

From: Merri Southwood <MSouthwood@lanecove.nsw.gov.au>
Subject: Council Notice - Sediment and Top Spring
Date: 29 November 2023 at 9:02:07 am AEDT
To: Peter Deane <petergdeane@gmail.com>, "gca2065@gmail.com" <gca2065@gmail.com>

Dear Peter

Please see below a notice that was posted to the Council website yesterday.

<https://www.lanecove.nsw.gov.au/Development/Current-DAs/St-Leonards-South-DAs>

St Leonards South - Weather Event

Update 24 & 25 November 2023 – Weather Event

After the wet weather Friday 24 & Saturday 25 November it is apparent that the existing silt & sediment controls in place did not cope with the weather.

Council staff were on site and observed that silt laden water was still leaving the site despite the controls put in place.

Senior staff have met with Topspring senior management Monday morning to raise the concerns.

The developer was advised that Council will be issuing a Clean Up Notice under Section 91 of the Protection of the Environment Operations Act 1997.

In brief this will require the immediate clean-up of Berry Creek by a suitably qualified professional and the submission of a report from an Ecologist confirming the works as carried out satisfy the Notice.

Two penalty infringement notices {fines} will be issued for the following offences;

- POEO Act – Pollute Waters \$8,000
- Breach DA conditions – Silt & Sediment controls \$6,000

Council advised that works were required to be stopped on the site and this matter addressed as such a Stop Work Order would be issued.

Topspring voluntary agreed to cease construction works on the site immediately. At this stage Council will not issue the Stop Work Order.

Topspring confirmed that they have commenced works on further upgrading the sediment controls as follows;

- Construction of a trench along the boundary to Canberra avenue & River Rd.
- The trench to capture the water and be filled with aggregate to filter the sediment
- Construction of a sediment basin on the site.
- Upgrade of silt fence along the boundary

Council has requested that they provide drawings / plans for these new controls. Council will be engaging a suitable professional to peer review these plans.

After the morning's meeting staff inspected the site and confirmed that construction had ceased and that upgrade works had commenced.

The inspection revealed that following the weekends weather that **immediate** measures need to be put in place to protect the site as follows:

- Street gutters require cleaning and maintenance
- Councils stormwater pits must be cleaned out
- The footpath must be cleaned for the full length of the boundary
- The silt & sediment fences require urgent replacement at the boundary
- Particular attention should be given to the two driveway access to the site
- The roadway in Canberra avenue needs to be cleaned
- General clean-up of the site, removal of damaged mesh fencing adjacent

Topspring and their contractor are working on these items today.

Thank you for alerting Council officers and Councillors last week.

Regards

Merri

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Lane Cove Council – East Ward
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