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 April 2016:

<table>
<thead>
<tr>
<th>COMPLIANCE MONITORING ACTIVITIES</th>
<th>APR 2016</th>
<th>2015/2016 Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inspections and surveillance carried out</td>
<td>47</td>
<td>540</td>
</tr>
<tr>
<td>New investigations commenced this month</td>
<td>10</td>
<td>125</td>
</tr>
<tr>
<td>Review of compliance documentation</td>
<td>53</td>
<td>448</td>
</tr>
<tr>
<td>Subtotal compliance monitoring</td>
<td><strong>110</strong></td>
<td><strong>1,113</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ENFORCEMENT ACTIVITIES</th>
<th>APR 2016</th>
<th>2015/2016 Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compliance warning letters issued</td>
<td>4</td>
<td>23</td>
</tr>
<tr>
<td>Orders imposed</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Penalty notices and fines imposed</td>
<td>2</td>
<td>10</td>
</tr>
<tr>
<td>Prosecutions</td>
<td>1*</td>
<td>2*</td>
</tr>
<tr>
<td>Subtotal enforcement</td>
<td>8</td>
<td><strong>37</strong></td>
</tr>
</tbody>
</table>

* Denotes proponents have plead guilty and are awaiting sentencing
Monitoring

The Department’s Compliance Team conducted 47 inspections to monitor compliance against conditions of approval, with some projects inspected multiple times during the period.

Infrastructure and other projects

- Allied Mills Picton (Wollondilly LGA) * 2
- Broken Hill Solar Photovoltaic Power Project (Broken Hill LGA)
- Central Coast Cancer Clinic at Gosford Hospital (Gosford LGA)
- Chinderah Marina (Tweed LGA) * 3
- Cobaki Estate (Tweed LGA) * 3
- Digital Signage, Beecroft Road, Epping (Parramatta LGA)
- Epping to Thomleigh Third Track (ETTT) (Hornsby LGA)
- Four Points Hotel (City of Sydney LGA)
- Former Rachel Forster Hospital (City of Sydney LGA)
- Frasers Drive Residential (Tweed LGA) *3
- Hanson Constructions Materials Pty Ltd- Central Coast Sand Quarry (Gosford LGA)
- Joe White Malting, Maltings Plant Minto (Campbelltown LGA)
- Mixed Use Student Accommodation and Retail Development, Redfern (City of Sydney LGA)
- NorthConnex (Hornsby Shire Council, Ku-ring-gai Council, The Hills LGA)
- Northern Beaches Hospital (Warringah LGA) * 3
- Orica Southlands, Beauchamp Road, Matraville (Botany Bay LGA)
- Silverton Wind Farm (Broken Hill LGA)
- Sydney CBD South East Light Rail Project (City of Sydney LGA, Randwick LGA, Leichhardt LGA)
- Sydney Opera House (City of Sydney LGA)

For more information on projects, please access via the Department major project register:

Mines/Quarries

- Ardmore Park Quarry (Goulburn-Mulwaree LGA)
- Baiada Chicken Processing Facility (Tamworth LGA)
- Bengalla Coal Mine (Muswellbrook LGA)
- Karuah Quarry (Great Lakes LGA)
- Mackas Sands Project (Port Stephens LGA)
- Mount Thorley Warkworth Coal Complex (Singleton LGA)
- Mount Arthur Mining Complex (Muswellbrook LGA) *2
- RASP Mine (Broken Hill LGA)
- Tomingley Gold Project (Narromine LGA)
- Tritton Mine (Cobar LGA)
- Wambo Coal Mine (Singleton LGA) *2
- Wollongong Coal (Wollongong LGA) * 2
- Werris Creek Coal Mine (Liverpool Plains LGA)

Industry

- Klekies Waste Oil Facility - St Marys (Penrith LGA)
- Austrak AFS Pty Ltd, Minto, Campbelltown (LGA)
Enforcement

Warning letter issued to Rangers Valley Cattle Station Pty Ltd

On 8 April 2016, a Warning Letter was sent to Rangers Valley Cattle Station Pty Ltd (Rangers Valley) for a breach of approval at their feedlot operations in Glen Innes. Following a review of the Annual Environmental Management Report, the Department determined that truck movements occurred outside the approved hours of operation on a number of occasions in 2015. Rangers Valley has since advised that they have reinforced the consent requirements with their suppliers and contractors. The Department will conduct unannounced surveillance to ensure compliance with the approved hours of operation.

Warning letter issued to Boggabri Coal

On 11 April 2016, a Warning Letter was sent to Boggabri Coal Pty Ltd for a failure to conduct quarterly attended noise monitoring in Q4 2015 and undertake annual sound power level testing of attenuated equipment as required by the conditions of approval and noise management plan. Boggabri Coal self reported the breaches to the Department and has since conducted sound power level testing of equipment. Additionally, the company has committed to a second round of sound power testing in 2016 to address the non-compliance.

Penalty Notice and Order Issued letter issued to Leda Manorstead Pty Ltd

On 11 April 2016, the Department issued Leda Manorstead Pty Ltd a second Penalty Notice for failing to install fencing around environmentally sensitive areas as required by its conditions of approval. The Department issued the company with a $15,000 fine in January of this year for failing to construct fencing around environmentally sensitive areas in accordance with the conditions of its approval at the Cobaki Estate at Tweed Heads. The Department’s subsequent site inspections found the required fencing had not been entirely constructed. In addition to the Penalty Notice the Department issued an Order to complete the fencing at the Cobaki Estate. The Department is planning to revisit the site to ensure compliance with the order and conditions of approval.


Warning letter issued to Sitegoal Pty Limited (Wallerawang Quarry)

On 18 April 2016, the Department sent a warning letter to Wallerawang Quarry, near Lithgow, for a number of breaches including failing to conduct noise, air quality and ecological monitoring as required under the conditions of approval. To ensure that these matters are adequately addressed, the Department has requested a monthly report be submitted advising on the progress of corrective actions and is planning to conduct a site inspection to ensure that actions are adequately implemented.

Penalty Notice issued to Hunter Valley Operations

On 19 April 2016, a Penalty Notice was issued to Hunter Valley Operations, near Singleton, for a breach of the airblast overpressure limit in the project approval. A blast on 25 February 2016 recorded an airblast overpressure level of 125.5 dBA which exceeded the 120dBA limit contained in the approval. The mine is in the process of updating its procedure to minimise the risk of a similar incident.
Warning letter issued to Karimbla Construction Services Pty. Ltd. (Meriton)

On 29 April 2016, a Warning Letter was sent to Karimbla Construction Services Pty. Ltd. (Meriton) for breaches of the approval at Site 67, being No.100 Bennelong Parkway, Sydney Olympic Park. Following surveillance of the site and its operations, the Department determined that work had occurred outside the approved hours of operation. The Department will continue to conduct surveillance of the site to ensure that conditions of approval are being complied with.

Prosecution of Charbon Coal

The Department of Planning and Environment has taken court action against Charbon Coal Pty Ltd, after a compliance investigation at the Charbon Coal Mine near Kandos, in the State’s central west. On 22 April 2016, the company plead guilty in the Land and Environment Court for failing to comply with the project approval, specifically for constructing a coal truck haul road outside of the approved location. The matter is set down for sentencing in August 2016.

Monitoring of Order issued to Wollongong Coal – Russell Vale

In late April 2016, Compliance undertook monitoring of Wollongong Coal – Russell Vale in respect to the order issued on the 4th March 2016 to remove coal stockpiled at the site in breach of its conditions of approval. The Department conducted surveillance to determine whether truck movements complied with the terms of the order. No non compliances were observed and the Department will continue to monitor compliance.
Sydney metropolitan region site visits