

Procedural guide

Summary sheet

Standard work method for the assessment of the lawfulness of releases to waters from construction sites in South East Queensland

This document has been prepared to provide officers authorised under the Environmental Protection Act 1994 (EP Act) with an assessment tool for undertaking Erosion and Sediment Control Practices (ESC) compliance inspections at construction sites in South East Queensland (SEQ), and to aid the decision making process in applying enforcement provisions under the EP Act.

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PART A		
1)	Has the activity caused or does it have the potential to cause sediment build up, through act or omission, in the receiving environment? *	Y <input type="checkbox"/> N <input type="checkbox"/>
2)	Has the activity caused or does it have the potential to cause releases, flows or discharges containing prescribed water contaminants to waters, roadside gutters or stormwater drainage? *	Y <input type="checkbox"/> N <input type="checkbox"/>
<p><i>(If the answer to either 1 or 2 is 'yes', proceed to Part B.)</i> <i>(If both answers are 'no', no further action is required at this time.)</i></p>		
PART B		
1)	Is the release of the prescribed contaminant(s) and/or the build-up of sediment expressly permitted by a development condition of a relevant development approval? *	Y <input type="checkbox"/> N <input type="checkbox"/>
2)	Use the following questions to assess compliance with the general environmental duty (GED). *	
2.1) Erosion and Sediment Control Plans		
	a) Do site specific erosion and sediment control plan(s) exist?	Y <input type="checkbox"/> N <input type="checkbox"/>
	b) Do the plan(s) for each phase of the works (including clearing, earthworks, civil construction, services installation and landscaping) detail the type, location, sequence and timing of measures and actions to effectively minimise erosion, manage flows and capture sediment?	Y <input type="checkbox"/> N <input type="checkbox"/>
	c) Are the plan(s) consistent with current best practice standards, taking into account all environmental constraints including erosion hazard, season, climate, soil, and proximity to waterways?	Y <input type="checkbox"/> N <input type="checkbox"/>
	d) Do the plan(s) address all the relevant issues described in Part 2.2?	Y <input type="checkbox"/> N <input type="checkbox"/>
	e) Have the ESC Plans been prepared by a suitably qualified professional?	Y <input type="checkbox"/> N <input type="checkbox"/>
	f) Have the erosion and sediment control plan(s) been modified as necessary to address the changing physical conditions of the site?	Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/>
2.2) Prevention, reduction and treatment of contaminants *		
2.2.1) Minimising soil exposure *		
	Is non-essential exposure of soil avoided in terms of: (a) The extent of clearing is restricted to that necessary for access to, and safe construction of the approved works. Vegetation remains intact/is protected in all other areas of the site?	Y <input type="checkbox"/> N <input type="checkbox"/>

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<p>(b) The duration of exposure is minimised, such that:</p> <ul style="list-style-type: none"> ▪ clearing of vegetation is only undertaken immediately prior to an area being actively worked ▪ the work is staged to minimise the area of soil exposed at any one time ▪ if clearing is undertaken in areas which are not intended to be immediately worked, such areas are effectively stabilised¹ immediately following clearing ▪ areas at finished level are effectively stabilised ▪ steep areas, such as stockpiles, batters and embankments, which are not being actively worked, are effectively stabilised. 	<p>Y <input type="checkbox"/> N <input type="checkbox"/></p> <p>Y <input type="checkbox"/> N <input type="checkbox"/></p> <p>Y <input type="checkbox"/> N <input type="checkbox"/></p> <p>Y <input type="checkbox"/> N <input type="checkbox"/></p> <p>Y <input type="checkbox"/> N <input type="checkbox"/></p>
<p>2.2.2) Managing stormwater flows</p>	
<p>a) Do all areas of the site subject to concentrated stormwater flows (including 'clean' stormwater and 'dirty' stormwater) have concentrated flow paths, such as drainage lines, diversion drains, channels and batter chutes which have been designed, constructed and maintained to convey flows for all rain events up to and including the average return interval (ARI) event of:</p> <ul style="list-style-type: none"> ▪ 2 year ARI if the disturbed area is open for less than 12 months <input type="checkbox"/>; or ▪ 5 year ARI if the disturbed area is open for between 12 and 24 months <input type="checkbox"/>; or ▪ 10 year ARI if the disturbed area is open for more than 24 months. <input type="checkbox"/> <p>without causing:</p> <ul style="list-style-type: none"> ▪ water contamination; or ▪ sheet, rill or gully erosion; or ▪ sedimentation; or ▪ damage to structures or property? * 	<p>Y <input type="checkbox"/> N <input type="checkbox"/></p>
<p>b) Is clean stormwater diverted around or through the site? *</p>	<p>Y <input type="checkbox"/> N <input type="checkbox"/></p>
<p>c) If clean stormwater is diverted around or through the site, does it cause:</p> <ul style="list-style-type: none"> ▪ an increase in the concentrations of any contaminants in the clean stormwater flows? ▪ erosion (on site and/or off site)? 	<p>Y <input type="checkbox"/> N <input type="checkbox"/></p> <p>Y <input type="checkbox"/> N <input type="checkbox"/></p>
<p>d) If stormwater has not been diverted around or through the site, have sediment basins been sized to accommodate the additional volume of runoff? (See <i>Sediment Basin section below.</i>)</p>	<p>Y <input type="checkbox"/> N <input type="checkbox"/></p>

¹ In this document, an effectively stabilised surface is defined as one that does not:

- have visible evidence of soil loss caused by sheet, rill or gully erosion; or
- lead to sedimentation; or
- lead to water contamination.

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2.2.3) Sediment basins² (If not applicable, go to 2.2.4)	
a) Is each sediment basin sized such that:	Y <input type="checkbox"/> N <input type="checkbox"/>
(i) it has the capacity to contain all the stormwater runoff from the 80 th percentile 5 day rainfall depth; and	Y <input type="checkbox"/> N <input type="checkbox"/>
(ii) the capacity to store 2 months sediment from the receiving catchment, as determined using the Revised Universal Soil Loss Equation? *	Y <input type="checkbox"/> N <input type="checkbox"/>
b) Are sediment basins and associated structures such as inlets, outlets and spillways structurally sound and in accordance with the requirements of the ESC plans? *	Y <input type="checkbox"/> N <input type="checkbox"/>
c) Are sediment basins maintained with sufficient storage capacity to capture and treat the runoff from the design rainfall event?	Y <input type="checkbox"/> N <input type="checkbox"/>
d) Are sediment basins dewatered as soon as practicable following rainfall events? *	Y <input type="checkbox"/> N <input type="checkbox"/>
e) Is accumulated sediment from sediment basins and other controls removed and disposed of properly? *	Y <input type="checkbox"/> N <input type="checkbox"/>
2.2.4) Erosion and sediment controls (other than sediment basins)	
a) For all areas that are not effectively stabilised, are erosion and sediment controls installed in accordance with an appropriate ESC Plan?	Y <input type="checkbox"/> N <input type="checkbox"/>
(i) Where erosion and sediment controls are not in accordance with the ESC Plan, is this due to deficiencies or errors in the Plan?	Y <input type="checkbox"/> N <input type="checkbox"/>
(ii) Are inconsistencies between ESC and the ESC Plan due to the area being actively worked?	Y <input type="checkbox"/> N <input type="checkbox"/>
b) Does the runoff from all areas which are not effectively stabilised, drain to a sediment basin? *	Y <input type="checkbox"/> N <input type="checkbox"/>
c) Are compensatory erosion and sediment controls implemented to minimise erosion and maximise sediment capture in areas of the site where it is not feasible to direct runoff to a sediment basin(s)? *	Y <input type="checkbox"/> N <input type="checkbox"/> NA <input type="checkbox"/>
d) Are erosion controls applied to effectively protect steep areas, (such as stockpiles, batters and embankments) which are currently being worked or are not effectively stabilised, from erosion (including sheet, rill and gully erosion) caused by run-on flows from the upslope catchment. And, are such flows conveyed to lower levels without causing erosion (for example via a stable drain, chute, flume or pipe)?*	Y <input type="checkbox"/> N <input type="checkbox"/>
e) Are <u>sediment controls</u> applied to effectively capture sediment eroded from steep areas, (such as stockpiles, batters and embankments) which are currently being worked or not effectively stabilised (for example a sediment fence immediately down slope of such steep areas) ? *	Y <input type="checkbox"/> N <input type="checkbox"/>
f) Are erosion and sediment controls installed correctly?	Y <input type="checkbox"/> N <input type="checkbox"/>

² While sediment basins play an essential role in preventing and minimising water contamination from construction sites, it is acknowledged that it may not be practical to direct runoff from all disturbed areas to a sediment basin.

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<p>g) Are erosion and sediment controls maintained in effective working order:</p> <ul style="list-style-type: none"> • prior to each rainfall event; and • at the end of each work day? 	<p>Y <input type="checkbox"/> N <input type="checkbox"/></p> <p>Y <input type="checkbox"/> N <input type="checkbox"/></p>
<p>h) Are contingency measures available on site, which can be deployed to such areas, prior to rain, to minimise erosion and maximise sediment capture and/or implement the designed control measures? *</p>	<p>Y <input type="checkbox"/> N <input type="checkbox"/></p>
<p>i) Have controls been implemented to prevent or minimise sediment from leaving the site on the tyres of vehicles? *</p>	<p>Y <input type="checkbox"/> N <input type="checkbox"/></p>
<p>2.2.5) Disturbances in waterways (If not applicable, go to 2.3)</p>	
<p>If works or other disturbances in waterways are planned or have occurred:</p>	
<p>a) Does prior written approval from the relevant consent authority exist if required (for example permits under the <i>Sustainable Planning Act 2009</i>, <i>Coastal Protection and Management Act 1995</i>, <i>Vegetation Management Act 1999</i>, <i>Water Act 2000</i> etc.)?</p>	<p>Y <input type="checkbox"/> N <input type="checkbox"/></p>
<p>b) Where approval is not necessary for certain entities under the <i>Water Act 2000</i>, has reference been made to EHP Guideline—Activities in watercourse, lake or spring carried out by an entity?</p>	<p>Y <input type="checkbox"/> N <input type="checkbox"/></p>
<p>c) Are temporary flow diversions in place?</p>	<p>Y <input type="checkbox"/> N <input type="checkbox"/></p>
<p>d) Has the work been</p> <ul style="list-style-type: none"> ▪ scheduled to occur during dry weather; ▪ done expeditiously; and ▪ done in accordance with a current best practice environmental management guideline? 	<p>Y <input type="checkbox"/> N <input type="checkbox"/></p>
	<p>Y <input type="checkbox"/> N <input type="checkbox"/></p>
	<p>Y <input type="checkbox"/> N <input type="checkbox"/></p>
<p>e) If temporary vehicle waterway crossings are required to construct the approved works, has the number of temporary vehicular crossings been minimised?</p>	<p>Y <input type="checkbox"/> N <input type="checkbox"/></p>
<p>2.3) Adaptive management</p>	
<p>a) Is there an effective monitoring program that measures and records the quality of all releases, flows and discharges from the activity to waters, roadside gutters and stormwater drainage? *</p>	<p>Y <input type="checkbox"/> N <input type="checkbox"/></p>
<p>b) Are non-compliances reported to the administering authority within 48 hours?</p>	<p>Y <input type="checkbox"/> N <input type="checkbox"/></p>
<p>c) Have additional measures been implemented to achieve compliance when non-compliances have been detected? *</p>	<p>Y <input type="checkbox"/> N <input type="checkbox"/></p>