

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

April 2013

## Key outcomes

### **SINGLETON OFFICE**

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

- On 3 April 2013, the department issued a \$3000 penalty notice to Integra Coal Operations Pty Ltd, the operator of the Integra mine near Camberwell, for a blast which exceeded the relevant sound pressure (overpressure) limits on 15 March 2013.
- The blast exceeded the 120 decibel limit at one monitor, recording 123.3 decibels.
- Integra has recently prepared a Blast Fume Management Strategy for its mining operations in order to improve blasting practices.

#### *Penalty notice issued to the Mt Thorley-Warkworth mine*

- On 10 April 2013, the department issued a \$3000 penalty notice to Mt Thorley Operations Pty Ltd for attended noise monitoring results exceeding the compliance limits at its Mt Thorley-Warkworth mine.
- In the early morning of 13 March, the mine's attended noise monitoring indicated noise levels in the Bulga area to be up to five decibels above those specified within the approval for the mine.

#### *Prosecution proceedings commenced against Warkworth Mining Limited (Warkworth) in relation to a dust event on 5 September 2012*

- The department has commenced prosecution proceedings in the Land and Environment Court against Warkworth.
- The department alleges that Warkworth failed to comply with a number of its conditions of consent in relation to minimising dust during high winds on 5 September 2012.
- The proceedings are in their early stages and Warkworth is yet to enter a plea.
- The next court date is 21 June 2013.

#### *Noise and dust incidences*

- The Singleton office received 27 complaints during April, including 23 for noise, two for blasting and two for dust. The noise complaints came primarily from Bulga residents. These complaints have been followed up by more noise monitoring carried out by the department's compliance officers.

### **SYDNEY OFFICE**

#### *Maules Creek Coal Mine*

- The department has commenced prosecution proceedings in the Land and Environment Court against Aston Coal 2 Pty Ltd (Aston), the proponent of Maules Creek Coal Mine.
- The department alleges that Aston failed to disclose two reportable political donations made in March 2011 by its former directors, Todd Hannigan and Thomas Todd, in contravention of the Environmental Planning and Assessment Act.
- The first court date is 31 May 2013.

#### *Allied Mills, Kingsgrove*

- On 23 April 2013, the department issued two \$3000 penalty notices to Allied Mills Pty Ltd in relation to its Kingsgrove facility.
- The penalty notices were for failing to obtain the department's approval of the facility's Emergency Plan and for failing to implement required traffic management measures.

**SINGLETON OFFICE**

<i>ACTIVITY TYPE</i>	<i>MONTHLY TOTAL</i>	<i>2012-13 TOTAL</i>
Inspections and surveillance	15	186
Meetings	11	136
Reviews of reports	9	56
<i>Subtotal compliance monitoring</i>	<b>35</b>	<b>378</b>
Negotiated outcome	0	1
Advisory letters	7	84
Warning letters	0	8
Orders	0	0
Penalty Notices	2	5
Prosecutions	0	1
<i>Subtotal enforcement</i>	<b>9</b>	<b>99</b>
Complaints	27	272

**SYDNEY OFFICE**

Audits	0	1
Inspections and surveillance	3	22
Meetings	0	11
Reviews of reports	11	49
<i>Subtotal compliance monitoring</i>	<b>14</b>	<b>83</b>
Negotiated outcomes	0	1
Advisory letters	5	25
Warning letters	1	8
Orders	4	8
Penalty Notices	2	11
Court Orders	0	0
Prosecutions	0	0
<i>Subtotal enforcement</i>	<b>12</b>	<b>53</b>

**JINDABYNE OFFICE**

Audits	0	0
Inspections and surveillance	0	16
Meetings	0	0
<i>Subtotal compliance monitoring</i>	<b>0</b>	<b>16</b>
Negotiated outcomes	0	8
Advisory letters	0	16
Warning letters	0	0
Orders	0	5
Penalty Notices	0	0
Court Orders	0	0
Prosecutions	0	0
<i>Subtotal enforcement</i>	<b>0</b>	<b>29</b>

**TOTAL ACTIONS**

Compliance monitoring	49	477
Enforcement	21	181