



Landscape Gardening, Garden Maintenance and Garden Shops

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This information aims to assist owners, managers and staff of landscape gardening, garden maintenance and retail garden businesses comply with their general environmental duty to prevent pollutants generated by their activities from entering the environment.

BENEFITS FOR YOU AND YOUR BUSINESS

Improve the public image of your business and minimise the risk of environmental fines and prosecutions by complying with the *Environment Protection Act 1997* (the Act) and the Environment Protection Regulation 2005.

WHAT THE ENVIRONMENT PROTECTION ACT 1997 (THE ACT) MEANS TO YOU

Landscape gardeners carry out many activities that can potentially pollute the environment. Think about your work practices and how they might impact on the land, water and air in the area you are working. In addition consider the impact noise generated from your activity may have on the surrounding community.

Water

Stormwater and road drains empty into our creeks, lakes and rivers without treatment. All water that enters the system will affect the water quality downstream. The Act aims to protect our aquatic environments by keeping stormwater as clean as possible.

Air

The Act also aims to ensure that air quality in the ACT meets national standards and to minimise environmental harm from local emission of dust, smoke and other airborne pollutants.

Noise

Certain activities can generate levels of noise ranging from being a nuisance to actually damaging people's health. Neighbourhood noise is a common cause of noise related complaints. The Act aims to protect people from undue noise whilst enabling them to carry out their business and social activities. Noise levels and operating times must be followed.

Land

Certain activities can lead to contamination of the land. All practical measures should be employed to prevent contamination of the land from hazardous substances.

LANDSCAPING

- Install erosion and sediment controls to prevent soil from leaving the property.
- Schedule grading and excavation projects for dry weather.
- Prevent machinery from dragging soil and other sediment offsite. Sweep the road and gutters at the end of the day or before it rains to prevent pollution being washed into the stormwater drain.
- Protect stockpiles and materials from wind and rain by storing them under tarps or secure plastic sheeting. A silt fence (temporary sediment control) constructed around the base of a stockpile may be necessary in some situations—when stockpiles are on a slope and/or near hard surfaces.
- If there is insufficient storage capacity for stockpiles and materials within the site you must seek approval for temporary use of the nature strip.
- In most cases, you must lodge an application for the 'Use of Territory Land' with the City Rangers Office to attain approval for the use of the nature strip. Contact the City Rangers Office on 6207 7132 for more information.

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- In circumstances where a 'Development Approval' is required for the work you are doing, you must comply with the Landscape Management Protection Plan (LMPP) for your site. In some instances approval may be granted for short term use of the nature strip area. For more information contact Canberra Connect on 13 22 81.
- Provide temporary booms or bunds across down-slope gutters to contain any accidental material spills from the site. Remove sediment from the road before the bunds are removed by dry sweeping only.

GARDEN AND LAWN MAINTENANCE

- Do not allow green waste, sediment, fuel, fertiliser, pesticides or other pollutants into the street, gutter or stormwater drains.
- Mowing must be performed so the outside cut directs the clippings inward to grass and not to the sidewalk, gutters or road.
- Do not over water. Encourage customers to use water-saving irrigation practices.
- Motorised lawn mowers and other equipment contribute to noise and air pollution. Maintain your equipment and operate in accordance with the manufacturer's specifications.
- A licence is required to use bore water. Ensure bore water does not enter the stormwater system.
- Store chemicals in a hard stand area where spills can be easily contained. In the event of spills, use temporary booms or bunding to soak up runoff before it reaches the street. Develop a spill response procedure and have your spill kit handy in case of an accidental spill onto sealed surfaces.
- Ensure garden maintenance activities that generate noise are conducted within the time periods detailed in the Act.

Location	Monday to Saturday	Sunday and Public Holidays
Residential areas	7 am to 8 pm	8 am to 8 pm
Non-residential areas	7 am to 10 pm	8 am to 10 pm

BUILDING

- Ensure all wastewater and dust from cutting bricks and pavers is prevented from entering the stormwater system. Do not cut bricks on the road or footpath.

- When cutting bricks, pavers or wood, collect and dispose of waste so that it cannot pollute the stormwater system.
- Wash paintbrushes from water based paints in small amounts of water over newspaper to collect residue. Paper can then be placed in a solid waste bin.
- Clean paintbrushes from oil based paints in a series of solvent baths. Solvent can be reused several times and must be stored in labelled, sealed containers. You must dispose of waste solvent through a hazardous waste contractor. Do not place in a normal bin or on the ground.
- Prevent all residues and wastes from concrete works from entering the stormwater system. Mix in a designated area capable of containing all excess water, residues and waste.
- Ensure all building work that generates noise is conducted within the time periods detailed in the Act.

Building Work Details	Monday to Saturday	Sunday and Public Holidays
Industrial, city and town centre areas	6 am to 8 pm	6 am to 8 pm
Any other area when work completed within two weeks	7 am to 8 pm	8 am to 8 pm
Any other area when work not completed within two weeks	7 am to 6 pm	Building work not to exceed Zone Noise Standard

Maintenance or Repair Work Details
Maintenance or repair work can be conducted from 7 am to 8 pm Monday to Saturday and 8 am to 8 pm Sunday and public holidays, only if any noise exceeding a zone noise standard is emitted for periods totalling not more than 40 hours in any eight week period and any equipment being used is maintained and operated in accordance with the manufacturer's specifications (if any).

VEHICLES AND EQUIPMENT

- Wash vehicles and equipment on an appropriately vegetated area or in an approved wash bay. Do not wash vehicles in the street or driveway. Be aware of ACT water restrictions.
- Do not degrease or carry out major mechanical repairs on site. All pollutants must be collected and disposed of appropriately.

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- Transporting equipment to different sites usually requires the use of an open tray utility or truck. Cover loose items such as waste packaging and sand with a tarpaulin to ensure material is contained on the vehicle and does not pollute the roadway.
- Equipment must be maintained and operated in accordance with the manufacturer's specifications and used during the appropriate time periods according to the Act.

RETAIL GARDEN CENTRE

Retail garden centres should be operated and maintained in a manner that prevents waste irrigation water from entering the stormwater system. All runoff should, where space permits, run to pondage and be recirculated or be diverted to a soakage pond, grassed swale or similar (plants can act as a natural filtering device). Reuse and recycling of stormwater should be encouraged where practicable.

CHEMICAL STORAGE AND HANDLING

Pesticides can be introduced to the aquatic environment by spillage, accidental discharge or direct use near aquatic environments. Remember to consider stormwater drains as part of the natural aquatic environment. Do not allow chemicals to enter the stormwater system.

Ensure that all personnel are aware of their environmental responsibilities.

- Read and follow product label instructions.
- Store chemicals as hazardous goods and keep a

Material Safety Data Sheet for every chemical.

- Contact a hazard waste contractor to dispose of unwanted chemicals. Contact the Environment Protection Authority (EPA) for a list of contractors.
- Triple rinse empty chemical containers and puncture them before disposal. Contact Canberra Connect on 13 22 81 for more information on disposal.

Under the Act it is a requirement to hold an environmental authorisation for the commercial use of AgVet Chemicals (e.g. herbicides/pesticides). For more details, contact the EPA by calling Canberra Connect on 13 22 81.

LEGAL REQUIREMENTS

Under the Act, it is an offence for a person to allow any substance other than rainwater to enter the stormwater system. Contraventions of the Act can lead to an on-the-spot fine of up to \$200 for an individual and \$1,000 for a company. For more serious offences, penalties may exceed \$10,000.

In the case of excessive noise, a complaint may be lodged with the EPA. A complaint regarding noise pollution will be considered by the EPA **only if it is made by a person affected by the noise**. The EPA will investigate the problem and a warning letter, on-the-spot fine, or depending on the circumstances, an Environment Protection Order may be issued. If the noise continues to be a problem, it is a serious offence and could lead to prosecution in court.

For more details, contact the Environment Protection Authority by calling Canberra Connect on 13 22 81.