning letters	1	3
Orders	0	2
Penalty Notices	4	6
Court Orders	0	0
Prosecutions	0	0
<i>Subtotal enforcement</i>	6	15

JINDABYNE OFFICE

Audits	0	0
Inspections and surveillance	0	12
Meetings	0	0
<i>Subtotal compliance monitoring</i>	0	12
Negotiated outcomes	1	8
Advisory letters	2	12
Warning letters	0	0
Orders	0	1
Penalty Notices	0	0
Court Orders	0	0
Prosecutions	0	0
<i>Subtotal enforcement</i>	3	21

TOTAL ACTIONS

Compliance monitoring	33	271
Enforcement	11	102