

FACT SHEET 8D WHOSE RESPONSIBILITY IS EROSION AND SEDIMENT CONTROL IN LAKE MACQUARIE

Lake Macquarie and its tributaries are sensitive aquatic environments. Everyone plays an important part in protecting the Lake by reducing water pollution. We can all prevent natural and chemical substances from entering our waterways and drains and causing pollution.

Sediment is a major source of water pollution in Lake Macquarie. Sediment can enter our natural waterways and drains in flowing water when it rains as a result of a range of things that we do, including construction activities.

A number of control measures such as pollution traps are used to limit the amount of sediment and other pollutants entering the Lake. However, these types of control measures can't be used everywhere and are costly to maintain and clean. Each year Council spends more than \$1.1 million removing in excess of 1000m³ of sediment from the stormwater system. That is an area 100m X 100m and 1m deep of sediment. Each little bit adds up. It is much more efficient and cost effective to stop pollution before it reaches our natural waterways, drains and ultimately the Lake.

This fact sheet outlines who is responsible for preventing pollution in different scenarios and what action you can take if you have concerns about water pollution caused by sediment.



Scenario	Who is responsible for preventing pollution	Action you can take if you have concerns
Single dwelling/project homes – before any works start including clearing or demolition	Owner of the land	Contact Council to lodge complaint
Single dwelling/project homes – during Construction	Builder responsible for the development	Contact builder and/or Council to lodge complaint
Single dwelling/project homes – after people move in	Owner of the land	Contact Council to lodge complaint
Industrial developments	Builder responsible for the development	Contact Council to lodge complaint
Large developments/subdivisions	Contractor responsible for the development	Contact Council to lodge complaint
Council works—including road works	Council	Contact Council to lodge complaint
Non-Council roadwork	Contractor responsible for the development	Call the contractor or the EPA Pollution Hotline 131 555, or www.environment.nsw.gov.au
Crown land	Department of Lands	Contact Department of Lands
Miscellaneous issues resulting in sediment pollution	Miscellaneous	Contact Council for further information

Lodging a complaint with Council

In Lake Macquarie City, concerns about any construction site or activity may be reported to Council by telephone on 02 4921 0333, email council@lakemac.nsw.gov.au, or online www.lakemac.com.au.

It is helpful to our officers to have as much information as possible. This includes time and date of issue, who is responsible (company names on site or vehicles) and photos of issue.

Council staff treat all reports seriously. Reports will be investigated and appropriate action taken.



Environmental legislation and Council Development Consents

Under the *Protection of the Environment Operations Act 1997* (POEO), allowing sediment or sediment laden water to enter any waterway including street gutters, stormwater drains, swales or creek lines (flowing or not) is considered to be water pollution. Penalties and notices can apply including fines of up to \$5 million.

Council will enforce the POEO where necessary, however we endeavour to provide information about erosion and sediment control and encourage you to help us protect the Lake by reducing water pollution.

Non-compliance with the conditions of a Development Consent is a breach of the *Environmental Planning and Assessment Act 1979* and may also attract fines.



Further information

- **Council's website** (fact sheets and FAQs);
- the **'Blue Book'** - *Managing Urban Stormwater: Soils and Construction*, Landcom (2004) 4th Ed;
- International Erosion Control Association (Australasia)(IECA) (free downloads) www.austieca.com.au; or
- Call Council's Erosion and Sediment Control Officer on **02 4921 0333**.



Acknowledgements and disclaimer:

This fact sheet contains information from NSW EPA website.

This fact sheet is for general information only and is not intended to cover every situation. It is not a regulatory document. Obtain your own independent professional advice.

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