

COMPLIANCE  
REPORT

August 2015

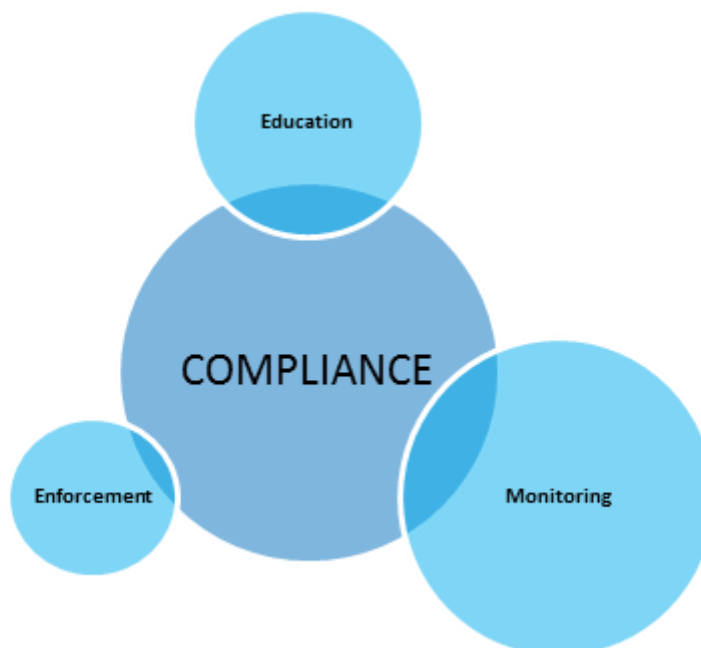
The Department of Planning and Environment's Compliance Team works with communities across NSW to ensure projects such as mines, industrial sites, major developments and infrastructure meet the strict conditions included in their approvals.

Our Compliance Team works closely with the community, local councils and other state and federal government agencies to **educate** proponents, **investigate** potential breaches and carry out **enforcement** where necessary.

Information from community members is an important avenue for the Compliance Team to learn about issues to investigate. Enforcement can range from negotiating fixes, issuing penalty notices and, in serious cases, criminal prosecutions.

As well as conducting monitoring and enforcement activities, the Compliance Team plays an important role in educating proponents, community members and other stakeholders about the Department's compliance functions.

Education sessions allow the Department to reinforce expectations, better understand industry-specific issues, the systems used to ensure compliance, listen to community concerns, provide feedback on sector or company performance, and promote best practice across all industry sectors.



## ACTIVITY

Below is a snapshot of the Compliance Team's activity in August 2015:

COMPLIANCE MONITORING ACTIVITIES	AUGUST 2015	2015/2016 Total
Inspections and surveillance carried out	54	110
New investigations commenced this month	15	23
Review of compliance documentation	63	130
<b>Subtotal compliance monitoring</b>	<b>132</b>	<b>263</b>
ENFORCEMENT ACTIVITIES	AUGUST 2015	2015/2016 TOTAL
Compliance warning letters issued	4	5
Orders imposed	0	0
Penalty notices and fines imposed	4	4
Prosecutions	0	0
<b>Subtotal enforcement</b>	<b>8</b>	<b>9</b>

## MONITORING

The Department's Compliance Team conducted 54 inspections to monitor compliance against conditions of approval, with some projects inspected multiple times during the month.

### Mines/Quarries

- Ardmore Park Quarry (Goulburn- Mulwaree Shire Council)
- Boral Peppertree (Goulburn- Mulwaree Shire Council)
- Dendrobium Coal Mine (Wollongong Shire Council)
- Lynwood Quarry (Goulburn- Mulwaree Shire Council)
- Kerosene Vale Coal Storage Area (Lithgow City Council)
- Roberts Road Quarry (The Hills Shire Council)
- Wilpinjong Coal Mine (Mid-Western Regional Council)
- Moolarben Coal Mine (Mid-Western Regional Council)
- Springvale Coal Mine (Lithgow City Council)
- Western Coal Services (Lithgow City Council)
- Mt Arthur Coal Mine (Muswellbrook Shire Council)
- Liddell Coal Mine (Singleton Shire Council)
- Ravensworth Coal Mine (Singleton Shire Council)
- Lidsdale Siding Coal Loader (Lithgow City Council)
- Mangoola Coal Mine (Muswellbrook Shire Council)
- Mt Thorley/Warkworth Coal Mine (Singleton Shire Council)
- Myuna Colliery (Lake Macquarie City Council)
- West Wallsend Colliery (Lake Macquarie City Council)
- Westside Coal Mine (Lake Macquarie City Council)

### Industry

- Elf Mushrooms (Penrith City Council)
- Toxfree (Penrith City Council)
- Veolia Clyde Waste Transfer Terminal (Parramatta City Council)
- Cargill Oilseed Facility (Newcastle City Council)
- Kooragang Island Service Station (Newcastle City Council)

### **Infrastructure and other projects**

- Aurizon Hexham Facility (Newcastle Shire Council)
- Barangaroo South (City of Sydney)
- Boco Rock Windfarm (Cooma-Monaro Shire Council)
- Central Park (City of Sydney)
- Epping to Thornleigh Third Track (ETTT) (Hornsby Shire Council)
- Huntlee Land Development (Cessnock City Council)
- Mixed Use Residential Development - 330 Church St, Parramatta (Parramatta City Council)
- National Centre of Indigenous Excellence (NCIE) (City of Sydney)
- NorthConnex (Hornsby, Ku-ring-gai and The Hills Shire Council's)
- Doltone House (City of Sydney)
- North West Rail Link (Hornsby Shire Council)
- Sydney International Convention, Exhibition and Entertainment Centre Hotel (City of Sydney)

### **ENFORCEMENT**

#### **Warning Letter issued: Australian Turf Club, Royal Randwick Racecourse**

- On 19 August 2015 the Department issued a warning letter to the Australian Turf Club (ATC) as consent holder for the two-day music festival (Future Music & Good Life Youth Festival) held between 28 February and 1 March 2015. The non-compliances with the development consent included failure to gain In-principle endorsement of the proposed event date at least six months prior to the event. The Department's investigation found that endorsement for the event date was gained three months prior.
- The ATC self-reported the incident and cooperated fully with the investigation.

#### **Penalty Notices issued: Leard Forest Precinct, Biodiversity and Aboriginal Cultural Heritage Audit**

Following an audit of biodiversity and Aboriginal Cultural Heritage management at the Maules Creek, Boggabri and Tarrawonga coal mines, the following penalty notices were issued on 21 August 2015:

- Penalty notice issued (\$3000) to Boggabri Coal (Idemitsu) for the clearing of 7.7ha of native vegetation outside the approved disturbance boundary. The clearing involved the removal of understory while larger trees were not cleared.
- Penalty notice issued (\$3000) to Boggabri Coal for not notifying the Department of the clearing incident in accordance with the conditions of approval.
- Penalty notice (\$3000) issued to Whitehaven at Maules Creek for not implementing the approved Biodiversity Management Plan.
- Penalty notice (\$3000) issued to Whitehaven at Tarrawonga Coal for not implementing the approved Flora and Fauna Management Plan.
- The Department will follow up to ensure that the matters have been adequately addressed.

### **Location of NSW site visits by Local Government Area**



