

COMPLIANCE  
REPORT

October 2015

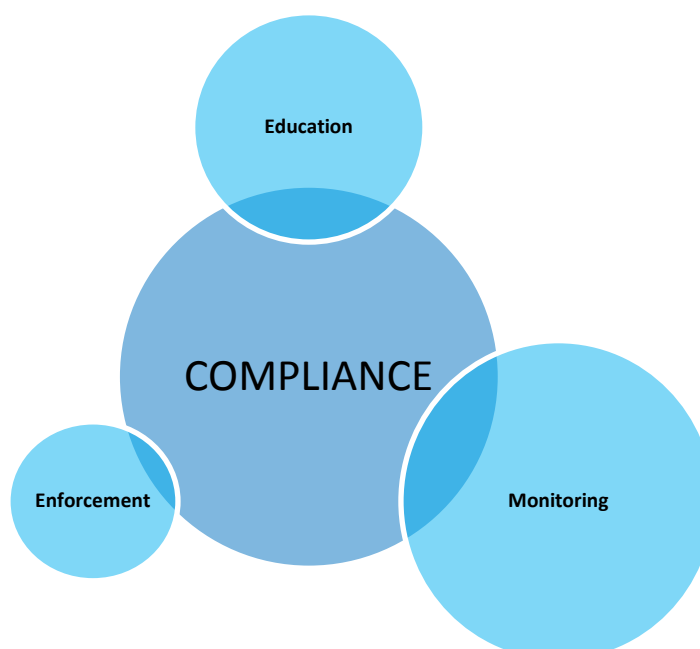
The Department of Planning and Environment's Compliance Team works with communities across NSW to ensure projects such as mines, industrial sites, major developments and infrastructure meet the strict conditions included in their approvals.

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 October 2015:

COMPLIANCE MONITORING ACTIVITIES	October 2015	2015/2016 Total
Inspections and surveillance carried out	51	218
New investigations commenced this month	14	48
Review of compliance documentation	42	206
<b>Subtotal compliance monitoring</b>	<b>107</b>	<b>472</b>

ENFORCEMENT ACTIVITIES	October 2015	2015/2016 TOTAL
Compliance warning letters issued	1	11
Orders imposed	0	0
Penalty notices and fines imposed	0	4
Prosecutions	0	0
<b>Subtotal enforcement</b>	<b>1</b>	<b>15</b>

## MONITORING

The Department's Compliance Team conducted 51 inspections to monitor compliance against conditions of approval, with some projects inspected multiple times during the month.

### Mines/Quarries

- AGL Camden Gas Project (Camden Council)
- Airly Mine (Lithgow Council)
- Angus Place Colliery (Lithgow Council)
- Ardmore Park Quarry (Goulburn-Mulwaree Council)
- Baal Bone Colliery (Lithgow Council)
- Bengalla Coal Mine (Muswellbrook Council)
- Cullen Valley Coal Mine (Lithgow Council)
- Drayton Coal Mine (Muswellbrook Council)
- Hanson Central Coast Quarry (Gosford City Council)
- Hunter Valley Operations (Singleton Council)
- Invincible Coal Mine (Lithgow Council)
- Mackas Sand (Port Stephens Council)
- Mount Arthur Coal Mine (Muswellbrook Council)
- Mount Owen Complex (Singleton Council)
- Mount Thorley Warkworth Coal Mine (Singleton Council)
- Mount Pleasant Coal Mine (Muswellbrook Council)
- Peppertree Marulan South Quarry (Goulburn-Mulwaree Council)
- Pine Dale Coal Mine (Lithgow Council)
- Ravensworth Coal Mine (Singleton Council)
- Springvale Coal Mine (Lithgow Council)
- Teralba Metromix Quarry (Lake Macquarie City Council)
- Tarrawonga Coal Mine (Narrabri Shire Council)
- Wambo Coal Mine (Singleton Council)
- Werris Creek Coal Mine (Liverpool Plains Shire Council)
- Western Coal Services (Lithgow Council)

### Industry

- Caltex Kurnell Refinery Conversion (Sutherland Shire Council)
- Kurnell Ports and Berthing Facility (Sutherland Shire Council)
- Orica Kurri Richmond Vale ANE Facility (Cessnock City Council)

### **Infrastructure and other projects**

- 100 Bennelong Parkway, Sydney Olympic Park (Auburn City Council)
- Barangaroo South Development (Council of the City of Sydney)
- Berntis Mountain Inn, Thredbo – Alpine SEPP (Snowy River Council)
- Epping to Thornleigh Third Track (ETTT) (Hornsby Shire Council)
- Googong Water Cycle Project (Queanbeyan Council; Palerang Council)
- Homebush Bay Bridge (Auburn City Council)
- House of Ullr, Thredbo – Alpine SEPP (Snowy River Council)
- Hurstville Private Hospital (Hurstville City Council)
- Ku-Ring-Gai Lodge, Perisher – Alpine SEPP (Snowy River Council)
- Manly Quarantine Station (Manly Council)
- Marmong Point Marina (Lake Macquarie City Council)
- Mixed Use Residential Development - 330 Church St, Parramatta (Parramatta City Council)
- Moriah War Memorial College (Waverley Council)
- NothConnex M1 – M2 Project (The Council of the Shire of Hornsby, Ku-ring-gai Council, The Hills Shire Council)
- Service Station, Thredbo – Alpine SEPP (Snowy River Council)
- Ski Rider Hotel Motel, Wilson Way – Alpine SEPP (Snowy River Council)
- Smiggin Holes Workshop, Smiggin Holes – Alpine SEPP (Snowy River Council)
- Warnervale Aerodrome (Wyong Shire Council)
- WestConnex New M5 (The Council of the City of Botany Bay, Canterbury City Council, Hurstville City Council, Marrickville Council, Rockdale City Council, Council of the City of Sydney)

### **ENFORCEMENT**

#### **Warning Letter issued to Sitegoal Pty Limited, Wallerawang Quarry**

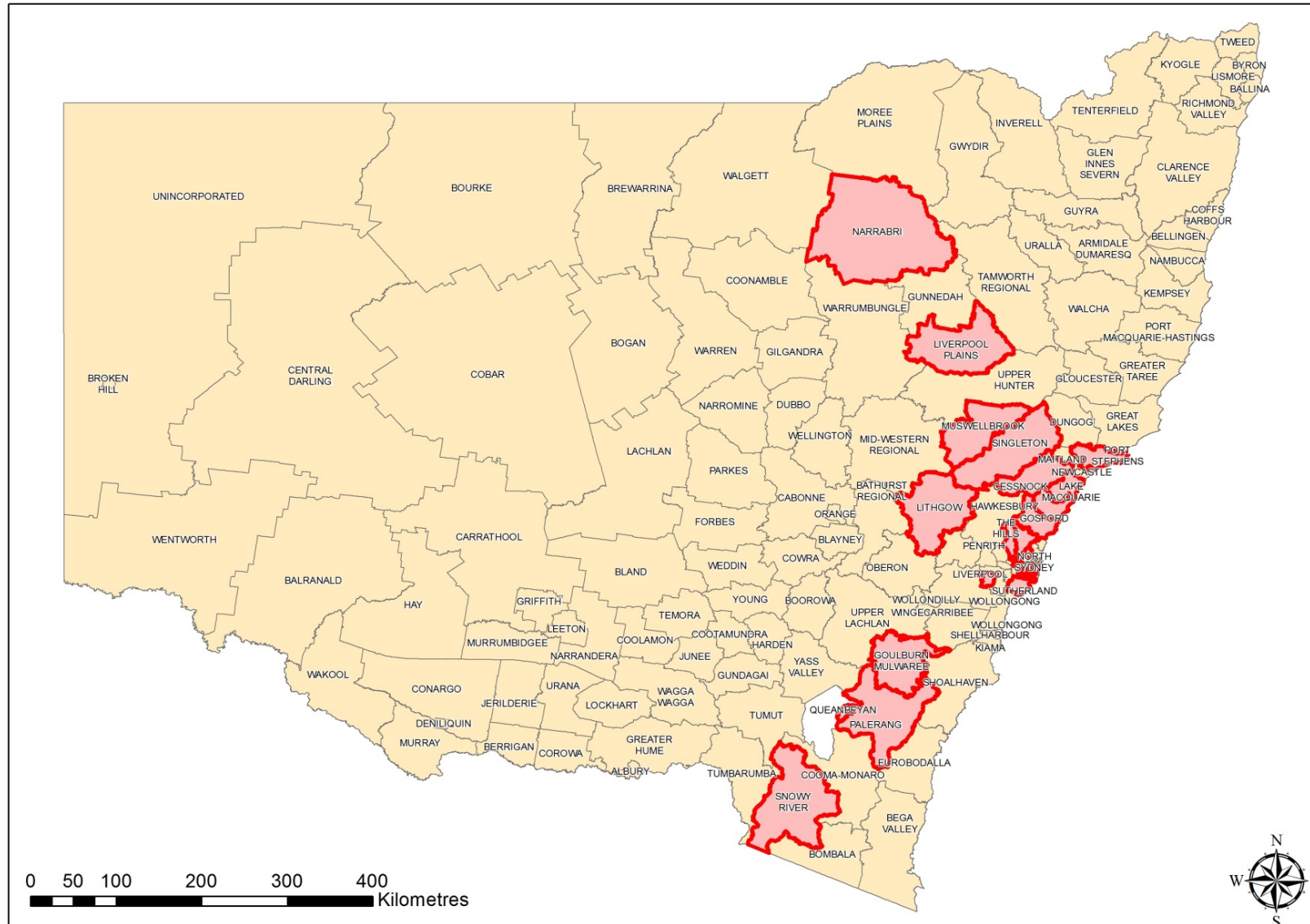
- On 16 October 2015 the Department issued a Warning Letter to Sitegoal Pty Limited, the proponent for the Wallerawang Hard Rock Quarry. In the course of a compliance assessment of the quarry, and following liaison with Lithgow City Council, the Department determined that the quarry had not complied with Condition 1.8 of Schedule 2 of the approval. This required the proponent to ensure that all new buildings and structures are constructed in accordance with the relevant requirements of the BCA.
- A transportable building including the associated concrete footing (housing offices and amenities) had been constructed without obtaining construction and occupation certificates.
- The Department noted an application was subsequently made for a building certificate in lieu of construction and occupation certificates.
- In these circumstances the Department has determined that a Warning Letter is an appropriate enforcement response to deter future non-compliance.

### **EDUCATION**

#### **NSW Local Government Authority Conference – 2015**

- On 12 – 13 October 2015 as part of its community engagement program, the Department attended the NSW Local Government Authority (LGA) Conference in Rosehill, Sydney.
- The LGA Conference is the annual policy-making event for the 152 councils of NSW, Associate members and the NSW Aboriginal Land Councils. It is the pre-eminent event of the local government year where local councillors and senior council staff come together to share ideas and debate issues that shape the way communities are governed.
- The Conference provided an outstanding opportunity for the Department to promote its strengthened compliance, monitoring and complaints management processes.

## Location of NSW site visits



## Sydney metropolitan region site visits

