

Notification Protocol Requirements

The Notification Protocol must be followed if a pollution incident presents a risk of “material harm to the environment”.

Section 147 of the POEO Act 1997 states:

(a) Harm to the environment is material if:

(i) It involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial, or

(ii) It results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (or such other amount as is prescribed by the regulations), and

(b) Loss includes the reasonable costs and expenses that would be incurred in taking all reasonable and practicable measures to prevent, mitigate or make good harm to the environment.

For the purposes of the POEO Act relating to Part 5.7 Duty to Notify Pollution Incidents, it does not matter if the harm to the environment is caused only in the premises where the pollution incident occurs.

Early warnings and regular updates to the community, owners and occupiers of premises in the licenced activity vicinity will be provided via phone by the person with the authority notification/ coordination role as assigned by the PIRMP. Where phone numbers are not known, letters will be sent. Notification Protocols shall be available on the Birdon website.

Immediate verbal notification is to be followed by notification in writing to each relevant authority within 7 days of the incident date as per the POEO (General) Regulations 2009 s101.

Notification Protocol Responsibility

Any person who becomes aware of an incident where material harm to the environment is caused or threatened, must immediately notify the Emergency Controller, if unavailable, then any management personnel may be notified in their place. If no management representative can be contacted, the person themselves must follow the notification protocol in this document. For incidents requiring notification, the General Manager or the HSEQ Manager is responsible for:

- Notifying authorities in accordance with the notification protocol, and
- Co-ordinating, with the authorities or persons that have been notified, any action taken in combating the pollution caused by the incident.

Notification Protocol Contacts

When an incident presents a risk of material harm to the environment, the following agencies. Authorities to be notified in the event of a pollution event are listed below.

Agency/ Authority	Contact business hours	After hours contact
EPA	131 555	131 555
Director of Public Health – North Coast Public Health	6588 2750 1300 066 055	Environmental Health: Mob. 0428 882 805
SafeWork NSW	131 050	131 050
Hastings Council	6581 8111	6583 2225
Fire & Rescue NSW/ Rural Fire Service	000 1300 729 579	000 1300 729 579
If roads, then contact the Roads & Maritime Services to manage traffic and/or traffic incidents	131 700	131 700

The below persons/ departments should also be contacted. This information must be removed prior to publishing Notification Protocols on the Birdon Website in accordance with the *Privacy and Personal Information Protection Act 1998*. These details should remain in the hardcopy version.

Name/ Department	Contact business hours	After hours contact
For an incident affecting the Hastings River, DPI (Fisheries) must be notified.	<i>Removed for privacy</i>	<i>Removed for privacy</i>
Immediate neighbours if they may be affected.	<i>Removed for privacy</i>	<i>Removed for privacy</i>

Notification Protocol Relevant Information

Relevant information to be provided to authorities and others as per the above contact details includes the following (*POEO Act 1997 s150*):

- a) The time, date, nature, duration and location of the incident.
- b) The location of the place where pollution is occurring or is likely to occur.
- c) The nature, the estimated quantity or volume and the concentration of any pollutants involved, if known.
- d) The circumstances in which the incident occurred (including the cause of the incident, if known);
- e) The action taken or proposed to be taken to deal with the incident and any resulting pollution or threatened pollution, if known.

If c) d) or e) are not known at the time of notification, they are to be notified immediately after it becomes known.