



## FACT SHEET – EROSION & SEDIMENT CONTROL

### ***The importance of managing erosion and sediment***

Where development sites are not properly managed, building and construction activities have the potential to negatively impact the environment. Instances of erosion and the transportation of sediment and other building materials (such as sand, soil, gravel slurries, and concrete) off a development site causes pollution of Council's stormwater drainage infrastructure and more importantly, the pollution of natural waterways.

Poor site management may result in the burden of ongoing costs to future communities for the removal of sediment, to reduce stormwater pollution to acceptable levels, to reinstate the ecological value of streams and estuaries, and to enhance the values of recreational areas.

### ***Pollution and the law – where does my responsibility lie?***

Pollution resulting from building and construction activities is regulated under the Protection of the Environment Operations Act 1997 (POEO Act). Under the POEO Act, a person who pollutes any waters (including stormwater drainage infrastructure) is guilty of an offence.

The POEO Act gives Council powers to issue clean-up or prevention notices and issue on-the-spot fines. Higher penalties may be imposed for serious pollution incidents should Council commence legal proceedings in the Land and Environment Court against the offending person/s. Clean-up notices require action to remedy instances of pollution, whilst prevention notices require an activity to be carried out in an environmentally satisfactory manner. Under the POEO Act, you are required to notify Council when a pollution incident occurs that causes, or threatens, harm to the environment.

Persons responsible for a development site (builders/developers) have an obligation to manage the following pollution sources:

- Air pollution, including dust;
- Noise that might interfere with neighbouring properties;
- Waste discharges including erosion leakage or spills of construction materials, sand, soil, gravel slurries and concrete;
- Trade and domestic rubbish including litter packaging, off-cuts and spoiled materials; and,
- Toxic chemicals including, for example, fuels, paints, solvents, sealants, adhesives, lubricants and pesticides.

The majority of the above potential pollution sources may be addressed and managed through an Erosion and Sediment Control Plan (ESCP).

### ***Erosion and Sediment Control Plans (ESCP)***

An Erosion and Sediment Control Plan (ESCP) details how a builder/developer will minimise soil erosion and trap sediment that may be eroded from a development site during the construction of a building. The complexity of the ESCP depends upon the nature and scale of the particular development, and the amount of land that is likely to be disturbed during construction works. Council may request an ESCP to

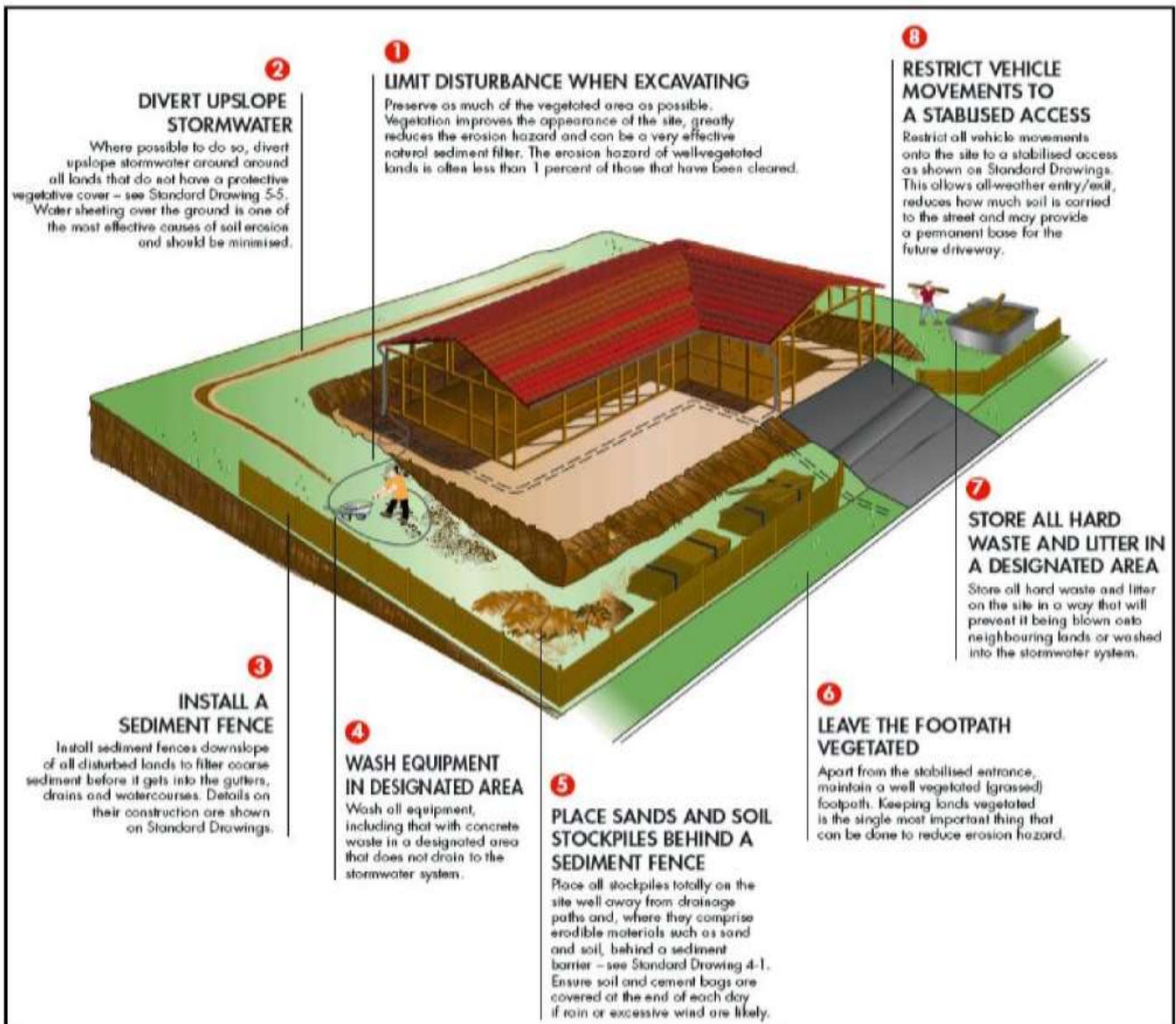




be submitted as part of an application in particular instances where the slope of the subject site is significant, and where subdivisions, large-scale commercial development and industrial development are proposed. The requirement for an ESCP, however, will be considered by Council on a case-by-case basis.

**How can I effectively reduce erosion and control sediment on my development site?**

The diagram below depicts a standard residential development site, and the ways in which erosion may be reduced and sediment controlled on a building or construction site.



Source: *Planning for Erosion and Sediment Control on Single Residential Allotments*, Landcom 2004



Lachlan Shire Council  
PO Box 216  
58-64 Molong Street, Condobolin NSW 2877  
P: 02 6895 1900  
F: 02 6895 3478  
E: [council@lachlan.nsw.gov.au](mailto:council@lachlan.nsw.gov.au)  
W: [www.lachlan.nsw.gov.au](http://www.lachlan.nsw.gov.au)



***Where can I find out more about Erosion and Sediment Control?***

The Landcom publication *Managing Urban Stormwater: Soils and Construction* (4<sup>th</sup> Edition, March 2004) (the 'Blue Book') provides guidance on erosion and sediment control during construction activities.

This document is accessible on the NSW Office of Environment and Heritage website at the following address: <http://www.environment.nsw.gov.au/stormwater/publications.htm>

If you have specific questions relating to your site, you can also contact Council's Environment & Planning Department, during office hours, on 02 6895 1950, or email [council@lachlan.nsw.gov.au](mailto:council@lachlan.nsw.gov.au).

