

Review of Environmental Factors

Natural Area Program: Restoration Works and Bushcare/Dunecare Works

EP REF-2023/8



Sandon Point Aboriginal Place Natural Area Restoration and Hewitts Creek Bushcare, Bulli

This document provides the outcome of the Review of Environmental Factors (REF) for Natural Area Restoration Works and Bushcare/Dunecare Works by Council Natural Area Management staff, contractors and volunteers at Sandon Point Aboriginal Place.

The proposed activities listed in the scope of works have been assessed against the SEPP (Transport and Infrastructure) 2021, and does not require consent under Chapter 2 Division 12 Parks and other public reserves and Division 25 Waterway or foreshore management activities, which permit environmental management works in parks and reserves and waterways and foreshores without consent.

As the proposed activity does not require development consent, the environmental impacts have been considered in accordance with the environmental assessment requirements of Part 5, Division 5.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). In accordance with the requirements of Part 5 of the EP&A Act, the factors listed in Clauses 170 and 171 of the *Environmental Planning and Assessment Regulation 2021* have been taken into account in the consideration of the likely impacts of the proposed activity on the environment.

The assessment has been undertaken through impact identification and a risk management assessment. This report documents the outcomes of the assessment and identifies the environmental safeguards that must be implemented in conjunction with the proposal.

The proposed activity has been discussed with Joel Thompson and Carly Boag, Heritage Officers and Martha Tyndall, Community Land Management Officer and does not require any further assessment, approvals or consents under any other relevant legislation provided the safeguards identified in this report are strictly implemented..

The results of the REF indicate that the proposed activity will have no significant environmental impacts, provided the safeguards identified in this report are strictly implemented.

If the scope of works or work methods described in this report change significantly, additional environmental assessment must be undertaken by an Environmental Strategy Officer.

Works are to commence, and be substantially completed, within 3 years of the REF sign off date. Any substantial works to be undertaken outside this period will require a review of the REF.

Ensure compliance with the Aboriginal Heritage Impact Permit for Sandon Point and McCauleys Beach Plan of Management, see Appendix G.

See over page for sign off.

Publication Requirements:

The EP&A Regulation (clause 171(4)) requires the REF to be published prior to works commencing (if possible, otherwise within a month) if the activity involves:



- a capital investment value of more than \$5 million or,
- an approval or permit for activity that requires approval under:
 - *Fisheries Management Act 1994* sections 144, 201, 205 or 219, or
 - *Heritage Act 1977* section 57, or
 - *National Parks and Wildlife Act 1974* section 90 or
 - *Protection of the Environment operations Act 1997* sections 47-49 or 122, or
- if the determining authority considers it to be in the public interest.

The application did require publication in accordance with EP&A Regulation (clause 171(4)).

REF Preparation Sign Off

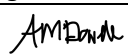
Date of Assessment:	15 October 23	Review of the REF due:	Sept 2026
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I, the undersigned, certify that I have reviewed and endorsed the contents of this REF document and, to the best of my knowledge, it is in accordance with the EP&A Act, the EP&A Regulation and the Guidelines approved under clause 170 of the EP&A Regulation, and the information it contains is neither false nor misleading.

	Name	Sign	Date
REF Preparation Sign Off:	Amanda Schipp		17/10/2023
REF Review Sign Off:	Jenna Andrews		17/10/2023

Natural Area Management Team accepts that this REF is for the environmental assessment component only, and is responsible for all other project risks associated with the project management components. The information in this document is not considered sufficient to address any other project management requirements and safety/risk approvals, such as workplace health and safety, services investigations; consultation; cost estimate; traffic and site management; project risk assessment (etc).

Natural Area Management Team certifies that all relevant contractors and Bushcare volunteers have been provided a copy of this REF, have been explicitly instructed on the safeguards within Section 6 this REF.

	Name	Sign	Date
Natural Areas Officer Sign Off:	Alice McDowell		24/10/2023

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1. Project Details

Project Name	Sandon Point Aboriginal Place Natural Area Restoration and Hewitts Creek Bushcare, Bulli
Project Location/s	The Sandon Point Aboriginal Place in Bulli and Bushcare group along Hewitts Creek - see maps in Appendix A . Both sites are within the Aboriginal Heritage Impact Permit (AHIP) for Sandon Point and McCauleys Beach Plan of Management (AHIP C0004686).
Lot and DP/s	Sandon Point Aboriginal Place site - Lot 4 DP 588060, Lot 3 DP 588060, Lot 238 DP 1048602, Lot 102 DP 268549, Lot 103 DP 7813 Hewitts Creek Bushcare site - Lot 102 DP 268549
NAM unit/s	83, 89
LEP 2009 Zone/s	RE1 Public Recreation and W1 Natural Waterways
Community Land	Within the Sandon Point and McCauleys Beach Plan of Management – CLM 119 Categories (check applicable): <div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Park <input type="checkbox"/> Sportsground <input checked="" type="checkbox"/> Cultural Significance <input type="checkbox"/> Natural Area Bushland</div><div><input type="checkbox"/> Natural Area Escarpment <input checked="" type="checkbox"/> Natural Area Watercourse <input type="checkbox"/> Natural Area Wetland <input type="checkbox"/> Natural Area Foreshore <input type="checkbox"/> General Community Use</div></div>
Crown Land	None
Project Background and Description	<p>The project seeks to restore and enhance the Sandon Point Aboriginal Place, which also contributes to corridor connectivity and biodiversity in Bulli. This is a new site into the program, and it requires significant primary and secondary weed control. The site will be contracted to the Illawarra Local Aboriginal Lands Council who are able to undertake minimal ground disturbance which will include hand removal of weeds as well as revegetation with low growing species or replacement of vandalised trees.</p> <p>The long-term goal is to improve the amenity of the site, build bridges with the local Aboriginal community and the local residents and ultimately remove the temporary fencing at the site.</p> <p>Most of the work will not require ground disturbance and will be cut and painting and spot spraying of weeds as well as brush cutting of overgrown grass and other vegetation.</p> <p>Bushcare Works listed accordance with the Hewitt's Creek Site Plan.</p> <p>Activities must be compliant with the Sandon Point and McCauleys Beach Vegetation Management Plan (VMP).</p>
Document Record References	Contractor Specifications 23-24 - 24604656 Aboriginal Heritage Impact Permit (AHIP) for Sandon Point and McCauleys Beach Plan of Management (AHIP C0004686) – Z19/88762 Sandon Point and McCauleys Beach Vegetation Management Plan (VMP) - Z14/214998
Project Timing	Oct 2023 – Sept 2026
Work Equipment & Machinery	Handheld bush regeneration tools and equipment, tritterer, chainsaw, whipper snipper/brush cutter, winch, truck, chipper
Proposed work hours	Between 7.00am and 6.00pm Monday to Friday Between 8.00am and 1.00pm Saturdays Bushcare groups may undertake work during their scheduled hours as listed in their Bushcare Site Plan. (Refer to Safeguards section in this REF)
Site Description, including summary of key environmental features (vegetation type, EECs, threatened species)	The Sandon Point Aboriginal Place includes EECs Swamp Sclerophyll Forest, Swamp Oak Floodplain Forest, Freshwater Wetlands on Coastal Floodplains. The Hewitts Creek Bushcare site including EEC Swamp Oak Floodplain Forest. The wetland communities are also mapped in the SEPP (Resilience and Hazards – Ch 2 Coastal Management).
Is the project scope of works within the list shown in Section 2?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

2. Generic Natural Area Program Scope of Works

The scope of works considered in this REF are as follows and all assessments are based on these activities. Any proposed activities beyond this list will be subject to specific assessment, seek advice from an Environmental Strategy Officer.

Contractor activities

- Primary, secondary and maintenance weed control – hand weeding, bagging of propagules, cut and paint, drill/frill and fill, foliage spray, trittering or machine clearing.
- Removal of weeds listed in Appendices 1 and 2 of the South East Regional Strategic Weed Management Plan 2017-2022.
- Removal of weed trees listed in the Exempt Tree Species List.
- Support the restoration process with revegetation works where natural recruitment is not occurring or re-introduction of indigenous species in communities where such species would be expected to occur.
- Support and assist establishment of previously installed vegetation.
- Mulching and jute matting.
- Removal of rubbish, litter and dead biomass.
- Riparian sites - removal of any in stream vegetation or debris/material that may become a flood hazard.
- Patrolled beach sites - removal of previously cut and dumped vegetation to improve visual amenity and reduce fire risk, removal of dead and senescent vegetation, especially subspecies of *Acacia longifolia* and removal of vegetation impacting on line of sight for lifesavers/lifeguards and recreation amenity, including removing vegetation spreading seaward into previously cleared areas.
- Trimming and pruning of native vegetation where limbs are impeding safe access and infrastructure.
- Community planting days.
- Support of Bushcare volunteer activities.
- Photo point monitoring.
- Maintenance of existing nest boxes.

Bushcare/Dunecare activities

- Primary, secondary and maintenance weed control – hand weeding, bagging of propagules, cut and paint, drill/frill and fill and foliage spray.
- Rubbish collection.
- Planting of native tubestock from Council Botanical Gardens.
- Communication/education with local community.

Note – only works from the Sandon Point and McCauleys Beach VMP can be undertaken for this project, in accordance with the Aboriginal Heritage Impact Permit for Sandon Point and McCauleys Beach Plan of Management. This may impact on the list above, for example the removal of weed trees will likely require a site monitor under the AHIP, this requirement may make the activity not feasible, depending on the project's parameters. Seek advice of the Council's Community Land Management Officer in relation to AHIP requirements.

3. Consultation

Natural Area Officers will notify the following of works:

- Parks Coordinators.
- Relevant Bushcare groups at contractor sites.
- Registered Aboriginal Parties for the AHIP.
- Community Land Management Officer.

4. Legislation and Approvals

The proposed activities listed in the scope of works have been assessed against the following planning and environmental legislation.

- *Environmental Planning and Assessment Act 1979* (NSW)
- *State Environmental Planning Policy (Transport and Infrastructure) 2021* (NSW)
- *Wollongong Local Environment Plan 2009* (Local)
- *Local Government Act 1993* (NSW)
- *Crown Lands Management Act 2016* (NSW)
- *Biodiversity Conservation Act 2016* (NSW)
- *Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth)
- *Local Land Services Act 2013* (NSW)
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (NSW)
- *Fisheries Management Act 1994* (NSW)
- *Biosecurity Act 2015* (NSW)
- *Water Management Act 2000 and Water Management (General) Regulation 2018* (NSW)
- *Pesticides Regulation 2017* (NSW)
- *Coastal Management Act 2016* (NSW)
- *State Environmental Planning Policy (Resilience and Hazards) 2021* (NSW)
- *Coastal Crown Lands Policy* (NSW)
- *National Parks and Wildlife Act 1974* (NSW)
- *Aboriginal Land Rights Act 1983* (NSW)
- *Native Title Act 1993* (Commonwealth)
- *Protection of the Environmental Operations Act 1997* (NSW)

[Appendix B](#) includes details of how the works comply with each piece of legislation and identifies where further site-specific assessment has been required to reach this conclusion.

5. Site Checklist of Environmental Factors

This section identifies site specific constraints that may trigger further assessments and/or the inclusion of specific safeguards or controls.

Risk area	Y/N	Comment
Biodiversity		
Is the work area within a Vegetation Community identified in NP PCT Vegetation Layer?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	<p>1232/1234 Swamp Oak floodplain swamp forest, Sydney Basin Bioregion and South East Corner Bioregion/Swamp Oak swamp forest fringing estuaries, Sydney Basin Bioregion and South East Corner Bioregion</p> <p>1795 Swamp Mahogany / Cabbage Tree Palm - Cheese Tree - Swamp Oak tall open forest on poorly drained coastal alluvium in the Sydney basin</p> <p>1808 Common Reed on the margins of estuaries and brackish lagoons along the New South Wales coastline</p> <p>781 Coastal freshwater lagoons of the Sydney Basin Bioregion and South East Corner Bioregion</p> <p>771 Coast Banksia - Coast Tea-tree low moist forest on coastal sands and headlands, Sydney Basin Bioregion and South East Corner Bioregion</p> <p>Ensure safeguards relating to Flora, Fauna & Ecosystems are strictly applied.</p>
	<input type="checkbox"/> No	

Is the work area within a Habitat Model?	<input checked="" type="checkbox"/> Yes	Green and Golden Bell Frog, Large-footed Myotis, Regent Honeyeater, Swift Parrot, Powerful Owl, Black Bittern. Ensure safeguards relating to Flora, Fauna & Ecosystems are strictly applied.
Is the work area within Key Fish Habitat?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	Ensure safeguards relating to Flora, Fauna & Ecosystems are strictly applied.
Are there any Endangered Ecological Communities or threatened species mapped on or adjacent to the work area?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	Swamp Sclerophyll Forest, Swamp Oak Floodplain Forest, Freshwater Wetlands on Coastal Floodplains. Are the EECs/threatened species included in the Generic Biodiversity Assessment for Natural Area Management Activities (ECM 24562203)? <input checked="" type="checkbox"/> Yes The proposed activities in the scope of works have been assessed for any significant impact on all EECs mapped as occurring on natural area work sites within the LGA. Provided the environmental safeguards identified are strictly implemented, the proposed works are not likely to significantly affect any threatened species, populations or ecological communities listed under the <i>Biodiversity Conservation Act 2016</i> , or their habitats, and the preparation of a Species Impact Statement or Biodiversity Development Assessment Report is not warranted. Similarly, the proposed works are not likely to significantly affect any threatened species, populations or ecological communities listed under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> , or their habitats, and a Referral to the Commonwealth Minister for the Environment for a decision on a 'controlled Action' is not warranted.
Is the work area on land identified as the Escarpment Management Plan Area?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
Is the work area on land that is subject to a Biodiversity Stewardship Agreement in accordance with Part 5, Division 2 of the <i>Biodiversity Conservation Act 2016</i> ?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
Coastal Zone		
Is the work area within any management areas defined by SEPP (Resilience and Hazards) 2021? - coastal vulnerability area - coastal environment area - coastal use area - coastal wetlands and littoral rainforest buffer	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	The proposed activities listed in the scope of works have been assessed in the Coastal Zone Assessment in Appendix C and are compliant with the matters of considerations in the SEPP (Resilience and Hazards) 2021 and can proceed if the safeguards in this REF are strictly applied.
Is the work area within the coastal wetland or littoral rainforest management areas defined by SEPP (Resilience and Hazards) 2021?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	Are the proposed activities on this site identified in a certified Coastal Management Program or Plan of Management prepared and adopted under the LG Act or CLM Act? <input checked="" type="checkbox"/> Yes The proposed activities listed in the scope of works have been assessed in the Coastal Zone Assessment in Appendix C and are compliant with the matters of considerations in the SEPP (Resilience and Hazards) 2021 and can proceed if the safeguards in this REF are strictly applied. <input type="checkbox"/> No
Heritage		
	<input type="checkbox"/> No	

Is there any Aboriginal Heritage within or close proximity to the work area?	<input checked="" type="checkbox"/> Yes	The area covered by the AHIP for Sandon Point and McCauleys Beach Plan of Management (AHIP C0004686). Ensure safeguards relating to Aboriginal Heritage are strictly applied and see Appendix G for Induction Materials.
Is there any European Heritage listed on the current LEP within the work area?	<input type="checkbox"/> No	
	<input checked="" type="checkbox"/> Yes	6191- Norfolk Island Pine Beachfront Planting near the Sandon Point headland site. The heritage item will not be impacted. Ensure safeguards relating to European Heritage are strictly applied.
Is the work area within a Crown Reserve?	<input checked="" type="checkbox"/> No	
	<input type="checkbox"/> Yes	
Water Quality		
Are the works to be conducted within 40m of watercourses or any other type of natural water body?	<input type="checkbox"/> No	
	<input checked="" type="checkbox"/> Yes	Ensure safeguards relating to Water Quality, Use of Herbicides, Erosion and Sediment Control and Flora, Fauna & Ecosystems are strictly applied.
Do the works involve the use or storage within the work areas of fuels or other chemicals (other than fuels contained within the work vehicles)?	<input checked="" type="checkbox"/> No	
	<input type="checkbox"/> Yes	
Soils/Landform		
Are there acid sulfate soils mapped in the LEP as occurring on this site/s?	<input type="checkbox"/> No	
	<input checked="" type="checkbox"/> Yes	Classes 2,3,4,5. Ensure safeguards relating to Acid Sulfate Soils are strictly applied.
Will the works create areas of unprotected soil or loose surface for more than 24 hours?	<input type="checkbox"/> No	
	<input checked="" type="checkbox"/> Yes	Ensure safeguards relating to Water Quality are strictly applied.
Could the works result in disturbance of contaminated land or contaminated material?	<input type="checkbox"/> No	
	<input checked="" type="checkbox"/> Yes	Ensure works are undertaken in accordance with Aboriginal Heritage controls to limit ground disturbance. Ensure safeguards relating to Asbestos, Contamination and In-Situ Waste Classification are strictly applied.
Will the waste generated by the works include hazardous substances (such as lead, asbestos or other substances designated as hazardous by the National Occupational Health and Safety Commission)?	<input checked="" type="checkbox"/> No	Unlikely.
	<input type="checkbox"/> Yes	
Miscellaneous		
Are the works located within an area or adjacent to land uses that may be highly sensitive to dust, odours, work machinery emissions or traffic?	<input type="checkbox"/> No	
	<input checked="" type="checkbox"/> Yes	Ensure safeguards relating to Air Quality and Energy and Traffic and Access are strictly applied.
Will the works result in a reduction of the aesthetic and/or recreational qualities of the area or restrict the beneficial uses of the area in the future?	<input checked="" type="checkbox"/> No	
	<input type="checkbox"/> Yes	
Will the works cause excess noise?	<input type="checkbox"/> No	
	<input checked="" type="checkbox"/> Yes	Possible temporary noise if large equipment/plant in use. Ensure safeguards relating to Noise & Vibration, Air Quality and Energy and Traffic and Access are strictly applied.

6. Environmental Safeguards

The following safeguards must be incorporated as conditions of any contract or work specification for the project. The safeguards must also be incorporated into any project-specific risk assessment. The completed risk assessment must be reviewed by a WCC Natural Areas Officer before commencement of the works.

The REF must be revised immediately if any changes to the scope of works or work methods occur after initial endorsement. All changes to the REF must be reviewed and endorsed by a WCC Environmental Strategy Officer.

Acid Sulfate Soils
<p>The Wollongong Local Environmental Plan 2009 Acid Sulfate Soils Map has identified that the sites may be affected by Acid Sulfate Soils of classes 2, 3, 4 and 5. Acid Sulfate Soils contain iron sulfides which, when exposed to air due to drainage or disturbance, may produce sulfuric acid and release toxic quantities of iron, aluminium and heavy metals. The high acid levels can then contaminate water which results in poor water quality and fish kills. The Acid Sulfate Soils Map is an indication only and acid sulfate soils may be encountered during any excavation works:</p> <ul style="list-style-type: none">• Class 1: Acid sulfate soils in a class 1 area may be found at the natural ground surface. Any works that involve disturbance of the natural ground surface will require management as outlined below.• Class 2: Acid sulfate soils in a class 2 area are likely to be found just below the natural ground surface. Any works that extend beneath the natural ground surface, or works which are likely to lower the water table, will require management as outlined below.• Class 3: Acid sulfate soils in a class 3 area are likely to be found beyond 1 metre below the natural ground surface. Any works that extend beyond 1 metre below the natural ground surface, or works which are likely to lower the water table beyond 1 metre below the natural ground surface, will require management as outlined below.• Class 4: Acid sulfate soils in a class 4 area are likely to be found beyond 2 metres below the natural ground surface. Any works that extend beyond 2 metres below the natural ground surface, or works which are likely to lower the water table beyond 2 metres below the natural ground surface, will require management as outlined below.• Class 5: Acid sulfate soils are not typically found in Class 5 areas. Areas classified as Class 5 are located within 500 metres on adjacent class 1, 2, 3 or 4 land. Works in a class 5 area that are likely to lower the water table below 1 metre AHD on adjacent class 1, 2, 3 or 4 land will require management as outlined below. <p>Site personnel need to be aware of this risk and implement the following general safeguards. The basic principles for the management of acid sulphate soils are summarised below:</p> <ul style="list-style-type: none">• Minimise the disturbance of acid sulfate soils.• If soil needs to be excavated and stockpiled, manage the material so as to minimise the generation of acid sulfate soils. This may include covering of the stockpile and bunding around the stockpile.• Runoff control measures to be implemented, no runoff from stockpiled material is to escape to the stormwater system.• Any acid sulfate soil material exposed from the works must be neutralized with commercial lime (calcium bicarbonate) by the addition of 10 kilograms of lime per 1 cubic metre of spoil material before it is disposed of or re-used on-site.• Lime is to be added by evenly distributing over all exposed surface areas, any drilled piers and footing trenches on the site, prior to the pouring of any concrete.• Refer to the Acid Sulfate Soils Assessment Guidelines contained in the Acid Sulfate Soils Manual, prepared by NSW Acid Sulfate Management Advisory Committee, August 1998 for further information.
Erosion and Sediment Control
<p>The proposed works have the potential to create soil erosion and sediment pollution. The basic principles of erosion and sediment control are summarised below:</p> <ul style="list-style-type: none">• Assess likely soil and water implications at planning stage.• Plan for erosion and sediment control concurrently with engineering and landscaping design.• Install erosion and sediment control measures as a first step in the works program to any areas to be disturbed, including access points, prior to any works being carried out.• Concentrate on source controls.• Control water flow. Divert upslope waters around works and limit slope length to 80m on disturbed lands if rainfall is expected.• Minimise onsite traffic movements.• Rehabilitate disturbed lands quickly.• Maintain all sediment controls in an effective condition throughout the duration of works.
Use of Herbicides
<p>Herbicides may only be used in accordance with the following conditions:</p>

- Herbicides must be used in accordance with the *Pesticides Regulation 2017*, *Pesticides Act 1999*, and *Protection of the Environment (Operations) Act 1997* and the directions on the herbicide container label.
- All herbicides used must be recorded for each site in the WCC daily work diary.
- A Pesticide Notification Plan must be available and implemented when required.
- Current (less than 5 years) Safety Data Sheets for all herbicides must be available on site at all times.
- Bushcare/Dunecare volunteers to be trained by Council on safe use and handling of herbicides.
- Herbicides not in use must be stored in a locked container.
- When transporting herbicides they must be kept secure and must not occupy the same airspace as vehicle occupants, food, fertilizer or plants.
- Users must not store, use or dispose of any herbicide that contravenes the instruction for that product.
- Users must not, without a reasonable excuse, keep a herbicide in a container without an approved label attached to the container.
- Users must not use a herbicide in a manner which risks injury to any other person or the property of another person.
- Users must not use a herbicide in a manner which harms any non-target plant.
- Users must not dispose of herbicide waste in a manner that risks injury to the environment, including water bodies.
- Users must not allow herbicides to leak, spill or otherwise escape in a manner that risks injury to the environment including water bodies.
- A spill kit must be on site at all times.
- A buffer of 2m for herbicide use will be maintained around all threatened plant specimens. Herbicide use will only be undertaken outside this buffer.
- Herbicide use will cease where there are any signs of threatened species being affected by herbicide
- All herbicide spray operators will be capable of undertaking precise and effective weed control.
- Spray will be directed away from threatened flora
- Herbicide will only be sprayed in suitable weather conditions when the impact of spray drift (windy) or run-off (wet) on threatened flora is minimised.
- Marker dyes e.g. white field marker will be mixed with herbicide before use.

All works are to be carried out in accordance with the following procedures (or equivalent if works being undertaken by a contractor) ***Incident Management Spills in Watercourses or Drains Procedure*** (see [Appendix D](#)).

Water Quality

All works are to be carried out in accordance with the following procedures (or equivalent if works being undertaken by a contractor) ***Incident Management Spills in Watercourses or Drains Procedure*** (see [Appendix D](#)).

- All waste water is to be contained and removed off site for disposal at an approved facility.
- Waste water is not allowed to enter any stormwater drain or waterway.
- At no time shall any material, soluble or non-soluble, be allowed to enter the waterway.
- A fully equipped spill kit is to be kept on site at all times and, if used, restock spill kit (Refer to Incident Management Procedure in [Appendix D](#)).
- All chemicals and fuels will be stored in suitable bunded areas away from waterways and stormwater pits.
- Bunded area capacity will be at least 120% of the largest container within the storage area.
- The stored containers will be identified with appropriate labels.
- The relevant Material Safety Data Sheets (MSDS) will also be kept on site.
- Where possible compounds will be located on previously disturbed areas away from waterways.

Flora, Fauna & Ecosystems

Refer to the Generic Biodiversity Assessment for Natural Area works 2023 [ECM 24562203](#) for a detailed assessment of impacts on threatened flora and fauna.

- All native birds, reptiles, amphibians and mammals, except the dingo, are protected in NSW.
- Consider ground cover/bush regeneration sites/proposed future use of the site.
- Trees within or adjacent to the work sites must be protected from accidental damage by temporary fencing or barricades.

Tree removal

- If the tree is structurally sound retain all hollow bearing trees. Options for selective pruning and/or retaining as a habitat stag should be explored.
- Prior to tree removal/pruning, the Arborist must inspect any dense foliage, bark and/or trunks of trees for bats/birds/reptiles/mammals. If fauna is present and should there be the need to assess animal condition, obtain advice from WIRES on 1300 094 737.
- When removing a tree containing a hollow, someone with suitable ecology skills should be present to assess animal condition if tree is felled.
- All native trees are to be retained and must be protected from damage to trunks and root systems and soil build up around tree base with the provision of temporary protective fencing if necessary.

- Tree to be removed must be felled so as to fall away from other trees so as to minimise any disturbance to other vegetation.
- Where the branches are dangerous and overhanging a road/building or an adjoining property Council's Arborist will determine the amount of pruning permitted to address any public nuisance issue.
- Reuse cut section of hollow bearing tree for nesting or place on the ground for reptiles or frogs.
- Cut and paint methods may require the use of a chainsaw for larger weed stumps. All chainsaw operators must hold national accreditations in tree felling and cross-cut activities.

Vegetation removal from waterways

- Only tree species causing impediment to stormwater flow to be potentially removed. Other trees to remain in place where possible for rehabilitation of riparian corridor.
- Only vegetation within concrete channels and culvert aprons causing impediment to stormwater flow to be potentially removed. Other vegetation to remain in place within the riparian corridor.

Access within vegetation

- All vehicular access to sites will be restricted to formed roads.
- Access route to avoid mature trees and be chosen to minimise vegetation and soil disturbance.
- All equipment and materials will be carried through the bushland from existing vehicular access tracks, by hand or trolley.

The following actions are required for restoration works undertaken within endangered ecological communities or where threatened species are present:

- There shall be no disturbance of bushrock unless the bush regenerator can be certain there are no threatened species utilising the rock.
- All workers carrying out bush regeneration and associated works will be supervised by a trained and experienced co-ordinator who has completed a recognised bush regeneration course or a minimum of 2 years bush regeneration experience.
- All activities by workers will be regularly checked and approved by the co-ordinator.
- All workers will be informed of any threatened species or endangered ecological communities known from the site which may occur in the area and the potential impacts of activities on these species/communities.
- Workers will be familiar with the identifying features of threatened flora that are known or likely to occur in the project area. Where threatened species known from the area are similar to weed species, the distinguishing features between these will be understood prior to commencing the work.
- Prior to any works being undertaken, the presence or absence of threatened flora will be determined by a thorough walking search of the area.
- All threatened flora will be tagged with highly visible flagging tape before work commences. If a number of individuals occur in a clump, the area should be marked out with flagging tape, unless there is the possibility of malicious damage or vandalism.
- Cutting or damaging of threatened flora will be avoided.
- All plants will be positively identified before they are removed.
- Weed removal within 2m of a threatened species will be undertaken by hand.
- The habitat and refuge potential of weeds and rubbish will be considered prior to removal.
- Weeds will be removed gradually in areas where an infestation is extensive.
- Disturbance to, and removal of rocks, logs and other potential refuge sites will be avoided.
- A herbicide registered for use near waterways will be used within 5m of waterways.
- Herbicide spraying will be restricted to a distance greater than 5 metres from watercourses where threatened frogs are known or likely to occur and within a 10m radius of records of threatened frogs.
- A buffer of 1m along other watercourses will be maintained in which no herbicide will be sprayed.
- Care will be taken to minimise disturbance to shy or cryptic species.
- Care will be taken to minimise disturbance to the leaf litter layer.
- Plantings will be sourced from stock of local provenance.
- Care will be taken to ensure that mulch does not introduce weeds or impede natural regeneration at the site.
- Care will be taken to ensure that weeds and/or phytophthora are not introduced to a site from pots of cultivated plants.
- Consideration will be given to the possible impacts of plantings on the ecological requirements of threatened species at the site.
- Species will be planted within their natural habitat and range. Plantings will be guided by the plants' local habitat preferences.
- A buffer of 2m for herbicide use will be maintained around all threatened plant specimens. Herbicide use will only be undertaken outside this buffer.
- Herbicide use will cease where there are any signs of threatened species being affected by herbicide.
- All herbicide spray operators will be capable of undertaking precise and effective weed control.
- Spray will be directed away from threatened flora.

- Herbicide will only be sprayed in suitable weather conditions when the impact of spray drift (windy) or run-off (wet) on threatened flora is minimised.
- Marker dyes e.g. white field marker' will be mixed with herbicide before use.
- Any new records of threatened species will be provided within three months to NSW BioNet Atlas. These records will be in a format appropriate for entry into the Wildlife Atlas once identification of a threatened species is confirmed by a recognised authority.
- When working within or near Green and Golden Bell Frog habitat, maintain a refuge along habitat corridor.
- Within or near Green and Golden Bell Frog habitat, work should be done when frogs are active September-April.
- Breeding sites (ephemeral ponds) cannot have work done during breeding time (between March-April).
- Do not use herbicides or machinery within or near potential Green and Golden Bell Frog habitat, work is to be done by hand only.

In the case that an existing nest box needs to be repaired or replaced:

- Use an appropriate material to re-attach any nest boxes to trees to minimise impact on trees (avoid screws).
- Ensure the replacement of boxes considers the species type and replace with a similar sized box.
- Care should be taken to ensure that no animal injuries or deaths occur.
- Seek advice from a suitably qualified ecologist where necessary.

Seed and cutting collection

- Any seed collection is to be under the guidance of the Wollongong Botanic Gardens.
- All seed collection is to be undertaken in strict accordance with the Florabank Guidelines.
- Avoid unnecessary damage (e.g. trampling of understorey plants)
- Ensure nesting sites, tree hollows or other animal habitats are not disturbed
- Do not remove more seed or plant material than is required
- Do not remove more than 20 percent of the fruit from any one plant
- Do not take more than 10 percent of plant material from any one plant
- Avoid bringing weeds and pathogens into the collection site by cleaning shoes, collection equipment, etc
- Take particular care when collecting from rare or threatened plants.
- For collection of seed or plant material that is not one of the threatened plants or communities covered by the Generic Biodiversity Assessment for Natural Area works 2023 ([ECM 24562203](#)) or in the locations covered in the REF, a Scientific Licence will be required.

Air Quality & Energy

Machinery chosen is to have been well maintained and is to be operated in a proper and efficient manner and to minimise fumes.

Where works will expose large areas of bare soil, methods shall be employed to ensure dust is minimised in times of strong wind. This may include the use of brush matting, jute matting, wetting, etc.

Aboriginal Heritage

An Aboriginal Heritage Impact Permit (AHIP) has been issued for Sandon Point and McCauleys Beach Plan of Management (AHIP C0004686). In accordance with the AHIP, activities must be compliant with the Sandon Point and McCauleys Beach Vegetation Management Plan (VMP) and subject to the following safeguards:

- Heritage Site Induction for Council Staff, Contractors and Volunteers every time a person carries out the activity in Management Areas 2 and 4 and at the beginning of project activities in Management Areas 3 and 1.
- Natural Areas Coordinator to notify the Register Aboriginal Parties by letter or email or phone call or in person that the activity will happen or has happened if it is a routine activity.
- Sandon Point Aboriginal Place Joint Management Agreement Partners have agreed that the Illawarra Local Aboriginal Land Council can undertake works from the VMP within the Aboriginal Place. This satisfies AHIP requirements for MA2 activities. The Land Council is a Registered Aboriginal Party under the AHIP.
- Bushcare volunteer VMP works can occur outside of the Aboriginal Place, in Management Area 2 as the Sandon Point Aboriginal Place Joint Management Agreement Partners have agreed.
- Other contractors are able to undertake VMP work outside of the Aboriginal Place in Management Area 3.
- Do not use equipment larger than hand tools or drive a vehicle to carry out an activity during times of wet or rain. Access to work site with equipment or vehicles larger than hand tools -use only existing cycleway, concrete footpaths or disturbed areas excluding the McCauleys Beach dunes. See Disturbance Map and Sanctioned Beach Access Map. For emergency access to McCauleys' Beach use Access Point 2 if access via Corbett Avenue is not possible. Access 12 is suitable for that type of access for the patrolled Sandon Point Beach.
- Use rubber tyres/track on heavy equipment accessing a work site.
- Avoid Aboriginal Heritage Item Management System (AHIMS) site when undertaking the activity.

<ul style="list-style-type: none"> Human remains - If any human remains (other than any human remains described in Schedule B4) are discovered and/or harmed in, on or under the land, the AHIP holder must: <ul style="list-style-type: none"> (a) not further harm these remains (b) immediately cease all work at the particular location (c) secure the area so as to avoid further harm to the remains (d) notify the local police and OEH's Environment Line on 131 555 as soon as practicable and provide any available details of the remains and their location, and (e) not recommence any work at the particular location unless authorised in writing by OEH. <p>If any previously undetected archaeological site, object or artefact is uncovered or unearthed during the course of any works or activities associated with the proposal, works should cease in the vicinity of that site, object or artefact. Council's Community Land Management Officer (4227 7549 or 0408 273 520) or Heritage Advisor should be contacted immediately. A copy of the AHIP Heritage Induction materials should be kept on site by the coordinator of the works, there are provisions in checklist 2 in the induction materials to follow if an Aboriginal object or artefact is uncovered.</p>
European Heritage
Work is not to impact upon heritage items; in particular, no work shall occur within the boundary or the curtilage of any heritage item or property, until all necessary consultations and approvals have been undertaken / obtained.
Noise & Vibration
<ul style="list-style-type: none"> If there is to be any significant noise impacts, neighbouring residents are to be notified. The machinery chosen is to have been well maintained and is to be operated in a proper and efficient manner to minimise noise. <p>Recommended NSW Office of Environment and Heritage standard hours for works (not including standard bush regeneration activities):</p> <ul style="list-style-type: none"> Normal construction - Monday to Friday 7 am to 6 pm, Saturday 8 am to 1 pm. No work on Sundays or public holidays.
Traffic & Access
<p>Appropriate traffic management plan should be implemented and available for audit, including:</p> <ul style="list-style-type: none"> A traffic route for all site vehicles is to be nominated. Public safety for access around the site is to be ensured. Well-defined work compound must be secured to prevent public access.
Material Removed Off-site / Waste Generation
<p>All works are to be carried out in accordance with the following procedures (or equivalent if works being undertaken by a contractor):</p> <ul style="list-style-type: none"> City Works & Services Procedure for Waste Classification & Transportation (see Appendix E) Unexpected Finds Procedure – Council Owned Land/Worksites (see Appendix F) <p>The Wollongong Council Asbestos Management Policy should also be followed Document Set ID 24028269.</p> <p>In addition to the requirements of the above, the following specific controls are applicable:</p> <ul style="list-style-type: none"> The crew are responsible for the checking for asbestos and potential other contaminants at the site prior to work commencing. After dewatering is completed (if required), classify the materials and treat/remove as per classification. Any waste generated, including excavated materials, should be removed from the site and disposed of appropriately, according to waste classification. General waste (rubbish) is not to be allowed to lie or accumulate on the site. Provide appropriate receptacles (bins) to store all general wastes generated from the works. The receptacles are to be emptied immediately at works completion. Consideration is to be given to the source separation of recyclable and re-useable materials. All dockets/receipts for waste management/disposal are to be kept and copies forwarded to the project manager and/or site coordinator as proof of disposal for environmental audit purposes. Material/waste is not to be stored in any transit locations. Remove ground litter e.g. paper in vegetated bay areas as necessary. Any excavated topsoil likely to be infested with weed propagules is to be removed from the site and disposed of at a licensed waste facility. Appropriate contractor will be engaged to remove large amount of rubbish to assist in the disposal e.g. illegal dumping of lounges.
Imported Fill Material

- Only Virgin Excavated Natural Material (VENM) can be imported on site. VENM is natural material (clay, gravel, sand, soil or rock fines) that has been excavated or quarried from areas that are not contaminated. A Classification Docket with chemical assessment should be undertaken or requested from the supplier prior to importing the fill.
- Where excavated material cannot be classified as VENM it may be eligible for reuse on site if it is accompanied by appropriate documentation (from a qualified technician) confirming it does not contain any acid sulfate soils, asbestos and/or other potential contaminants.
- Documents/records of the transport and use of material imported onto site are to be kept by the contractors' site coordinator and copies forwarded to the WCC Natural Areas Officer as proof of correct waste management practices and for environmental auditing purposes.

Asbestos, Contamination and In-Situ Waste Classification

Investigations have found there is potential for contaminated material to be uncovered during the proposed works. This is due to use as an historical Aboriginal burial site and other historical uses of the site for coal transport. Site personnel should be made aware of this potential and if unusual colours, odours or materials are noted during excavations a Council Environmental Officer should be notified.

Ensure works are undertaken in accordance with **Aboriginal Heritage controls** to limit ground disturbance.

All works are to be carried out in accordance with the following procedures (or equivalent if works being undertaken by a contractor):

- City Works & Services Procedure for Waste Classification & Transportation (see [Appendix E](#))
- Unexpected Finds Procedure – Council Owned Land/Worksites (see [Appendix F](#))

The Wollongong Council Asbestos Management Policy should also be followed [ECM 24028269](#).

Material excavated from the site should be disposed of at a waste disposal facility and not re-used on this or any other site.

Visual Environment

During the work period, the site should be maintained in a neat and tidy condition.

Appendix A: Project maps

Sandon Point - Natural Area Asset ID – 83



Sandon Point Headland - Natural Area Asset ID – 89



Hewitts Creek Bushcare - Natural Area Asset ID – 83



Appendix B: Compliance with Legislation

This appendix provides a brief summary of how the proposed activities listed in the scope of works comply with relevant planning and environmental legislation and identifies where further assessment may be required on a site-specific basis. Completion of the checklist in Section 5 may trigger the additional assessment and consideration of additional safeguards, controls or work exclusion zones.

Environmental Planning and Assessment Act 1979 (NSW)

The *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) provide the framework for development and environmental assessment in NSW.

As Council is the proponent, the works have been assessed as 'development permissible without consent' under Part 5 of the EP&A Act. Therefore, the activity has been assessed in accordance with Sections 5.5, 5.6 and 5.7 of that Act by examining and taking into account to the fullest extent possible all matters which are likely to affect the environment. Environmental Planning Instruments made under the EP&A Act 1979 may also be relevant and are addressed below.

State Environmental Planning Policy (Transport and Infrastructure) 2021 (NSW)

The proposed activities listed in the scope of works have been assessed against the State Environmental Planning Policy (Transport and Infrastructure) 2021, and do not require consent under Division 12 Parks and other reserves and Division 25 Waterway or foreshore management activities, which permit environmental management works in parks and reserves and waterways and foreshores without consent.

Wollongong Local Environment Plan 2009 (Local)

- Natural Area Program activities occur mainly on land zoned R2 Low Density Residential, RE1 Public Recreation, C2 Environmental Conservation, C3 Environmental Management, C4 Environmental Living, W1 Natural Waterways and W2 Recreational Waterways. The proposed activities listed in the scope of works are consistent with the objectives of LEP zones. Where works occur on natural areas in the following zones, which do not specifically include objectives relating to the environment, the works are compatible with the objectives of that zone: Zone E3 Productivity Support, Zone E4 General Industrial, SP1 Special Activities, SP2 Infrastructure, SP3 Tourist.
- Where the proposed activities listed in the scope of works are located on land mapped as Natural resource sensitivity—biodiversity, they are consistent with the objectives of clause 7.2: Natural resource sensitivity—biodiversity.
- Where the proposed activities are on land mapped as riparian land, they are consistent with the objective of clause 7.4: Riparian Lands.
- Where the proposed activities listed in the scope of works are located on land mapped as Illawarra Escarpment Area Conservation, they are consistent with the objectives of clause 7.8: Illawarra Escarpment Area Conservation.

Local Government Act 1993 (NSW)

Where the proposed activities listed in the scope of works are located within Council owned Community Land under Council control covered by a Plan of Management for community land, the proposed activities are consistent with the objectives of the Plans of Management categories: Park, Sportsground, Cultural Significance, Natural Area Bushland, Natural Area Escarpment, Natural Area Watercourse, Natural Area Wetland and Natural Area Foreshore and General Community Use.

Crown Lands Management Act 2016 (NSW)

Where the proposed activities listed in the scope of works are located on Crown Land under care and control of Council, Council is to manage the Crown land as if was public land within the meaning of the *Local Government Act 1993* and as if it were community land under the *Local Government Act 1993* in accordance with section 3.22 of the *Crown Lands Management Act 2016*. As noted above, the proposed activities are consistent with the objectives of Plans of Management for community land.

Biodiversity Conservation Act 2016 (NSW)

All ecological communities that occur on natural area work sites within the Wollongong Local Government Area have been identified and are listed in the document: Generic Biodiversity Assessment for Natural Area Management Activities (Z20/167450). Assessments of Significance for the TECs and threatened species that have records mapped within or adjacent to natural area work areas are also included in this document.

Provided the environmental safeguards in this REF are implemented, the activities listed in the scope of works are not likely to significantly affect any threatened species, populations or ecological communities listed under the *Biodiversity Conservation Act 2016*, or their habitats, and the preparation of a Species Impact Statement or Biodiversity Development Assessment Report is not warranted.

All native birds, reptiles, amphibians, and mammals, except the dingo, are protected in NSW, as listed in Schedule 5 of the *Biodiversity Conservation Act 2016*.

Council can enter into Biodiversity Stewardship Agreements in accordance with Part 5, Division 2 of the *Biodiversity Conservation Act 2016*. Works and activities on land to which these agreements apply are subject to the specific conditions within the agreement.

Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)

All ecological communities that occur on natural area work sites within the Wollongong Local Government Area have been identified and are listed in the document: Generic Biodiversity Assessment for Natural Area Management Activities (Z20/167450). Assessments of Significance for the TECs and threatened species that have records mapped within or adjacent to natural area work areas are also included in this document. Provided the environmental safeguards in this REF are implemented, the activities listed in the scope of works are not likely to significantly affect any threatened species, populations or ecological communities listed under the *Environment Protection and Biodiversity Conservation Act 1999*, or their habitats, and a Referral to the Australian Government Minister for the Environment for a decision on a 'Controlled Action' is not warranted.

Local Land Services Act 2013 (NSW)

In the case that the proposed activities listed in the scope of works are on regulated land under the *Local Land Services Act 2013*, section 600(b)(ii) of the Act sets out that clearing of native vegetation in a regulated rural area is authorised if it is carried out by a determining authority within the meaning of Part 5 of the *Environmental Planning and Assessment Act 1979* after compliance with that Part. This REF meets the requirements of this clause.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

This SEPP requires certain approvals from either Council or the Native Vegetation Panel prior to clearing of certain vegetation. Clause 2.7 provides that authority to clear vegetation is not required under this Policy if it is clearing of a kind that is authorised under section 600 of the *Local Land Services Act 2013* (LLS Act). As this proposal is authorised under s600(b)(ii) of the LLS Act, being [an activity carried out by a determining authority within the meaning of Part 5 of that Act after compliance with that Part], consent under the Biodiversity and Conservation SEPP is not required.

Fisheries Management Act 1994 (NSW)

The proposed activities listed in the scope of works do not involve dredging or reclamation works, obstructing fish passage, using explosives and other dangerous substances or harming marine vegetation. The activities do not require a licence under Part 7 the *Fisheries Management Act 1994*.

Biosecurity Act 2015 (NSW)

Under the Biosecurity Act 2015, all plants, including weeds are regulated with a general biosecurity duty to prevent, eliminate, or minimise any biosecurity risk they may pose. Any person who deals with any plant, who knows (or ought to know) of any biosecurity risk, has a duty to ensure the risk is prevented, eliminated or minimised, so far as is reasonably practicable. The *Biosecurity Act 2015* and Regulations provide specific legal requirements for high risk activities and State level priority weeds. The State level priority weeds and associated legal requirements relevant to the region are outlined in the *South East Regional Strategic Weed Management Plan 2017-2022* together with the high-risk priority weeds from the regional prioritisation process. As such, any

priority weeds in the work areas would be assessed and controlled to fulfil the General Biosecurity Duty and minimise biosecurity risks, through implementing the safeguards in this REF.

Water Management Act 2000 and Water Management (General) Regulation 2018 (NSW)

Section 91E of the Act establishes an approval regime for controlled activities within waterfront land. However, clause 41 of the *Water Management (General) Regulation 2018* provides an exemption for public authorities in relation to all controlled activities on waterfront land. Therefore, approval under the WM Act is not required.

Pesticides Regulation 2017 (NSW)

This Regulation has provisions which deal with the use of pesticides, including licensing, record keeping, training and notification, which is part of the proposed activities listed in the scope of works. The relevant requirements for bush regeneration contractors and volunteers are included in the safeguards section of this REF.

Coastal Management Act 2016 (NSW)

Where the proposed activities listed in the scope of works are located in the coastal zone, covered by the *Coastal Management Act 2016*, they are consistent with the objects of the act and the management objectives of each of the management areas: coastal wetlands and littoral rainforest, coastal vulnerability area, coastal environment area and coastal use area.

State Environmental Planning Policy (Resilience and Hazards) 2021 (NSW)

Where the proposed activities listed in the scope of works are located in the coastal zone, as mapped in the *SEPP (Resilience and Hazards) 2021*, they have been assessed against the assessment criteria for each coastal management area and any relevant controls are included the Safeguards section of this REF. Where the proposed activities listed in the scope of works are located in land mapped specifically as coastal wetlands and littoral rainforest in the *SEPP (Resilience and Hazards) 2021*, additional assessment will be triggered to determine if development consent is required (see [Appendix C](#)).

Coastal Crown Lands Policy (NSW)

This Policy applies to all coastal Crown lands within one kilometre landward and three nautical miles seaward from the low water mark. The objectives of the Policy include:

- Conserve and maintain the intrinsic environmental and cultural qualities of coastal Crown lands.
- Optimise public access and use of coastal Crown lands.
- Provide Crown lands, as appropriate for recreation, tourism, residential and commercial coastal development with due regard to the nature and consequences of coastal processes.
- Encourage the rehabilitation of degraded Crown lands.

The scope of works meets all the relevant objectives.

National Parks and Wildlife Act 1974 (NSW)

This Act regulates the control and management of all national parks, historic sites, nature reserves, and Aboriginal areas. Where works will disturb Aboriginal objects, an Aboriginal Heritage Impact Permit (AHIP) is required. An AHIP has been issued for Sandon Point and McCauleys Beach Plan of Management (AHIP C0004686). In accordance with the AHIP, activities must be compliant with the Sandon Point and McCauleys Beach Vegetation Management Plan (VMP) and subject to the safeguards in Section 6. See Induction materials in [Appendix G](#).

Aboriginal Land Rights Act 1983 (NSW)

Aboriginal Land Claims have been lodged over all Crown Reserves in the Wollongong LGA. Where the proposed activities listed in the scope of works are within a Crown Reserve subject to an Aboriginal Land Claim, the works are intended to restore the land to its former natural state and it is unlikely that claimants would object to such works (see Z17/90507).

Native Title Act 1993 (Commonwealth)

The proposed acts are valid 'future acts' for the purposes of the *Native Title Act 1993* (Cth). The relevant subdivision under which the acts are validated is Subdivision J (Activities pursuant to reservations). There are no procedural requirements to comply with for native title purposes and the non-extinguishment principle applies. Should native title be determined to exist, at some future date, Council may be liable for compensation under

the provisions of the *Native Title Act 1993* (Cth) for the effect on native title rights and interests by the proposed act.

Protection of the Environment Operations Act 1997 (NSW)

The *Protection of the Environment Operations Act 1997* (POEO Act) is the principal environmental protection legislation for NSW. It defines 'waste' for regulatory purposes and establishes management and licensing requirements for waste. It defines offences relating to waste and sets penalties. Should it be necessary to remove any material from the work site (including sediment), it is considered waste, and must be classified by an appropriate officer, as per Division 1 Waste Classifications of the POEO Act. Waste may be classified as: Special waste, Liquid waste, Hazardous waste, Restricted solid waste, General solid waste (putrescible), General solid waste (non-putrescible). If it is not possible to separate wastes, the whole waste must be classified according to the highest class of waste. All Waste must be disposed of at an appropriately licenced waste facility as landfill.

Appendix C: Coastal Management Areas Assessment

Matters for Consideration under the State Environmental Planning Policy (Resilience and Hazards) 2021 For maps refer to http://webmap.environment.nsw.gov.au/PlanningHtml5Viewer/?viewer=SEPP_CoastalManagement	Comments
Is the proposal within the Coastal Wetlands and Littoral Rainforests Area?	Yes, sections mapped as coastal wetlands.
<p>SEPP (Resilience and Hazards) 2021, Division 1, cl 2.7.</p> <p>Environmental protection works on land identified as “coastal wetlands” or “littoral rainforest” on the Coastal Wetlands and Littoral Rainforests Area Map may be carried out by or on behalf of a public authority without development consent if the development is identified in:</p> <ul style="list-style-type: none"> (a) the relevant certified coastal management program, or (b) a plan of management prepared and adopted under Division 2 of Part 2 of Chapter 6 of the <i>Local Government Act 1993</i>, or (c) a plan of management approved and in force under Division 3.6 of the <i>Crown Land Management Act 2016</i>. <p>A consent authority must not grant consent for development referred to in subsection (1) of Division 1, cl 2.7, unless the consent authority is satisfied that sufficient measures have been, or will be, taken to protect, and where possible enhance, the biophysical, hydrological and ecological integrity of the coastal wetland or littoral rainforest.</p>	<p>The sites are included in the Sandon Point and McCauleys Beach Plan of Management, which has the following within its action plan:</p> <ul style="list-style-type: none"> • Objective: To balance the needs of managing and protecting vegetation communities and species legislated as having high conservation value or of conservation significance with maintaining and enhancing the area’s scenic values, vantage points and views. • Performance Target: Implementation of the Vegetation Management Plan. <p>VMP actions include:</p> <ul style="list-style-type: none"> • Threat abatement using weed control to protect and assist the expansion of the Coastal Headlands Grassland remnant on Sandon Point and the restoration of the EEC’s: Alluvial Swamp Mahogany Forest, Coastal Swamp Oak Forest, Alluvial Estuarine Wetland and Alluvial Floodplain Wetland. • Continued weed control targeting invasive weed vines, perennials and woody weeds throughout previously revegetated areas. • Support the linking of wetland communities in low relief locations using selective weed control and assisted natural regeneration techniques. Targeted control of invasive vines including Morning Glory, Blackberry and Chinese Honeysuckle throughout area. <p>Therefore, environmental protection works can be carried out.</p>
Is the proposal within the Proximity to Coastal Wetlands and Littoral Rainforests Area? SEPP (Resilience and Hazards) 2021, Division 1, cl 2.8. Development consent must not be granted to development on land identified as “proximity area for coastal wetlands” or “proximity area for littoral rainforest” on the Coastal Wetlands and Littoral Rainforests Area Map unless the consent authority is satisfied that the proposed development will not significantly impact on:	Yes
<ul style="list-style-type: none"> (a) the biophysical, hydrological or ecological integrity of the adjacent coastal wetland or littoral rainforest, or 	<p>This REF has considered the impacts of the proposal on the adjacent wetland area, and a range of safeguards relating to erosion, sediment control, water quality, flora, fauna and ecosystems and weed management must be applied to minimise impact on adjacent wetlands.</p> <p>It is unlikely that the project will negatively impact on any threatened communities or habitat for threatened species.</p>

(b) the quantity and quality of surface and ground water flows to and from the adjacent coastal wetland or littoral rainforest.	It is unlikely that the water quality in the adjacent wetland will be adversely impacted. Appropriate erosion and sediment control measures will be implemented during the works to prevent sediment entering the creek.
Is the proposal within the Coastal Vulnerability Area? SEPP (Resilience and Hazards) 2021, Division 2, cl 2.9. Development consent must not be granted to development on land that is within the area identified as “coastal vulnerability area” on the Coastal Vulnerability Area Map unless the consent authority is satisfied that:	Coastal Vulnerability Area is not mapped yet, so these factors must be considered in all SEPP Coastal Management areas until mapping is completed.
(a) if the proposed development comprises the erection of a building or works—the building or works are engineered to withstand current and projected coastal hazards for the design life of the building or works, and	N/A
(b) the proposed development:	This project will not alter coastal processes. The works are temporary and will be limited to the ground surface.
(i) is not likely to alter coastal processes to the detriment of the natural environment or other land, and	
(ii) is not likely to reduce the public amenity, access to and use of any beach, foreshore, rock platform or headland adjacent to the proposed development, and	This project will not impact on access and will improve public amenity through weed control and rubbish removal.
(iii) incorporates appropriate measures to manage risk to life and public safety from coastal hazards, and	N/A
(c) measures are in place to ensure that there are appropriate responses to, and management of, anticipated coastal processes and current and future coastal hazards.	N/A
Is the proposal within the Coastal Environment Area? SEPP (Resilience and Hazards) 2021, Division 3, cl 2.10. (1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:	Yes
(a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,	This REF has considered the impacts of the project on the environment, including coastal, riparian and wetland vegetation. The project aims to improve the integrity and resilience of the environment. A range of safeguards relating to erosion, sediment control, water quality, flora, fauna and ecosystems and weed management are in the REF and must be applied to minimise impact on the environment. It is unlikely that the project will affect any threatened communities or habitat for threatened species.
(b) coastal environmental values and natural coastal processes,	The project will not have an adverse impact on environmental values and coastal processes. The project will improve the condition of the vegetation communities.
(c) the water quality of the marine estate (within the meaning of the <i>Marine Estate Management Act 2014</i>), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,	It is unlikely that the water quality in the adjacent lagoon will be adversely impacted. Appropriate erosion and sediment control measures will be implemented during the works to prevent sediment entering the creek.
(d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,	This project aims to improve the vegetation communities. It is unlikely that the proposal will affect any threatened communities or habitat for threatened species.
(e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,	This project will not cause access restrictions during works.
(f) Aboriginal cultural heritage, practices and places,	An Aboriginal Heritage Impact Permit has been issued for VMP works within the sites.
(g) the use of the surf zone.	N/A

<p>(2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:</p> <ul style="list-style-type: none"> (a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subsection (1), or (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or (c) if that impact cannot be minimised—the development will be managed to mitigate that impact. 	<p>The project is for temporary works only and there is unlikely to be significant impacts.</p>
<p>Is the proposal within the Coastal Use Area? SEPP (Resilience and Hazards) 2021, Division 4, cl 2.11 Development consent must not be granted to development on land that is within the coastal use area unless the consent authority:</p>	<p>Yes</p>
<p>(a) has considered whether the proposed development is likely to cause an adverse impact on the following:</p> <ul style="list-style-type: none"> (i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability, 	<p>This project will not cause access restrictions during works.</p>
<ul style="list-style-type: none"> (ii) overshadowing, wind funnelling and the loss of views from public places to foreshores, 	<p>This project will not impact on overshadowing and the loss of views from public places to foreshores.</p>
<ul style="list-style-type: none"> (iii) the visual amenity and scenic qualities of the coast, including coastal headlands, 	<p>This project will improve the scenic qualities by improving the condition of the vegetation communities and removing rubbish.</p>
<ul style="list-style-type: none"> (iv) Aboriginal cultural heritage, practices and places, 	<p>An Aboriginal Heritage Impact Permit has been issued for VMP works within the sites.</p>
<ul style="list-style-type: none"> (v) cultural and built environment heritage, and 	<p>This project will not impact on built environment heritage.</p>
<p>(b) is satisfied that:</p> <ul style="list-style-type: none"> (i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or (ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or (iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and <p>(c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.</p>	<p>The project is for temporary works only and there is unlikely to be significant impacts.</p>

Appendix D: Incident Management Spills in Watercourses or Drains Procedure

TITLE

Accidental oil spill in watercourses and drains

PURPOSE

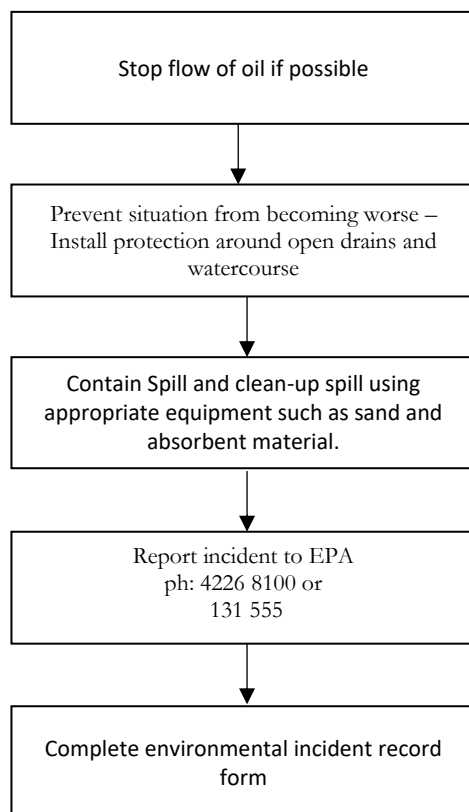
To ensure all practicable means are used to prevent oil spillage during construction or maintenance works near watercourses and drains.

APPLICATION

This procedure applies to all watercourses including coastal water, rivers, lakes, dams, watercourses, artificial channels, ditches and gullies, and stormwater drains.

Site Contractor Co-ordinators to ensure all operators working near watercourses are trained in this procedure.

PROCEDURE



OPERATING CRITERIA

- Spill kit to be onsite at all times during operation
- Refuelling and storage to be undertaken at Depot
- Machinery not in use to be parked away from drains and watercourse banks in case of natural disaster or vandalism
- All staff and contractors to be trained

REFERENCE

Incident database

AUDIT CHECKLIST

Spill kit kept at site and kept in order
All staff are aware of procedure

Appendix E: Waste Classification and Transportation Procedure - WHS Corporate Procedure

Adoption Date	03/06/2016	Version	2
Document Owner	Manager City Works & Services	Issue & Currency Date	03/06/2016
TRIM Record Number	Z16/182962	Review Date	31/08/2020

1. PURPOSE

To provide a documented process to guide staff classifying and transporting waste using the Waste Classification Docket system.

2. SCOPE

All workers who are under the direct control of Wollongong City Council.

This procedure **does not** apply to the following:

- Waste collected by mechanical brooms or waste collected from waste receptacles.
- Waste collected by Wollongong City Council contractors.

3. RESPONSIBILITIES

Manager Human Resources – shall ensure the review of this procedure and the education, training and instruction of all identified workers in accordance with the Systems of Work Procedure or in accordance with changes in legislation.

Divisional Manager – is responsible and accountable to ensure that this procedure is implemented in their areas of responsibility.

Middle Management/Coordinator/Supervisor – shall ensure that this procedure is implemented and communicated to workers who generate, manage and/or transport waste

Workers – shall take reasonable care for their own safety and not adversely affect the health and safety of others. Workers shall comply with established systems of work and ensure that the requirements of this procedure are followed. Workers shall be involved in the consultation process regarding the implementation of this procedure.

4. DEFINITIONS

Waste - The Protection of the Environment Operations Act 1997 defines waste as “any discarded, rejected, unwanted, surplus or abandoned substance.”

- Does not therefore exclude substances that may be beneficially input into another process
- If a material is “clean” or safe to use, if it is surplus it is considered to be “waste”.

Asbestos Waste means any waste that contains asbestos.

Liquid Waste means any waste (other than special waste) that:

- has an angle of repose of less than 5 degrees above horizontal
- becomes free-flowing at or below 60 degrees Celsius or when it is transported
- is generally not capable of being picked up by a spade or shovel.

Hazardous Waste means waste which requires to be treated and includes:

- Dangerous Goods classified waste and containers Classes 1, 3, 4, 5, 6.1 or 8 (exempt if cleaned properly)
- Contains > 1% coal tar
- Lead-acid or nickel-cadmium batteries
- Lead paint waste
- Any mixtures of the above
- Exceeds the chemical tests for landfill acceptance
- All hazardous wastes must be treated before disposal

General Solid Waste (putrescible) includes food waste, litter from street bins, waste from litter bins collected by or on behalf of local councils, disposable nappies and manure.

General Solid Waste (non-putrescible) includes:

- glass, plastic, rubber, plasterboard, ceramics, bricks, concrete or metal paper or cardboard
- household waste from municipal clean-up that does not contain food waste, waste collected by, or on behalf of, local councils from street sweepings
- grit, sediment, litter and gross pollutants collected in, and removed from, stormwater
- treatment devices and/or stormwater management systems, that has been dewatered
- grit and screenings from potable water and water reticulation plants that has been dewatered
- garden and wood waste.

Building and Demolition Waste means:

- bricks, concrete, paper, plastics, glass and metal
- timber, including unsegregated timber, that may contain treated timber.

Garden Waste means waste that consists of branches, grass, leaves, plants, loppings, tree trunks, tree stumps and similar materials.

Wood Waste means sawdust, timber offcuts, wooden crates, wooden packaging, wooden pallets, wood shavings and similar materials, and includes any mixture of those materials, but does not include wood treated with chemicals.

Virgin Excavated Natural Material means natural material (such as clay, gravel, sand, soil or rock fines):

- that has been excavated or quarried from areas that are not contaminated with manufactured chemicals, or with process residues, as a result of industrial, commercial, mining or agricultural activities
- that does not contain sulfidic ores or soils, or any other waste.

Acid Sulfate Soils (ASS) are those naturally occurring sediments and soils which contain sulfides, mainly iron sulfide and iron disulfide or their precursors.

Excavated Natural Material (for recycling and re-use only) means naturally occurring rock and soil including materials (such as sandstone, shale, clay and soil) that have:

- been excavated from the ground, and
- contains at least 98% (by weight) natural material, and
- does not meet the definition of Virgin Excavated Natural Material.

Excavated Public Road Material (for recycling and re-use only) means materials:

- being rock, soil, sand, bitumen, reclaimed asphalt pavement, gravel, slag from iron and steel manufacturing, fly and bottom ash, concrete, brick, ceramics and materials that hold a resource recovery order for use in road making activities; and
- that have been excavated during the construction and maintenance of council and Roads & Maritime Services (RMS) public roads and public road infrastructure facilities.

Reclaimed Asphalt Pavement (for recycling and re-use only) means an asphalt matrix which was previously used as an engineering material and which must not contain a detectable quantity of coal tar or asbestos.

Compost means any combination of raw mulch, garden organics, food waste, manure and paunch that has undergone composting.

Raw Mulch means plant material that by virtue of the nature and source of the material poses minimal risk of the presence of plant propagules, pathogens and other contaminants. Such materials may be shredded and/or screened to a preferred particle size grading for particular applications. Raw mulch only includes:

- horticultural barks, leaf mulch and wood chip mulch produced from forestry and sawmill residues, and urban wood residues; and
- branches, tree stumps and bark that are absent of leaves, flowers, fruit and plant propagules.

Tyres means used, rejected or unwanted tyres, including casings, seconds, shredded tyres or tyre pieces that contain at least 98% tyre material.

5. PROCEDURE

5.1 Classification of Waste

Once it has been determined that waste has been generated (see definition) Complete Parts A, B and C of the Waste Classification Docket.

5.2 Waste Source is the address at which the waste was generated:

- Where waste was generated at a Council asset the name of the asset is required, eg Botanic Garden.
- Where waste was generated in a road reserve, only the street name is required.
- Where waste was generated across two or more asset locations, all of the asset locations or streets are to be listed.

5.3 Where a tree crew prune multiple trees in numerous streets and generate raw mulch, the street names (the streets being the asset location) is required for the entire load. eg Smith St, Corrimal St and Burelli St. For park crews picking up litter at various sites, all the parks or sites where the waste has been generated are to be listed. These sites can be listed on one docket if all the waste has the same classification.

5.4 **Destination** is the address to which the waste is being transported. Where the waste is being transported to an authorised waste facility, the name of the waste facility is required eg SCE. Where the waste is being recycled or re-used at a council asset the council asset name is required. For some operations this will sometimes but not always occur within a road reserve. In such circumstances the destination is to be recorded as the destination street name. Where raw mulch is being transported to a council asset/facility, the asset/facility name is required as the destination. eg Pioneer Park.

5.5 Complete the **Inspection of Waste** section of the Waste Classification Docket by undertaking a sensory test (visual and odour) of the waste material. The purpose of this test is to determine the likelihood of contaminants in the waste. This includes a visual inspection for asbestos, (undertaken by staff that have completed asbestos awareness training) oils, unusual colouring or the smell of strong coal tar odour resembling creosote or any other strong pungent unusual smell.

5.6 After inspecting the waste (sensory test), place a tick in the corresponding “yes” or “no” tick box to indicate if the waste material is contaminated or not. If you tick yes because the waste is contaminated with **less than** 10m² of bonded asbestos, proceed to remove the waste in accordance with Standard Operating Procedure - *Collection & Removal of Bonded Asbestos Containing Material (ACM) under 10Sq Mtrs – includes soil & fill* or contact your Supervisor. If removing less than 10m² of bonded asbestos, **you must complete Part D of the Waste Classification Docket.**

ONCE THE LESS THAN 10M2 OF BONDED ASBESTOS HAS BEEN REMOVED THE REMAINING WASTE CAN BE RECLASSIFIED AND MANAGED IN ACCORDANCE WITH THE CLASSIFICATION.

For bonded asbestos contamination more than 10m2 and all other contamination, contact your Supervisor immediately.

If there is no contamination tick "No" and complete Part C of Waste Classification Docket.

- 5.7 If the waste material is not contaminated refer to the definitions at the rear of the Waste Classification Docket (attached to this procedure) to classify the waste material for **landfilling**. Once a classification has been determined, place a tick in the corresponding tick box.
- 5.8 Should the waste be classified as one of the following waste classifications or unable to be classified, contact your supervisor immediately:
- Asbestos waste
 - Liquid waste
 - Hazardous waste
 - Acid sulphate soils

Depending on the waste classification, your Supervisor may coordinate a waste consultant to confirm the waste classification and develop a strategy to manage its safe removal.

- 5.9 Where the waste material is **recyclable**, place a tick in the corresponding tick box or specifies the type of waste to be **recycled** is in Part C of the Waste Classification Docket.
- 5.10 Where the waste material is **reusable**, place a tick in the corresponding tick box or specify the type of waste to be **reused** in Part C of the Waste Classification Docket.
- 5.11 Where additional or relevant information may assist the classification and transport of waste, notes can be made at the bottom of the Waste Classification Docket next to "Notes".
- 5.12 Transportation of Waste to Waste Facility for Disposal or Recycling**
After the waste classification process is complete, complete the following steps:
- Duplicate of Waste Classification Docket is to be provided to transporting truck driver. Truck driver is not to transport waste without this docket.
 - When transporting the waste to a waste facility, the Waste Classification Docket is to be presented to the waste facility. When exiting the waste facility, the transport driver will be provided with a weighbridge ticket with the net weight of the disposed waste and its classification.
 - The truck driver is to confirm the waste classification determined by the waste facility is the same as that determined by Council's waste classifier.
 - If the waste classifications are different, the driver is to report the matter to their Supervisor as soon as practical.
 - The driver is to check that the Waste Classification Docket number is to be recorded on the waste facilities receipt docket.

5.13 Transportation of waste to a Council facility or asset for reuse

Duplicate of Waste Classification Docket is to be provided to transporting truck driver.

5.14 Records Management

- 5.15 After non-asbestos waste has been transported to a waste facility and the waste classification of the waste facility is the same as Council's waste classifier, Council's Waste Classification Docket can be disposed of. A copy of the waste docket remains within the Waste Classification Docket book.
- 5.16 Where less than 10m2 of bonded asbestos waste has been collected and Part D of the Waste Classification Docket book has been completed, a copy of the waste docket is to be left in the blue Asbestos Disposal Records Tray at each depot on the day of disposal or next business day.
- 5.17 When all pages of the Waste Classification Docket book have been used, the dockets are to be transported to the depot and scanned in accordance with the following:
- Projects – Scanned to project file
 - Maintenance and all other works – Scanned to the crew file
- 5.18 After waste has been transported to a reuse destination (Council facility or asset) the driver can dispose of the Waste Classification Docket.
- 5.19 Management of Contaminated Material Placed in Truck or Delivered to a Site**
- 5.20 Where contaminated material is inadvertently loaded into a Council truck wet down and cover the load. Do not operate the truck until instructed by your Supervisor.
- 5.21 Where contaminated material is inadvertently delivered to a site, including a waste station, inform your Supervisor immediately.

6. TRAINING

Waste Classification and Awareness training and refresher training provided to identified workers.

- 7. REFERENCES (includes legislative, Codes of Practices / Standards / Guidelines / NAT criteria)**
- NSW EPA Waste Classification Guidelines

- NSW Work Cover Managing Asbestos in or on soils (March 2014)
- Protection of the Environment Operations Act 1997

8. RELATED DOCUMENTATION

- Asbestos & Hazardous Materials Management Procedure
- Standard Operating Procedure Unexpected Finds Procedure – Council Owned Land Worksites
- Standard Operating Procedure - Collection & Removal of Bonded Asbestos Containing Material (ACM) under 10Sq Mtrs – includes soil & fill
- Waste Classification Docket


9. ATTACHMENTS

Waste Classification Docket (completed example).

WHERE TO GET HELP


For assistance in carrying out this procedure contact your Operations Manager, the WHS Team on 4227 7067 or email "WHS".




Attachment One – Waste Classification Docket (completed example)

 WASTE CLASSIFICATION DOCKET Number: 18151		PART A
DATE: <u>20.4.16</u> WORK ORDER NO: <u>1223671</u> PURCHASE ORDER NO: CREW CODE: <u>CP02</u>		
PROJECT NAME: <u>Maintenance</u>		
Person classifying the Waste: <u>W. Bennett</u> Name: Signature:		PART B
Waste Source: <u>CAD</u> (Street or Council asset / facility)		
Destination: <u>Wharfedale Gully</u> (Street or Council asset / facility or waste facility name)		
Approximate Volume of Waste (Tonnage or cubic metres for Raw Mulch):		
Registration Number of Transport Vehicle: <u>BU 18 QT</u>		
Inspection of Waste ✓ NB if any item with * is ticked, contact Supervisor immediately except where an unexpected find of bonded asbestos is less than 10 mt ²		
Were the contaminants identified during the Visual Inspection? Coal tar, asbestos, oils in soils or other chemicals with obvious colours <input type="checkbox"/> YES* <input checked="" type="checkbox"/> NO		
Does the material emit a strong/foul odour or gas? Coal tar, oils in soils or other chemicals with obvious odours or emission <input type="checkbox"/> YES* <input checked="" type="checkbox"/> NO		
Waste Classification for Land-filling (✓): <input type="checkbox"/> Asbestos Waste more than 10 mt ² *		
<input type="checkbox"/> Bonded Asbestos Waste - less than 10 mt ² * Go to part D <input type="checkbox"/> Liquid Waste* <input type="checkbox"/> Hazardous Waste*		
<input type="checkbox"/> Acid Sulphate Soils* <input type="checkbox"/> Unable to classify* <input type="checkbox"/> Tyres <input type="checkbox"/> General Solid Waste (putrescible)		
<input type="checkbox"/> General Solid Waste (non- putrescible) <input checked="" type="checkbox"/> Garden Waste <input type="checkbox"/> Virgin Excavated Natural Material		
<input type="checkbox"/> Building and Demolition waste <input type="checkbox"/> Wood Waste		
Recyclable Waste: <input type="checkbox"/> Concrete <input type="checkbox"/> Reclaimed Asphalt Pavement <input type="checkbox"/> Steel / Metal <input type="checkbox"/> Tyres		
<input type="checkbox"/> Other (specify).....		
Reusable Waste: <input type="checkbox"/> Raw Mulch (mulch source free of contamination including weed species)		
<input type="checkbox"/> Excavated Public Road Material (if re-using in road reserve)		
<input type="checkbox"/> Other (specify).....		
Removal and disposal of less than 10 mt² Bonded Asbestos using the unexpected finds procedure. NB parts A,B and C must also be completed		
Name and signature of the person depositing the bonded asbestos into the Depot Asbestos Bin Name: Signature:		
Description of unexpected find (e.g. small fibre pieces approximately 5cm ² or one sheet of asbestos sheeting (15cm x 15cm))		
Names of WCC staff onsite at time of find:		
For removal and disposal by WCC Disposal Date: and time: (Waste entered the bin)		

WO: 1416123 - Feb 2016

Appendix F: Unexpected Finds Procedure

 Standard Operating Procedure		Authorised by: Shaun Martin Division: Safety & Workplace Services ECM: 23791938
Issue Date:	Review Date:	Page 1 of 7

Description of Work:	UNEXPECTED FIND PROCEDURE – COUNCIL OWNED LAND/WORKSITES This procedure has been developed to outline the process that is to be followed in the event that an unexpected find of asbestos containing material, contaminated soils or an archaeology/heritage find.	
		Main Hazards: <ul style="list-style-type: none"> Exposure to asbestos containing materials (ACM) or chemicals
PPE REQUIRED: P2 disposable mask and gloves as a minimum.  OPTIONAL PPE:  Note: <ul style="list-style-type: none"> P2 masks are not suitable if employee has a beard or unshaven i.e. prevents protective sealing Hazard tape to be used to highlight and define restricted area/s 		
SAFETY RULES <ul style="list-style-type: none"> Cease work immediately Isolate the worksite/area Keep public away Contact Supervisor/Coordinator 		
Permits: (associated with task) N/A	Checklists: (associated with task) N/A	
Team Training / Skills Required: <ul style="list-style-type: none"> Asbestos Awareness 	References: <ul style="list-style-type: none"> WHS Regulation 2017 COP How to Manage & Control Asbestos in the Workplace GUIDE: Managing Asbestos in or on soil 2014 - SafeWork NSW 	

Relevant Documentation:

Asbestos Procedure

SOP Collection & Disposal of Bonded Asbestos Containing Material (ACM) under 10 square metres.

1. PRE-Operation (must include environmental controls)

- Do a visual inspection of site prior to works commencing – looking for loose ACM, soil discoloration/smell.

2. Operation

- In the event of an unexpected find of contaminated material or archaeological / heritage artefacts, stop work immediately
- Isolate the immediate work area by using barriers or hazard tape
- If the find is considered to be illegal dumping which may contain asbestos or hazardous material **do not attempt to remove or “sift” through the material**, contact the Customer Service on 4227 7111 and provide details of the location, size and type of material
- In the event suspected ACM material is excavated and loaded onto a truck:
 - If on site, tip the load back onto the site and determine corrective action,
 - If the load has been transported and/or unloaded to another site, contact your Supervisor who will assess and determine if a qualified person is required to provide advice on the management of the load.
- Contact your Supervisor and provide details of material
- Determine corrective action based on the below table;

ACM Non-Friable <10sq m	ACM Friable or Non-Friable >10sq m	Contaminated Soil	Archaeological / Heritage Artefacts
Undertake removal as per SOP Collection & Disposal of Bonded Asbestos under 10square metres	Contact Buildings & Facilities Sustainability Planner 4227 7041	Contact Environment Planning Manager 4227 8281 to attend and assess	Contact Coordinator Heritage 4227 7524 to attend and assess.

***Note** - If dealing with stockpiled soils, removal of asbestos from of stockpile by hand picking is not considered an appropriate remedial option. All stockpiled soils are considered impacted as per NSW EPA guidelines. Further assessment should be conducted by qualified person.

- If identified as non-friable ACM and is under 10sq metres in size, trained Council personnel can undertake removal as per Collection & Removal of Bonded ACM under 10sq metres SOP
- Where ACM is not removed, access must be restricted to the ACM and the area sign posted.
- For any other corrective action; the qualified person provides results of testing or assessment and develops an action plan

3. POST-Operation

- Update relevant documentation and Council project management systems



Bonded ACM



Contaminated soils



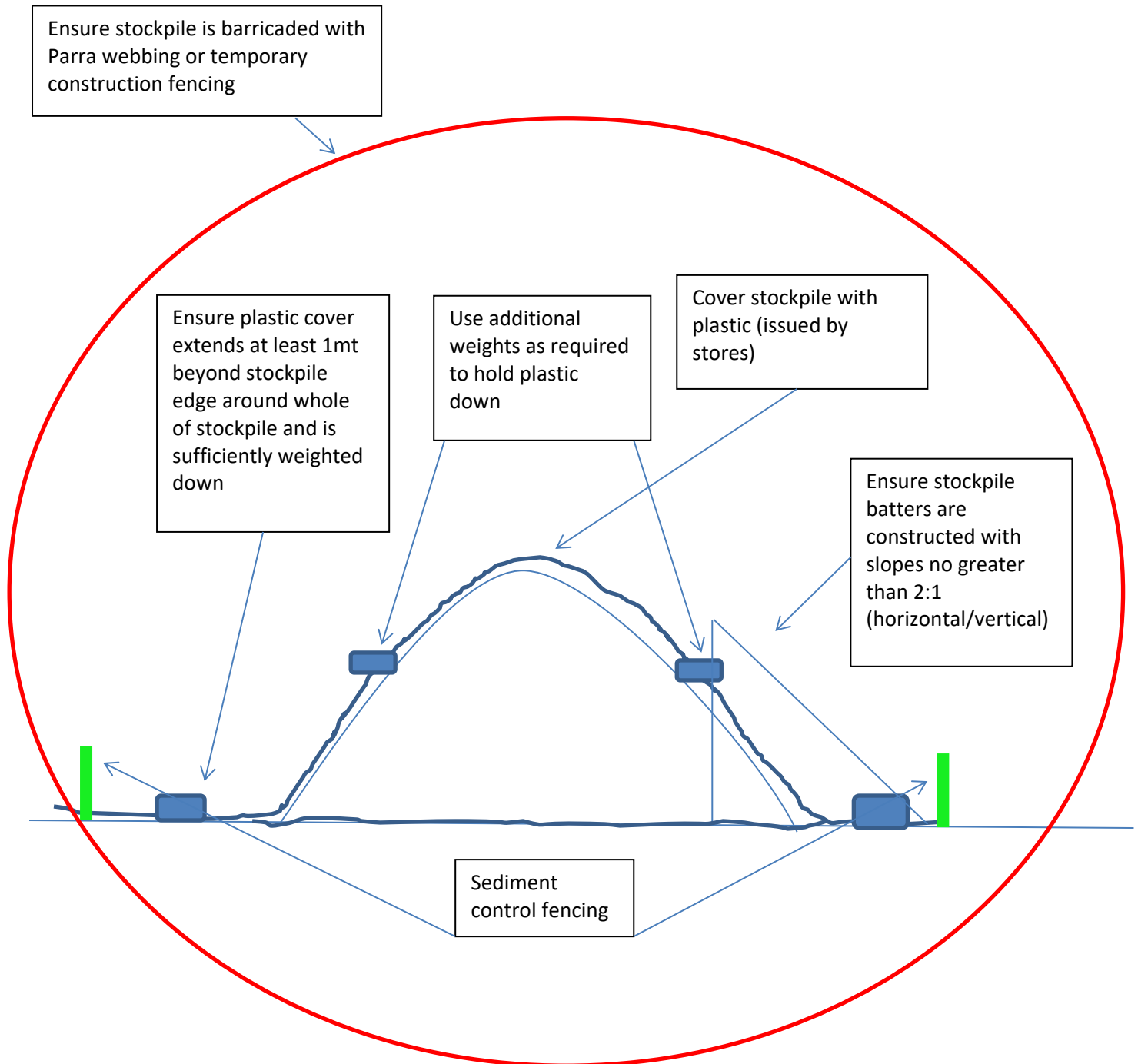
Artefacts



Friable Asbestos

Under no circumstances is this material to be touched. Material must be removed by a licenced provider.

Management of Suspected or Known Asbestos Contaminated Stockpiles (Short-term Storage Only)



This diagram applies to suspected or confirmed asbestos contaminated stockpiles awaiting removal by a licenced contractor

Responsibility	Action	Documents (Output)
Worker/s	In the event of an unexpected find Stop work immediately	
Site Supervisor / Team Leader	Isolate the site using barriers or hazard tape	
	Contact supervisor to provide details of material	
	Determine corrective action based on material	
Team Leader and Crew	<p>ACM non-friable <10sq m [1 + 2]</p> <p>Yes → Apply PPE and remove as per SOP Collection and Disposal of ACM <10sq m</p> <p>No →</p>	
Contractor/ Assessor	<p>ACM friable or non-friable >10sq m</p> <p>Yes → Contact buildings & facilities sustainability planner</p> <p>No →</p>	Action Plan
Contractor/ Assessor	<p>Contaminated soil</p> <p>Yes → Contact environment planning manager</p> <p>No →</p>	Action Plan
Contractor/ Assessor	<p>Archaeological / heritage artefact</p> <p>Yes → Contact heritage coordinator</p>	Action Plan
Project Manager / Co-ordinator	Update relevant documentation and Council management systems	

Appendix G: Sandon Point McCauleys Beach Heritage Induction Materials (Z20/173886)



Sandon Point Aboriginal Place



For thousands of years, Aboriginal people have had a connection to this land as shown by the existence of middens, oral and written histories and the discovery of a 6,000 year old burial. A 14-hectare area east of the cycleway from McCauleys Beach to Sandon Point Headland has been declared an Aboriginal Place by the New South Wales Government. The area has cultural significance to the Aboriginal Community and is protected by the National Parks and Wildlife Act 1974.

Please show your respect and only use the sign posted beach access points, put litter in bins and keep dogs off the dunes and rock platforms.

Tramway Creek Vegetation Significance



Meeting Notes
Sandon Point Aboriginal Place Joint Management Agreement Partners
26 November 2014

A. Tramway Creek Vegetation

The existing vegetation at Tramway Creek reflects the sacred nature of Sandon Point and McCauley's Beach to the Aboriginal community. All the Joint Management Partners agreed that this vegetation is supportive of the values of the Sandon Point Aboriginal Place.

Checklist 1 - Implementing the Sandon Point and McCauley's Beach Plan of Management – Excludes Conservation works

No.	Checklist	Reply
1.	Have you had a Heritage Induction for Sandon Point and McCauley's Beach PoM Area Activities?	<p>Yes- proof?</p> <p>No - attend session or read handout before activity</p> <p>N/A – Joint Management Agreement Partner Representative or Registered Aboriginal Party</p>
2.	Will your activities disturb the ground?	<p>Yes – in MA2 or MA4 this requires site monitors during ground disturbance. In MA3 site monitors are required during ground disturbance if it exceeds 40 cms. Site monitors are not required in MA1. Vegetation management activities do not require monitoring if approved by JMAP in a meeting. Contact Joel Thompson 4227 7524 (JT) or Martha Tyndall 4227 7549 or 0408 273 520 (MT) for assistance.</p> <p>No</p>
3.	Are you using equipment larger than hand tools to conduct the activity?	<p>Yes – do not use the larger equipment in times of wet or rain in all MAs. Submit plan/procedures of where the larger equipment will access the work site to ensure access is AHIP compliant to JT or MT – use existing cycleway, concrete footpaths, or disturbed areas EXCLUDING the McCauley's Beach DUNES. See disturbance map. Use rubber tyres/track on heavy equipment.</p> <p>No</p>
4.	Are you removing, replacing or installing something?	<p>Yes – See the short guide and comply. If not replacing like for like in same exact location, submit design of any new infrastructure to JT or MT to ensure design is AHIP compliant (new infrastructure may need JMAP and/or RAP approval)</p> <p>No</p>
5.	Are your activities Vegetation Management? Weed control? Planting? Removing plants?	<p>Yes – See the short guide and comply. If within the Aboriginal Place JMAP and/or RAP approval is required. Submit plan/procedures to JT or MT to ensure work is AHIP compliant.</p> <p>No</p>
6.	Are your activities related to interpreting the Aboriginal significance of the area?	<p>Yes - Your activities require JMAP and/or RAP approval as well as AHIP compliance. Contact MT during the project planning stage and implementation.</p> <p>No</p>

Checklist 1 - Implementing the Sandon Point and McCauley's Beach Plan of Management – Excludes Conservation works

APPENDIX A: Land to which this AHIP applies

That land bound by the red line and marked grid points shown in the Figure below.



AHI P condition 29 Human Remains – Avoid at all cost however...



Human remains

29. If any human remains (other than any human remains described in Schedule B4) are discovered and/or harmed in, on or under the land, the AHIP holder must:
- (a) not further harm these remains
 - (b) immediately cease all work at the particular location
 - (c) secure the area so as to avoid further harm to the remains
 - (d) notify the local police and OEH's Environment Line on 131 555 as soon as practicable and provide any available details of the remains and their location, and
 - (e) not recommence any work at the particular location unless authorised in writing by OEH.

Schedule B4 relates to site conservation works relating to known Aboriginal Objects carried out in accordance with B4 with RAP and OEH involvement

SHORT GUIDE – APPLIES TO ALL COUNCIL STAFF, CONTRACTORS AND VOLUNTEERS

HOW COUNCIL WILL UNDERTAKE ACTIVITIES WITHIN THE SANDON POINT AND MCCAULEY’S BEACH PLAN OF MANAGEMENT AREA









STEPS

1. IDENTIFY YOUR ACTIVITY
2. IDENTIFY YOUR LOCATION FOR THE ACTIVITY
3. FIND OUT THE REQUIREMENTS: HERITAGE SITE INDUCTION, INVOLVE THE REGISTERED ABORIGINAL PARTY (RAPS), EQUIPMENT PRECAUTIONS
4. CARRY OUT ACTIVITY SUBJECT TO MEETING ALL REQUIREMENTS IN STEP 3

















SHORT GUIDE INCLUDES




























1. ACTIVITY TABLE
2. POM AREA MAP
3. MANAGEMENT AREA MAP
4. JOINT MANAGEMENT AGREEMENT SANCTIONED PUBLIC BEACH ACCESS POINTS MAP
5. FUTURE VEGETATION COMMUNITIES MAP FROM VEGETATION MANAGEMENT PLAN
6. DISTURBANCE MAP

































CONTACTS FOR SHORT GUIDE: HERITAGE COORDINATOR: JOEL THOMPSON ON 4227 7524 OR COMMUNITY LAND MANAGEMENT OFFICER: MARTHA TYNDALL ON 4227 7549

ACTIVITY TABLE LEGEND	
MA1	Corbett Avenue Management Area – outside of the Aboriginal Place boundary. Shaded yellow on the Management Area Map. Most northern part of the PoM area.
MA2	Tramway Creek Management Area – includes portions of the Aboriginal Place. Shaded blue on the Management Area Map. Includes large portions of McCauley’s Beach. The vegetation communities within the MA 2 area are the result of past environmental trust or caring for country grants to the Illawarra Local Aboriginal Land Council or Northern Illawarra Residents Action Group from 1999 – 2015. Aboriginal Elders have all agreed that the vegetation within MA2 is significant and should be protected and enhanced by the Aboriginal community.
MA3	Open Space Management Area – includes portions of the Aboriginal Place. Shaded red on the Management Area Map. Includes the lawn and hard surface areas and southern end of the PoM area.
MA4	Sandon Point Headland – within the Aboriginal Place. Shaded green on the Management Area Map. Includes all of the headland north of the Sandon Point Surf Club building.
✓	Heritage Site Induction Required for Council Staff, Contractors, Volunteers - one time per person to carry out activity.
✓ +	Heritage Site Induction Required for Council Staff, Contractors, Volunteers every time a person carries out the activity
	Notify the Registered Aboriginal Parties by letter or email or phone call or in person that the activity will happen or has happened if it is a routine activity or an emergency response.
	Site Monitoring at ground disturbance required
	Site Monitoring at 40 cm + ground disturbance required
	Activity is supported by the Aboriginal Community by a vote at a Sandon Point Aboriginal Place Joint Management Agreement Partners Meeting. If the Management Agreement has been dissolved by Council Resolution in the future, Registered Aboriginal Parties (RAPS) to the AHIP have supported the activity after notification by meeting or otherwise.
	Do not use equipment larger than hand tools or drive a vehicle to carry out an activity during times of wet or rain.
	Access to work site with equipment or vehicles larger than hand tools –use only existing cycleway, concrete footpaths or disturbed areas excluding the McCauley’s Beach dunes . See Disturbance Map and Sanctioned Beach Access Map. For emergency access to McCauleys’ Beach (ie heavy equipment is needed to remove a dead shark) use Access Point 2 if access via Corbett Avenue is not possible. Access 12 is suitable for that type of access for the patrolled Sandon Point Beach.
	Use rubber types/track on heavy equipment accessing a work site.
	Avoid Aboriginal Heritage Item Management System (AHIMS) site when undertaking the activity.

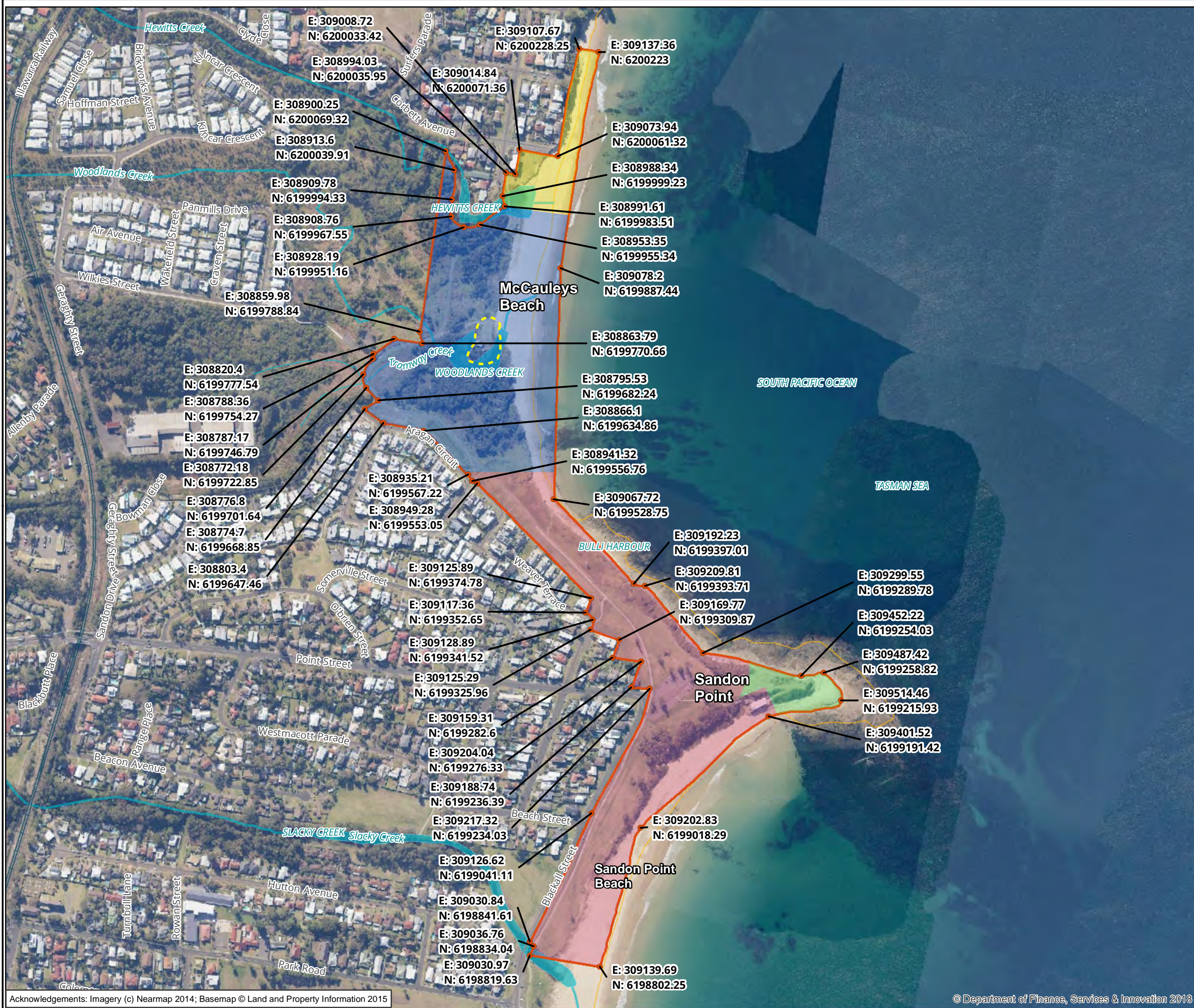
ACTIVITY TABLE – SANDON POINT AND MCCAULEY’S BEACH PLAN OF MANAGEMENT

Activity, Use, Work, Description Note: It depends on the Management Area or MA that you are in. Each MA is shaded a certain colour. See Management Area Map					Heritage Site Induction				Involve the Registered Aboriginal Parties (RAPS)				Precautions when undertaking the Activity, Use or Work			
Activity, Use, Work Description					MA1	MA2	MA3	MA4	MA1	MA2	MA3	MA4	MA1	MA2	MA3	MA4
A.0 - Existing Recreational Uses by General Public <ul style="list-style-type: none"> Patrolled beach – Sandon Point Beach As a surfing break As dog off leash area (subject to Council policy) – McCauley’s Beach Recreational use of open space <ul style="list-style-type: none"> Cycleway lawn (areas that are mown) hard surface areas (footpaths, car park) Use of Sandon Point Surf Club <ul style="list-style-type: none"> Club activities Meetings social events 																
A.1 - Existing Built Infrastructure – manage, repair, upgrade or remove <ul style="list-style-type: none"> examples: <ul style="list-style-type: none"> cycleway along western edge of PoM area Sandon point carpark benches, footpaths, bollards, pipes, drains, signs, stairs, etc (see existing built infrastructure table) 					✓	✓ +	✓	✓ +								
A.2 - Installation of <u>limited</u> NEW Built Infrastructure – <ul style="list-style-type: none"> generally to protect the Values of the Place <ul style="list-style-type: none"> interpretive signage, art coastal hazard management works implementing the PoM Access Plan directing people away from significant areas by bollards, fencing, blocks, etc To manage the public’s use of the open spaces and beaches (areas that are mowed, hard surface areas) <ul style="list-style-type: none"> Signage - interpretive and regulatory benches, bins, tables, etc - not to clutter area only as needed 					✓	✓ +	✓	✓ +								

Activity, Use, Work, Description Note: It depends on the Management Area or MA that you are in. Each MA is shaded a certain colour. See Management Area Map	Heritage Site Induction				Involve the Registered Aboriginal Parties (RAPS)				Precautions when undertaking the Activity, Use or Work			
Activity, Use, Work Description	MA1	MA2	MA3	MA4	MA1	MA2	MA3	MA4	MA1	MA2	MA3	MA4
A.3 Vegetation Management Activities (are A.3.1 and A.3.2)												
A.3.1 - Grass Lawn Management Activities – Mowing the lawn areas (see VMP Future Communities Map for white hatched area that is “lawn/hard” surface) <ul style="list-style-type: none"> by tractor mower bank mower with retractable arm lawn mower 	✓	✓	✓	✓					 	 	 	 
A.3.2 – Vegetation Community Management Activities – Activities are to in compliance with the Sandon Point and McCauley’s Beach Plan of Management Vegetation Management Plan (VMP) in areas identified as a vegetation community – see Future Vegetation Communities Map. These VMP related activities can include: <ul style="list-style-type: none"> Planting VMP approved plants <ul style="list-style-type: none"> in designated future vegetation community area for biodiversity in accordance with VMP to close a beach access point to protect the Place to designate a beach access point to protect the Place to replace vandalised and/or dead vegetation Other Actions to combat Vegetation Vandalism <ul style="list-style-type: none"> Installation of Signage (see A.2 precautions) Use of cameras consistent with Council Vegetation Vandalism Policy Community Information campaigns /planting days Trimming vegetation at Joint Management Sanctioned Beach Access Points (Trimming is not removal) Trimming vegetation if a bench or table is not relocated (Trimming is not removal) and funds are allocated. As of 2019 Council has removed a bench rather than undertake trimming. 	✓	✓ +	✓	✓ +		  If Within Place	  If Within Place	  If Within Place	 	   	 	   

Activity, Use, Work, Description Note: It depends on the Management Area or MA that you are in. Each MA is shaded a certain colour. See Management Area Map	Heritage Site Induction				Involve the Registered Aboriginal Parties (RAPS)				Precautions when undertaking the Activity, Use or Work
Activity, Use, Work Description	MA1	MA2	MA3	MA4	MA1	MA2	MA3	MA4	MA1MA2MA3MA4
A.4 Emergency Responses									
A.4.1 - Large Dead Animals wash up on McCauley's Beach or Sandon Point Beach	✓	✓ +	✓	✓ +					Use Access Points 2 (McCauley's) or 12 (Sandon) depending on beach.
A.4.2 - Coastal Hazards – Dune erosion Response	✓	✓ +	✓	✓ +		  unless emergency response	  unless emergency response	  unless emergency response	               
A.5 – Artefact Reburial Process						 			Reburials to occur in nominated reburial location as per AHIP condition 15 of AHIP C0002280 and Requirement 26 of the Code of Practice for Archaeological Investigations of Aboriginal Objects in NSW unless otherwise permitted by AHIP.





Legend

- AHIP area
- Tent embassy

Management area

- 1
- 2
- 3
- 4

Management Area Map

0 50 100 150 200 250
Metres
Scale: 1:5,500 @ A3
Coordinate System: GDA 1994 MGA Zone 56



Matter: 21245
Date: 07 January 2019
Checked by: AJ, Drawn by: JMS/ANP, Last edited by: Iharley
Location: \bio-data-01\matters\21245\21245Mapping\ACHAR Figures
21245_ACHAR_F1_AHIP



- Sandon Point Plan of Management Area
- Lawn/Hard Surface
- Beach Sands Spinifex MU50
- Coastal Headland Banksia Scrub MU46
- Coastal Sand Scrub MU45
- Alluvial Swamp Mahogany Forest (EEC) MU35
- Unclassified - Low Growing Vegetation
- Coastal Headland Grassland (EEC) MU51
- Coastal Swamp Oak Forest (EEC) MU36
- Estuarine Alluvial Wetland (EEC) MU53
- Floodplain Wetland (EEC) MU54



Future Vegetation Communities Map

from Vegetation Management Plan (VMP)



Sandon Point and McCauley's Beach Future Vegetation Communities



GIS ref.: gj08930-overallpropveg_A3
Printed: 26/10/2015
Aerial Photography: 2011
Scale 1:4,500



See Sanctioned Beach Access Map in the Short Guide if accessing McCauley's Beach

Disturbance Map



- Legend**
- Project area
 - Subsurface disturbance
 - Previous areas of disturbance

Figure 11: Areas of subsurface disturbance identified during the test excavations

0 50 100 150 200 250
Metres
Scale: 1:5,200 @ A3
Coordinate System: GDA 1994 MGA Zone 56

biosis
Biosis Pty Ltd
Ballarat, Brisbane, Canberra, Melbourne, Newcastle, Sydney, Wangaratta & Wollongong

Matter: 21245
Date: 05 June 2017
Checked by: RAM, Drawn by: LH, Last edited by: lharley
Location: \\bio-data-01\matters\21245\21245Mapping\21245_AR_F11_SubsurfaceDisturbance_20170526

Checklist 2 - Implementing the Sandon Point and McCauley's Beach Plan of Management – Conservation works OR monitoring has resulting in finding Aboriginal object

No.	Checklist	Reply
1.	Have you completed checklists one?	Yes – The Activity is conservation or monitoring and collection of Aboriginal objects so checklist 2 is also required. No - complete checklist 1
2.	Have you developed an appropriate methodology for the proposed site conservation works	Yes – Submit to JT or MT for review. No
3.	Have you consulted with RAPs and OEH about the proposed methodology?	Yes –submit documentation to JT or MT No - consult with RAPS and OEH and document results of consultation
4.	Have you received written approval of the conservation works methodology from OEH?	Yes – Undertake work in compliance with the written approval from OEH No - do not undertake the works
5.	Do the works involve monitoring and collection of Aboriginal Objects?	Yes – Monitoring and collection of Aboriginal Objects are to in compliance with Appendix C and the conditions of the AHIP. No
6.	Has a RAP or RAPS been given an opportunity to collect Aboriginal objects during activities requiring site monitoring?	Yes – give details, Who and when.
7.	Was a GPS point for each artefact taken?	Yes - give details, if a cluster, a GPS point is required for each 1 by 1 metre area. No – collection cannot occur until a GPS is taken.
8.	Was a photographic record compiled of the artefacts taken?	Yes – submit photographic record to JT or MT as soon as possible. Include date and time of photograph. No – collection cannot occur until photographic record is completed.
9.	Has all cultural material been collected, bagged and clearly labelled?	Yes – Store artefacts in compliance with AHIP conditions 16-18 No – collection cannot occur until 7,8 and 9 are completed.
10.	Has an AHIMS site card and Site Impact Recording form been completed and submitted to the AHIMS registrar?	Yes – Give details, by who and when, submit to JT or MT for review prior to submitting to AHIMS registrar. No – complete as soon as possible. Contact JT or MT for assistance.
10.	Have suspected human remains been identified during monitoring and artefact collection?	Yes – cease works immediately and contact the NSW Police, OEH and JT or MT. No – proceed with activity
11	Has reburial of cultural material and Aboriginal Objects occurred?	Yes – Give details of compliance with AHIP conditions 19-23 No – Undertake reburial activities in compliance with AHIP conditions 19-23. Contact JT or MT for assistance.