

# Sydney Olympic Park Authority Policy

Policy Name Environmental Management: Pollution Incident Notification

Policy No. POL 12/05

Department File No. F02/1538.02

Business Unit Asset Management and Environmental Services

Officer Responsible Senior Manager Environmental Infrastructure

Approving Officer Chief Executive

Date of Approval June 2012

Version	Review	Date	Approved by
1		June 2012	CEO
Reviewed		November 2012	GM O&S
1.1	Reviewed by SM Environmental Infrastructure	February 2014	GM O&S
1.2	Reviewed by SM Environmental Infrastructure	January 2015	
1.3	Reviewed by SM Environmental Infrastructure	7 March 2016	
1.4	Reviewed by SM Environmental Infrastructure	March 2017	A/ED, Operations
1.5	Reviewed by SM Environmental Infrastructure	June 2018	
2	Reviewed by SM Environmental Infrastructure	September 2019	ED, AM & ES

# POLLUTION INCIDENT NOTIFICATION

## Purpose

This policy outlines the obligations & procedures for notifying relevant authorities of pollution incidents at Sydney Olympic Park, in accordance with statutory responsibilities under the *Protection of the Environment Operations Act 1997*.

## Legal requirements

- A person who causes or is aware of a pollution incident that causes or threatens to cause material harm to the environment must, immediately after becoming aware of the incident, notify the relevant authorities;
- This statutory 'duty to notify' applies to:
  - the person carrying on the activity,
  - an employee carrying on the activity and to
  - the occupier of the premises where the incident occurs;
- A person engaged as an employee carrying on an activity must also immediately after becoming aware of the incident, notify their employer of the incident and all relevant information about it.

## Policy Requirements

1. It is the duty of SOPA contractors, SOPA staff and SOPOC staff who cause or become aware of a notifiable pollution incident within Sydney Olympic Park to:

- Call emergency services on **000** (fire, police, ambulance, HAZMAT) if the incident presents an immediate threat to human health or property;
- If emergency services are not required or have already been contacted, notify each of the following relevant authorities by telephone in the order listed:

<b>131 555</b>	Environment Protection Authority ( <i>&amp; Parramatta Council on 9806 5917 if the incident is not caused by SOPA activities</i> )
<b>9840 3603</b>	NSW Ministry of Health, Parramatta Office of the Public Health Unit ( <i>after hours to Westmead Hospital 9845 5555 and ask for the Public Health Officer on call</i> )
<b>131 050</b>	SafeWork NSW
<b>000</b>	Fire & Rescue NSW
<b>9265 2999</b>	Fire & Rescue NSW Headquarters and General Enquiries

- Notify Sydney Olympic Park Operations Centre (SOPOC) on **9714 7700**.

2. It is the further duty of SOPA contractors engaged in an activity resulting in a pollution incident to:
- Immediately notify their employer and their SOPA Contract Manager;
  - Provide incident record numbers (*issued by the 'relevant authorities' when an incident is reported*) to SOPOC and their SOPA Contract Manager;
  - Implement measures to contain the incident (where it is safe to do so).
3. It is the further duty of SOPA staff (as representatives of the occupier of the land) to:
- ensure contractors are aware of their duty to notify pollution incidents in accordance with legislative requirements and this policy;
  - where SOPA staff become aware of a notifiable pollution incident, to:
    - Notify relevant Senior Manager in Environment Team (Senior Manager Environment & Ecology or Senior Manager Environmental Infrastructure) *Senior Managers can advise whether a pollution incident is 'notifiable' as defined by the legislation, and will normally be responsible for external and internal notifications required under this policy during business hours;*
    - Notify Director Environment & Planning;
    - Enter the incident in Place Manager;
    - Complete a Legal Compliance Environmental and Planning Incident Report – Part 1 and Part 2 (*as per Asset Management & Environmental Services Standing Instruction 2019-09-12 – Legal Compliance Environmental and Planning Incident Reporting*). Provide incident record number (if issued by other 'relevant authorities').
    - Submit completed Compliance Incident Reports to Director Environment & Planning;
    - Director Environment & Planning to notify Executive Director Asset Management & Environmental Services where risks for the Authority arise in relation to human health, safety, the environment and SOPA assets.
    - Safe incident reports to Content Manager in specific container *Legal Compliance - Environmental and Planning Incident Reports F19/4426*
4. It is the further duty of SOPOC staff (as representatives of the occupier of the land), who become aware of a notifiable incident to:

- Report the pollution incident to the relevant authorities (where not already done by others);
- Notify relevant Senior Manager in Environment Team (Senior Manager Environment & Ecology or Senior Manager Environmental Infrastructure) by phone (business hours) and email;
- Notify Director Environment & Planning;
- Enter incident in Place Manager (if not already entered by others);
- Send an SMS to the 'SOPA Executive Group' describing the incident, incident response, and notification action.

**5. Information to be notified to relevant authorities and included in Place Manager and Legal Compliance Incident Reports is:**

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

**Applicability**

This policy relates to the notification of material harm to the environment. Material harm to the environment is defined in s147 of the *Protection of the Environment Operations Act 1997*. Material harm:

- involves actual or potential harm to the health or safety of human beings or to ecosystems that is not trivial; or
- results in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$10,000 (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).

It does not matter that harm to the environment is caused only in the premises where the pollution incident occurs.

Only persons engaged in the activity resulting in the pollution incident, and occupiers of the land where the incident occurs, have a duty to report the incident.

Examples of potential incidents at Sydney Olympic Park that must be notified include:

- overflow of leachate treatment ponds;
- break to the leachate rising main resulting in uncontrolled discharge of leachate;
- a chemical or fuel spill greater than that is not trivial (*as a guide, a spill of more than twenty litres of pollutant, or affecting ecologically-significant waterways*);
- significant sediment pollution to waterways;

Incidents that do not need to be notified to the relevant external authorities include:

- an incident is an ordinary result of action required to be taken to comply with an environment protection licence, an environment protection notice or other legislative requirement;
- odour or noise pollution;
- littering;
- small-scale chemical pollution e.g. herbicide overspray to small areas.

Such incidents may still need to be reported to Director Environment & Planning in accordance with Asset Management and Environmental Services Standing Instruction 2019-09-12 Legal Compliance – Environmental and Planning Incident Reporting

## **Penalties**

A person who fails to comply with the notification requirements of the *Protection of the Environment Operations Act 1997* is guilty of an offence. Maximum penalties are:

- (a) in the case of a corporation-\$2,000,000 and, in the case of a continuing offence, a further penalty of \$240,000 for each day the offence continues; or
- (b) in the case of an individual-\$500,000 and, in the case of a continuing offence, a further penalty of \$120,000 for each day the offence continues.

## **Related documents**

SOPOC standard operating procedure: Pollution Incident.

**Contact Officer**

Any enquiries relating to this Policy should be addressed to:

Julie Currey  
Senior Manager Environmental Infrastructure  
Sydney Olympic Park Authority  
5 Olympic Boulevard  
Sydney Olympic Park NSW 2127

Phone: 9714 7300

Email: [enquiries@sopa.nsw.gov.au](mailto:enquiries@sopa.nsw.gov.au)