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Compliance
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Hodgson Quarries and Plant Pty Ltd

Pollution and Incident Response Management Plan EPA Licence Number 6535 Sand Quarry, Roberts Road, Maroota, NSW

Prepared by:

VGT Environmental Compliance Solutions Pty Ltd

in Conjunction with:

Hodgson Quarries and Plant Pty Ltd

Pollution Incident Response Management Plan

Hodgson Quarries and Plant Pty Ltd

Pollution and Incident Response Management Plan EPA Licence Number 6535 Sand Quarry, Roberts Road, Maroota, NSW

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Report Authorised by:

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Date: 7/5/2023

Lisa Thomson

Date: 7/5/2023

Revision Table

Date	
8/07/2016	5072 R0 - Updated from 2015
15/07/2016	5072 R1 – Inclusion of Notification of an incident and injury form
14/12/2017	5072 R2 – Updated for OEMP 2017
1/08/2018	5072 R3 – Changes following testing
30/04/2019	7218 R0 – Updated from 2018. Updated Key Authority Contacts Table. Updated Resources Regulator forms
22/04/2020	7218 R1 – Tested, no changes
6/04/2021	7218 R2 – Tested, no changes
7/04/2022	7218 R3 – Hills Council phone number updated
10/05/2023	7218 R4 – Resource Regulator details updated

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Table of Contents

	Page No.
1. Introduction	1
1.1 Site Description	1
1.2 Changes to the Legislation	1
1.3 Scope	1
1.4 When to Implement this Plan	2
2 Risk Assessment	3
2.1 Hazards	3
2.2 Emergency Plans	5
2.3 Early Warnings	8
3 Inventory and Maps	10
3.1 List of Potential Pollutants	10
3.2 Maps	10
4 Controls and Testing	11
4.1 Pre-emptive Procedures-Training	14
4.2 Testing of Plan	14
5 Communications	16
5.1 Internal Emergency Communications	16
5.2 External Emergency Communications	17
5.1. Key Authority Contacts	17

Figures

Figure One. Location

Figure Two. Affected Areas and Neighbours

Figure Three. Location of Potential Pollutants

Appendices

Appendix A	Figures
Appendix B	EPA Licence
Appendix C	Guide to Notification of Incident and Injury
Appendix D	External Communication Worksheet

1. Introduction

1.1 Site Description

Hodgson Quarries and Plant Pty Ltd (the client) operate a sand quarry on Roberts Road at Maroota, NSW. The site comprises lots 1 and 2 DP 228308 and lot 2 DP 312327 in The Hills Shire Council (see *Figure One*). The development application number 267-11-99 was for extraction and on-site processing of sand, clay, and pebble; and construction of a bund wall.

The development has been in operation continuously since the 1970's. This document is intended to be included in the OEMP, and the Mine Safety Management Plan (MSMP), as well as be a stand-alone document.

1.2 Legislation

The Protection of the Environment Legislation Amendment Act 2011, which was assented to on 16th November 2011, includes a number of requirements to improve the way pollution incidents are reported and managed. These provisions include a requirement for holders of environmental protection licences under the Protection of the Environment Operation Act 1997 (PoEOA) to prepare, keep, test and implement a Pollution Incident Response Management Plan (PIRMP). The Protection of the Environment Operations (General) Regulation 2009 has been amended to prescribe further details for these plans.

The Work Health and Safety legislation has mandatory requirements for notifiable incidents at work. Fact sheets and guides regarding the Work Health and Safety Act and Regulations and the Work Health and Safety (Mines and Petroleum Sites) were revised in November 2015 (Safe Work Australia) and February 2016 (Mine Safety) respectively.

1.3 Scope

This plan was prepared by VGT Environmental Compliance Solutions Pty Limited for Hodgson Quarries and Plant Pty Ltd in accordance with:

- Protection of the Environment Operation Act and Regulations;
- Work Health and Safety (Mines and Petroleum Sites) Acts and Regulations;
- Condition 68 of DA 267-11-99
- The site Mine Safety Management Plan.

This document will describe activities to be undertaken in response to an incident and controls, training and testing that will be maintained over the life of the quarry. It forms part of the Mine Safety Management Plan (MSMP) and the Operational Environmental Management Plan (OEMP) developed for the Maroota site and should be implemented in conjunction with the MSMP and the OEMP.

1.4 When to Implement this Plan

This plan must be implemented:

- In the case of a work-related death, injury, illness, dangerous incident or high-potential incident, *Work Health and Safety (Mines and Petroleum Sites) Act 2013 and Work Health and Safety (Mines and Petroleum Sites) Regulation 2014*
- If a pollution incident occurs in the course of an activity so that material harm to the environment is caused or threatened, *Section 153F, POEOA*.
- If another incident or emergency occurs for example a bushfire or an unexpected find of heritage or environmental significance.

1.4.1 Definition of a Notifiable Incident

A notifiable incident is:

- the death of a person
- a 'serious injury or illness', or
- a 'dangerous incident' prescribed by the regulations.

An 'other incident' is an operation or activity that results in:

- injury or illness requiring medical treatment, or
- a high potential incident

Where this arises during mining activities, the regulator is the Resources Regulator, for other work-related activities, the regulator will be Safe Work Australia. Further details regarding these definitions are included in **Appendix C**.

1.4.2 Definition of a Pollution Incident (POEOA)

Pollution Incident means an incident or set of circumstances during or as a consequence of which there is or is likely to be a leak, spill or other escape or deposit of a substance, as a result of which pollution has occurred, is occurring or is likely to occur. It includes an incident or set of circumstances in which a substance has been placed or disposed of on premises, but it does not include an incident or set of circumstances involving only the emission of any noise.

1.4.3 Definition of Material Harm (POEOA)

Part 5.7 Duty to notify pollution incidents

147 Meaning of material harm to the environment

(1) For the purposes of this Part:

(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.

(2) For the purposes of this Part, it does not matter that harm to the environment is caused only in the premises where the pollution incident occurs.

1.4.4 Unexpected Finds

Discovery of an item of Indigenous or European heritage, archaeological material, potentially endangered flora or fauna, or other item of potential environmental or heritage significance constitutes an unexpected find. The plant manager should be notified immediately and the area around the find is to be isolated until the relevant authorities can be consulted regarding the appropriate action. The relevant authorities may include NPWS, the Heritage Office, and the Local Aboriginal Land Council. Any necessary permits or consents shall be obtained and complied with prior to recommencement of work in the area.

2 Risk Assessment

2.1 Hazards

Refer to the *Maroota Mine Safety Management Plan* for procedures on how to identify hazards.

Table 1. EPA Compliance Audit Risk Analysis Matrix

		Likelihood of Environmental Harm Occurring		
		Certain	Likely	Unlikely
Level of potential Environmental Impact	High	Code Red	Code Red	Code Orange
	Moderate	Code Red	Code Orange	Code Yellow
	Low	Code Orange	Code Yellow	Code Yellow

Any non-compliance assessed as 'code red' suggests that the non-compliance is of considerable environmental significance and therefore must be addressed as a matter of priority.

A non-compliance assessed as 'code orange', while still considered to pose a significant risk of harm to the environment, can be given a lower priority than a code red non-compliance.

A non-compliance assessed as 'code yellow' suggests that the non-compliance could receive a lower priority but must still be addressed.

The following Hazard and Likelihood Risk Assessment and Corrective Control Measures table identifies hazards and the potential for material harm.

**Table 2. Hazard and Likelihood Risk Assessment**

Name/ reference of pollutant/chemical	Description of Hazard/Incident leading to Hazard	Level of Impact	Likelihood	Priority (Code)	Impact on Neighbours	Potential for Material Harm	Engage PRIMP
Sediment	Failure of sediment dam walls leading to release of sediment into quarry void	Low	Unlikely		No	No	No
	Overtopping of Sediment Dams into quarry void	Low	Unlikely		No	No	No
	Pumping of untreated sediment dam water offsite	Low	Unlikely		Yes (see <i>Figure Two</i>)	Yes	Yes
Fuel	Spill of fuel contaminating groundwater or surface water from trucks and plant	Low	Unlikely		No	No	No
	Spill of fuel contaminating groundwater or surface water from tanks into bunded area	Low	Unlikely		No	No	No
Oils	Spill of oil contaminating groundwater or surface water from trucks and plant	Low	Unlikely		No	No	No
	Spill of oil contaminating groundwater or surface water from storage drums into bunded area	Low	Unlikely		No	No	No
Dust	Airborne dust blowing into neighbouring properties	Low	Likely		Yes (see <i>Figure Two</i>)	No	No
Acetylene	Release to atmosphere from failed cylinder affecting neighbours.	Low	Unlikely		No	No	No

2.2 Emergency Plans

2.2.1 Bushfire

If a bushfire is sighted in the vicinity of the quarry, call 000 to report it immediately. Follow the directions of the Fire Brigade. If Fire Brigade attends the site, ensure they are aware of the location of the pollutants as located on **Figure Three**.

If evacuation is required, the nearest safe location is **Maroota Public School on Old Northern Road**. Ensure that the road is safe before travelling in that direction. If evacuation is not possible, take shelter inside buildings or in the quarry pit.

2.2.2 Pollution Incidents

For incidents identified in *Table 2* that require engagement of the PIRMP the following procedures should be followed.

NOTE: the following should be implemented in conjunction with the MSMP and OEMP should an emergency occur.



2.2.3 Release of Sediment

Table 3. Release of Sediment Response Actions

Action	Comments	Responsibility	Reference
Notification of supervisor/manager of incident	Manager will commence completion of the External Communication PIRMP Summary Worksheet	Employees, contractors	Appendix D
Notification of relevant Authorities	Notify Authorities in order prescribed	Supervisor/manager (Martin Hodgson)	Section 5.2
Notification of neighbours	Neighbours should be contacted as listed Table 9:	Supervisor/manager (Martin Hodgson)	See Section 5 and Table 4
Ensure the risk to staff is minimised	The risk of harm to staff from a release of sediment is very small. Staff are not required to evacuate the site, however staff should adhere to the MSMP at all times.	Supervisor/manager (Martin Hodgson)	MSMP
Undertake steps to mitigate harm to the environment	<p>Steps to minimise harm to environment may include:</p> <ul style="list-style-type: none"> • Sample and test the sediment laden water that has been released, including upstream and downstream samples, to determine the extent and concentration of the sediment. • Flocculate remaining water if required prior to release. • Construct emergency bunding to prevent further releases where possible. 	Supervisor/manager (Martin Hodgson)	See MSMP, OEMP



Action	Comments	Responsibility	Reference
Clean up and disposal of sediment	Steps may include: <ul style="list-style-type: none"> • Flushing down of stream beds where possible with clean water. • Containing sediment washed down stream within existing dams or specifically constructed dams. • Removal of sediment from water collected offsite (in dams) with addition of appropriate flocculants. • Release 'cleaned' water downstream and de-silt dams if required. • Continue monitoring of upstream and downstream environments to determine if clean-up efforts have been successful. 		
Reporting and re-preparedness	<ul style="list-style-type: none"> • Notify insurance company of incident • A post incident report will be prepared and submitted to the EPA within the time frame specified by the EPA. • The PIRMP shall be tested within one month of any pollution incident occurring and updated if required. 		

2.3 Early Warnings

The following table details the mechanisms for providing early warnings and regular updates to the owners and occupiers of premises in the vicinity of the quarry.



Table 4. Impact on Neighbours Assessment- Early Warnings

Incident type/ Description	External Release	Neighbours Impacted/ Extent of Impact	Communication Methods/ Early Warnings	Pre-emptive Actions and Other Control Measures
Release of Sediment	Via waterways	See <i>Figure Two</i> For neighbours affected and extent of impact	<ul style="list-style-type: none"> • Neighbours will be provided early warning of an incident via telephone initially (see <i>Table 9</i>) for contact details). • If neighbours are unable to be contacted via phone, then a door knock will be undertaken. • Should a resident be absent from their residence, then a letter drop informing them of the incident will be undertaken. • Regular updates will be provided either by phone or in person or via a letter drop. 	<ul style="list-style-type: none"> • There is no risk of harm to the health of residents therefore no action to minimising their risk of harm are required to be undertaken. • Testing of the downstream environment will be undertaken to determine the concentration and extent of the sediment should a discharge occur. • The quarry has more than sufficient capacity to contain water from the sediment dams should they fail without discharging. • Staff are trained in the OEMP procedures for Soil and Water Management.

3 Inventory and Maps

3.1 List of Potential Pollutants

Table 5. List of Potential Pollutants

Pollutant/ Chemical Name	DG Class	DG Sub Risks	UN Number	Packaging Group	Maximum Quantity	Where Located (see Figure Three)
Sediment	N/A	N/A	N/A	N/A	N/A	Quarry
Dust	N/A	N/A	N/A	N/A	N/A	Quarry
Diesel	N/A	N/A	N/A	N/A	21,000L	Quarry Sheds
Oil	N/A	N/A	N/A	N/A	1000L	Workshop
Acetylene	2	4F	1001	P200	2 x G size cylinders	Mobile

3.2 Maps

See *Figure Three* for the location of potential pollutants on the site.



4 Controls and Testing

Table 6. Pre-emptive Actions for Identified Risks of Harm to Environment

Name/ reference of pollutant/ chemical	Description of Hazard/ Incident leading to Hazard	Need for Early Warning	Pre-emptive Control Measures	Safety Equipment /Devices Required for Pollution Incident
Sediment	Failure of sediment dam walls leading to release of sediment into quarry void	No	<p>Operational Environmental Management Plan (OEMP) has been developed and is reviewed regularly.</p> <p>Pre-emptive control measures are discussed in the Water Management Plan contained in the OEMP.</p> <p>Staff are inducted and trained in site procedures.</p> <p>The site has capacity to hold 136,000 m³ of water The volume required for a 1% AEP storm event is 11,000m³.</p>	<p>No PPE is required by staff.</p> <p>Void capacity exceeds that of sediment dams therefore it cannot flow downstream to affect neighbours.</p>
	Overtopping of Sediment Dams into quarry void	No	<p>Operational Environmental Management Plan (OEMP) has been developed and is reviewed regularly.</p> <p>Pre-emptive control measures are discussed in the Water Management Plan contained in the OEMP.</p> <p>Staff are inducted and trained in site procedures.</p> <p>The site has capacity to hold 136,000 m³ of water The volume required for a 1% AEP storm event is 11,000m³.</p>	<p>No PPE is required by staff.</p> <p>Void capacity exceeds that of sediment dams therefore it cannot flow downstream to affect neighbours.</p>



Name/ reference of pollutant/ chemical	Description of Hazard/ Incident leading to Hazard	Need for Early Warning	Pre-emptive Control Measures	Safety Equipment /Devices Required for Pollution Incident
	Pumping of untreated sediment dam water offsite	Yes	Operational Environmental Management Plan (OEMP) has been developed and is reviewed regularly. Pre-emptive control measures are discussed in the Water Management Plan contained in the OEMP. Staff are inducted and trained in site procedures.	No PPE is required by staff or neighbours affected. Pumps, silt fencing, earth bunds
Diesel Fuel	Spill of fuel from truck or plant contaminating groundwater or surface water	No	Maroota Mine Safety Management Plan (MSMP) has been developed and is reviewed regularly. Pre-emptive control measures are discussed in the Maroota Mine Safety Management Plan (MSMP). Staff are inducted and trained in site procedures. No large volumes of fuel are held in plant and trucks.	Spill kits are held on site and by contractors. Re-fuelling is undertaken within bunded areas.
	Spill of fuel from tank contaminating groundwater or surface water	No	Maroota Mine Safety Management Plan (MSMP) has been developed and is reviewed regularly. Pre-emptive control measures are discussed in the Maroota Mine Safety Management Plan (MSMP). Staff are inducted and trained in site procedures. Fuel storage tank is located within bund that has capacity to hold all tank contents.	Spill kits are held on site and by contractors. Re-fuelling is undertaken within bunded areas.



Name/ reference of pollutant/ chemical	Description of Hazard/ Incident leading to Hazard	Need for Early Warning	Pre-emptive Control Measures	Safety Equipment /Devices Required for Pollution Incident
Oils	Spill of engine oil from trucks or plant contaminating ground or surface water	No	<p>Maroota Mine Safety Management Plan (MSMP) has been developed and is reviewed regularly.</p> <p>Pre-emptive control measures are discussed in the Maroota Mine Safety Management Plan (MSMP).</p> <p>Staff are inducted and trained in site procedures.</p> <p>No large volumes of fuel are held in plant and trucks.</p>	<p>Spill kits are held on site and by contractors.</p> <p>Re-fuelling and maintenance is undertaken within bunded areas.</p>
	Spill of engine oil from storage tank contaminating ground or surface water	No	<p>Maroota Mine Safety Management Plan (MSMP) has been developed and is reviewed regularly.</p> <p>Pre-emptive control measures are discussed in the Maroota Mine Safety Management Plan (MSMP).</p> <p>Staff are inducted and trained in site procedures.</p> <p>Oil storage tank is located within bund that has capacity to hold all tank contents.</p>	<p>Spill kits are held on site and by contractors.</p> <p>Re-fuelling and maintenance is undertaken within bunded areas.</p>
Acetylene	Leaking of gas cylinder contents to atmosphere	No	<p>Maroota Mine Safety Management Plan (MSMP) has been developed and is reviewed regularly.</p> <p>Pre-emptive control measures are discussed in the Maroota Mine Safety Management Plan (MSMP).</p> <p>Staff are inducted and trained in site procedures.</p> <p>No large volumes of gas are held on site.</p>	<p>Self-contained breathing apparatus will be used on entering area by staff unless atmosphere is proved to be safe.</p> <p>Fire Extinguishers are held on site.</p>

4.1 Pre-emptive Procedures-Training

Regular practice is essential to maintain preparedness. Training and development will be conducted as required in the MSMP and OEMP which includes training objectives, site inductions and emergency procedures and this PIRMP. Training records are kept detailing who was trained, the dates, and the nature of the training.

4.2 Testing of Plan

According to the PoEO regulation:

- (1) *The testing of a plan is to be carried out in such a manner as to ensure that the information included in the plan is accurate and up to date and the plan is capable of being implemented in a workable and effective manner.*
- (2) *Any such test is to be carried out:*
 - a. *at least once every 12 months, and*
 - b. *Within 1 month of any pollution incident occurring in the course of an activity to which the licence relates so as to assess, in the light of that incident, whether the information included in the plan is accurate and up to date and the plan is still capable of being implemented in a workable and effective manner.*

As required above, testing records will also be maintained outlining the dates on which the plan has been tested, the name of the person who carried out the test, the dates in which the plan is updated, the manner in which the plan is to be tested and maintained (i.e. desktop simulations or practical exercise). Records will be held on site. The table below summarises this information.

**Table 7. Testing record**

Plan Test Date (minimum every 12 months)	Person(s) conducting the test	Form of testing (desktop or practical drills)	Date of Plan Update	Person Responsible for the Management Plan (including updates and testing)	Plan Update Authorisation
1/9/2012	Martin Hodgson	Desktop review of initial plan	N/A	Martin Hodgson	Martin Hodgson
22/08/2013	Martin Hodgson & VGT	Practical Drills	29/7/2013	Martin Hodgson	Martin Hodgson
28/08/2014	Martin Hodgson & VGT	Desktop and practical drill	N/A	Martin Hodgson	Martin Hodgson
24/06/2015	Martin Hodgson & VGT	Desktop and practical drill	N/A	Martin Hodgson	Martin Hodgson
20/06/2016	Lisa Morrall, VGT	Desktop	8/07/2016	Lisa Thomson	Martin Hodgson
19/06/2017	Lisa Morrall, VGT	Desktop	14/12/2017	Lisa Thomson, Stuart Reed	Martin Hodgson
20/06/2018	Lisa Morrall, VGT	Desktop	1/08/2018	Lisa Thomson	Stuart Reed
16/04/2019	Lisa Morrall, VGT	Desktop	16/04/2019	Lisa Thomson	Stuart Reed
22/04/2020	Lisa Morrall, VGT	Desktop	N/A		
6/04/2021	Lisa Morrall, VGT	Desktop	N/A		
7/04/2022	Lisa Morrall, VGT	Desktop	7/04/2022	Lisa Thomson	Stuart Reed
10/05/2023	Lisa Morrall, VGT	Desktop	10/05/2023	Sinead Kelly	Stuart Reed

5 Communications

5.1 Internal Emergency Communications

Should an incident occur on the premises, staff or contractors are required to notify the Manager immediately. The Manager is responsible for activating the PIRMP and managing the response. In the absence of the Manager, the Supervisor may activate the PIRMP.

Table 8. Key Site Contacts

Name	Position	Day-time contact number	Mobile Phone Number
Martin Hodgson	Director/ Manager	0408 251 393	0408 251 393
Stuart Reed	Administration and Compliance Manager	0418 277 871	0418 277 871
Lisa Thomson	Environmental Consultant	(02) 4028 6412	0427 334 471

5.2 External Emergency Communications

Under Section 148 of the PoEO Act all relevant authorities must be notified **immediately**. The Manager is authorised to notify the relevant authorities. In the absence of the Manager the Supervisor may activate the PIRMP. A detailed report is required within 7 days.

5.2.1 Key Authority Contacts

After calling 000, if the incident presents an immediate threat to human health or property, the relevant authorities **MUST** be notified **immediately** in the following order.

Name	Phone Number
EPA	131 555
NSW Department of Planning and Environment, Resources and Geoscience (for mining related activities)	1300 814 609 resources.regulator@planning.nsw.gov.au and via Regulator Portal
Safe Work Australia (for non-mining related activities)	13 10 50
The Hills Shire Council	(02) 9843 0555 24 hours, 7 days
Fire and Rescue NSW	1300 729 579 (If the situation warranted calling 000 as a first point of notification, you do not need to ring Fire and Rescue NSW again)
Local Police	The Hills PAC 9680 5399
Department of Planning and Environment	1300 305 695

5.2.2 Local Neighbour Contacts

The following is a list of key neighbour contacts that may be required to be contacted regarding the incident by the Manager or his delegate.


Table 9. Key Neighbour Contacts

Name	Phone Number	Address	Map Reference
Rod Hitchcock	0412 705 538	Roberts Rd	
Noeleen Hitchcock	4566 8226	Roberts Rd	
Greg Hitchcock	0408 681 837	Roberts Rd	

Appendix A: Figures

Plan of:	Roberts Rd Maroota Sand Quarry Environmental Management Plan 2018 - Site Location	Location:	Maroota Quarry, Roberts Road, Maroota, NSW	Source:	Google Earth Pro - Image Date 05/09/2017 & Google Maps 2018	Our Ref:	5072_HMA_EMP18_C001_V1_F1.cdr
Figure:	ONE	Council:	Hills Shire Council	Survey:	N/A	Plan By:	JD
Sheet:	1 of 1	Tenure:	N/A	Projection:	N/A	Project Manager:	LT
Version/Date:	V1 09/03/2018	Client:	Hodgson Quarries & Plant Pty Ltd	Contour Interval:	N/A	Office:	Thornton


This figure may be based on third party data which has not been verified by vgt and may not be to scale. Unless expressly agreed otherwise, this figure is intended as a guide only and vgt does not warrant its accuracy.



Environmental Compliance Solutions Pty Ltd



Approx Scale: 0 1 2 3 4 5km

Legend
 Site



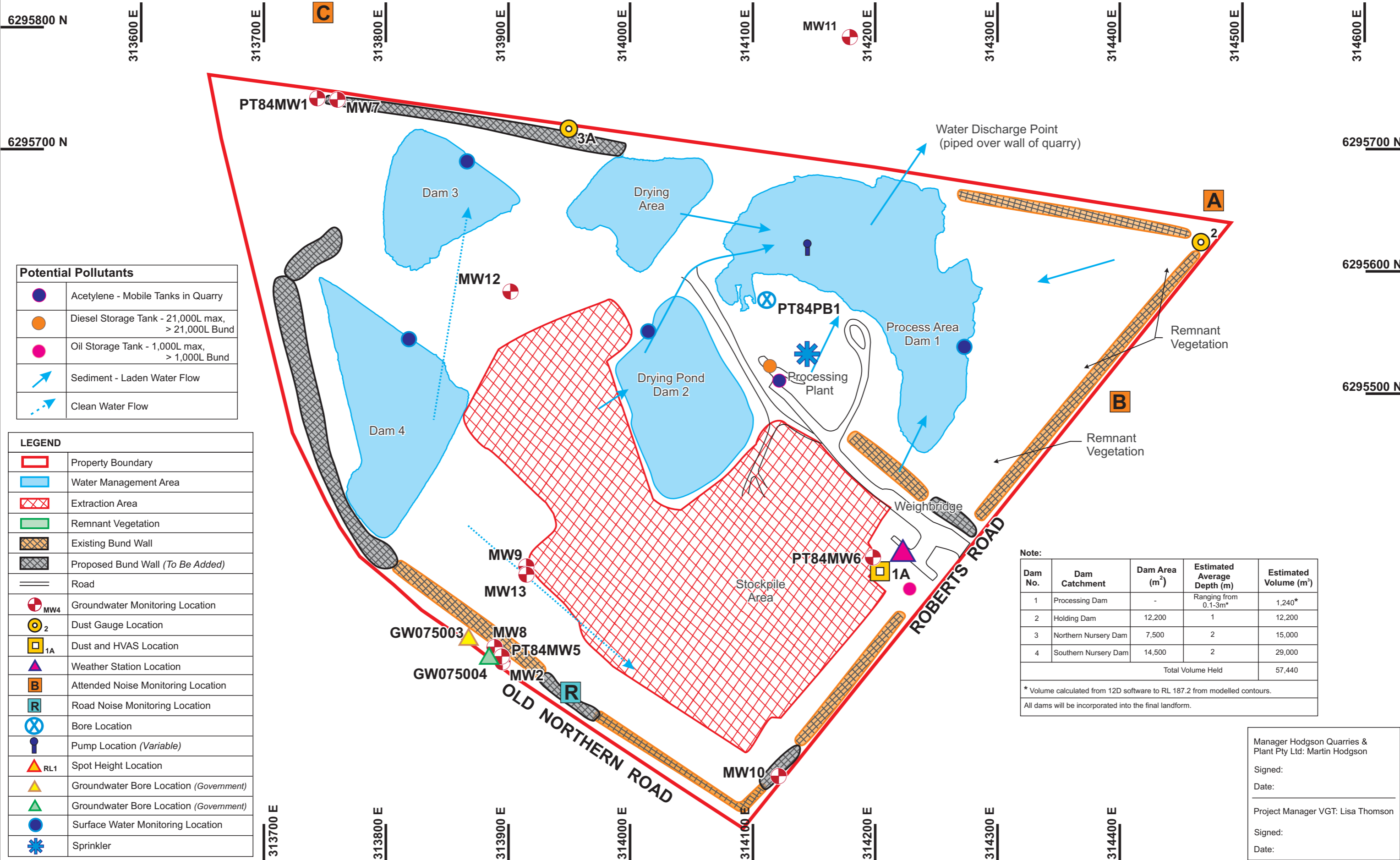
Approx Scale: 0 200m

Manager Hodgson Quarries & Plant Pty Ltd: Martin Hodgson
 Signed: *Martin R. Hodgson*
 Date: 9/3/18

Project Manager VGT: Lisa Thomson
 Signed: *Lisa Thomson*
 Date: 9/3/18

Plan of:	Roberts Rd Maroota Sand Quarry Environmental Management Plan 2018 - Environmental Monitoring Locations	Location:	Maroota Quarry, Roberts Road, Maroota, NSW	Source:	Google Earth Pro - Image Date 5 September 2017	Our Ref:	5072_HMA_EMP18_C003_V4_F2B.cdr
Figure:	TWO - B	Council:	Hills Shire Council	Survey:	Singleton Survey Services Pty Ltd - 2017	Plan By:	LT/JD
Sheet:	1 of 1	Tenures:	N/A	Projection:	MGA	Project Manager:	LT
Version/Date:	V4 14/03/2018	Client:	Hodgson Quarries & Plant Pty Ltd	Contour Interval:	N/A	Office:	Thornton

This figure may be based on third party data which has not been verified by vgt and may not be to scale. Unless expressly agreed otherwise, this figure is intended as a guide only and vgt does not warrant its accuracy.



Potential Pollutants	
	Acetylene - Mobile Tanks in Quarry
	Diesel Storage Tank - 21,000L max, > 21,000L Bund
	Oil Storage Tank - 1,000L max, > 1,000L Bund
	Sediment - Laden Water Flow
	Clean Water Flow

LEGEND	
	Property Boundary
	Water Management Area
	Extraction Area
	Remnant Vegetation
	Existing Bund Wall
	Proposed Bund Wall (To Be Added)
	Road
	Groundwater Monitoring Location
	Dust Gauge Location
	Dust and HVAS Location
	Weather Station Location
	Attended Noise Monitoring Location
	Road Noise Monitoring Location
	Bore Location
	Pump Location (Variable)
	Spot Height Location
	Groundwater Bore Location (Government)
	Groundwater Bore Location (Government)
	Surface Water Monitoring Location
	Sprinkler

Note:

Dam No.	Dam Catchment	Dam Area (m ²)	Estimated Average Depth (m)	Estimated Volume (m ³)
1	Processing Dam	-	Ranging from 0.1-3m*	1,240*
2	Holding Dam	12,200	1	12,200
3	Northern Nursery Dam	7,500	2	15,000
4	Southern Nursery Dam	14,500	2	29,000
Total Volume Held				57,440

* Volume calculated from 12D software to RL 187.2 from modelled contours.
All dams will be incorporated into the final landform.

Manager Hodgson Quarries & Plant Pty Ltd: Martin Hodgson
Signed: _____
Date: _____

Project Manager VGT: Lisa Thomson
Signed: _____
Date: _____

Appendix B: EPA Licence

Environment Protection Licence

Licence - 6535

Licence Details	
Number:	6535
Anniversary Date:	12-March

Licensee
HB MARROOTA PTY LTD
PO BOX 1778
GOSFORD NSW 2250

Premises
HB MARROOTA PTY LTD
CNR ROBERTS & OLD NORTHERN ROADS
MARROOTA NSW 2756

Scheduled Activity
Crushing, grinding or separating
Extractive activities

Fee Based Activity	Scale
Crushing, grinding or separating	> 100000-500000 T annual processing capacity
Extractive activities	> 100000-500000 T annually extracted or processed

Region
Metropolitan West - Sydney
4 Parramatta Square, 12 Darcy Street
PARRAMATTA NSW 2150
Phone: (02) 9995 5000
Fax: (02) 9995 6900
Locked Bag 5022
PARRAMATTA NSW 2124

Environment Protection Licence



Licence - 6535

INFORMATION ABOUT THIS LICENCE	3
Dictionary	3
Responsibilities of licensee	3
Variation of licence conditions	3
Duration of licence	3
Licence review	3
Fees and annual return to be sent to the EPA	3
Transfer of licence	4
Public register and access to monitoring data	4
1 ADMINISTRATIVE CONDITIONS	5
A1 What the licence authorises and regulates	5
A2 Premises or plant to which this licence applies	5
A3 Information supplied to the EPA	6
2 DISCHARGES TO AIR AND WATER AND APPLICATIONS TO LAND	6
P1 Location of monitoring/discharge points and areas	6
3 LIMIT CONDITIONS	7
L1 Pollution of waters	7
L2 Noise limits	7
4 OPERATING CONDITIONS	7
O1 Activities must be carried out in a competent manner	7
O2 Maintenance of plant and equipment	7
O3 Dust	7
O4 Other operating conditions	7
5 MONITORING AND RECORDING CONDITIONS	8
M1 Monitoring records	8
M2 Recording of pollution complaints	8
M3 Telephone complaints line	8
6 REPORTING CONDITIONS	9
R1 Annual return documents	9
R2 Notification of environmental harm	10
R3 Written report	10
7 GENERAL CONDITIONS	11
G1 Copy of licence kept at the premises or plant	11

Environment Protection Licence

Licence - 6535



DICTIONARY	-----	12
General Dictionary	-----	12

Environment Protection Licence

Licence - 6535



Information about this licence

Dictionary

A definition of terms used in the licence can be found in the dictionary at the end of this licence.

Responsibilities of licensee

Separate to the requirements of this licence, general obligations of licensees are set out in the Protection of the Environment Operations Act 1997 ("the Act") and the Regulations made under the Act. These include obligations to:

- ensure persons associated with you comply with this licence, as set out in section 64 of the Act;
- control the pollution of waters and the pollution of air (see for example sections 120 - 132 of the Act);
- report incidents causing or threatening material environmental harm to the environment, as set out in Part 5.7 of the Act.

Variation of licence conditions

The licence holder can apply to vary the conditions of this licence. An application form for this purpose is available from the EPA.

The EPA may also vary the conditions of the licence at any time by written notice without an application being made.

Where a licence has been granted in relation to development which was assessed under the Environmental Planning and Assessment Act 1979 in accordance with the procedures applying to integrated development, the EPA may not impose conditions which are inconsistent with the development consent conditions until the licence is first reviewed under Part 3.6 of the Act.

Duration of licence

This licence will remain in force until the licence is surrendered by the licence holder or until it is suspended or revoked by the EPA or the Minister. A licence may only be surrendered with the written approval of the EPA.

Licence review

The Act requires that the EPA review your licence at least every 5 years after the issue of the licence, as set out in Part 3.6 and Schedule 5 of the Act. You will receive advance notice of the licence review.

Fees and annual return to be sent to the EPA

For each licence fee period you must pay:

- an administrative fee; and
- a load-based fee (if applicable).

Environment Protection Licence

Licence - 6535



The EPA publication “A Guide to Licensing” contains information about how to calculate your licence fees. The licence requires that an Annual Return, comprising a Statement of Compliance and a summary of any monitoring required by the licence (including the recording of complaints), be submitted to the EPA. The Annual Return must be submitted within 60 days after the end of each reporting period. See condition R1 regarding the Annual Return reporting requirements.

Usually the licence fee period is the same as the reporting period.

Transfer of licence

The licence holder can apply to transfer the licence to another person. An application form for this purpose is available from the EPA.

Public register and access to monitoring data

Part 9.5 of the Act requires the EPA to keep a public register of details and decisions of the EPA in relation to, for example:

- licence applications;
- licence conditions and variations;
- statements of compliance;
- load based licensing information; and
- load reduction agreements.

Under s320 of the Act application can be made to the EPA for access to monitoring data which has been submitted to the EPA by licensees.

This licence is issued to:

HB MARROOTA PTY LTD
PO BOX 1778
GOSFORD NSW 2250

subject to the conditions which follow.

Environment Protection Licence

Licence - 6535

1 Administrative Conditions

A1 What the licence authorises and regulates

A1.1 This licence authorises the carrying out of the scheduled activities listed below at the premises specified in A2. The activities are listed according to their scheduled activity classification, fee-based activity classification and the scale of the operation.

Unless otherwise further restricted by a condition of this licence, the scale at which the activity is carried out must not exceed the maximum scale specified in this condition.

Scheduled Activity	Fee Based Activity	Scale
Crushing, grinding or separating	Crushing, grinding or separating	> 100000 - 500000 T annual processing capacity
Extractive activities	Extractive activities	> 100000 - 500000 T annually extracted or processed

A2 Premises or plant to which this licence applies

A2.1 The licence applies to the following premises:

Premises Details
HB MAROOKA PTY LTD
CNR ROBERTS & OLD NORTHERN ROADS
MAROOKA
NSW 2756
LOT 1 DP 228308, LOT 2 DP 228308, LOT 2 DP 312327

A2.2 The premises location is shown on the map below.

Environment Protection Licence

Licence - 6535



A3 Information supplied to the EPA

A3.1 Works and activities must be carried out in accordance with the proposal contained in the licence application, except as expressly provided by a condition of this licence.

In this condition the reference to "the licence application" includes a reference to:

- a) the applications for any licences (including former pollution control approvals) which this licence replaces under the Protection of the Environment Operations (Savings and Transitional) Regulation 1998; and
- b) the licence information form provided by the licensee to the EPA to assist the EPA in connection with the issuing of this licence.

2 Discharges to Air and Water and Applications to Land

P1 Location of monitoring/discharge points and areas

P1.1 The following utilisation areas referred to in the table below are identified in this licence for the purposes of the monitoring and/or the setting of limits for any application of solids or liquids to the utilisation area.

3 Limit Conditions

Environment Protection Licence

Licence - 6535

L1 Pollution of waters

L1.1 Except as may be expressly provided in any other condition of this licence, the licensee must comply with section 120 of the Protection of the Environment Operations Act 1997.

L2 Noise limits

L2.1 Noise from the premises must not exceed the sound pressure level expressed as LA10 (15 minute) of 45 dB(A), except as expressly provided by this licence.

L2.2 Noise from the premises is to be measured or computed at any point within one metre of any residential boundary, or at any point within 30 metres of the dwelling where the dwelling is more than 30 metres from the boundary, to determine compliance with the noise level limits in Condition L2.1.

4 Operating Conditions

O1 Activities must be carried out in a competent manner

O1.1 Licensed activities must be carried out in a competent manner.

This includes:

- a) the processing, handling, movement and storage of materials and substances used to carry out the activity; and
- b) the treatment, storage, processing, reprocessing, transport and disposal of waste generated by the activity.

O2 Maintenance of plant and equipment

O2.1 All plant and equipment installed at the premises or used in connection with the licensed activity:

- a) must be maintained in a proper and efficient condition; and
- b) must be operated in a proper and efficient manner.

O3 Dust

O3.1 The premises must be maintained in a condition which minimises or prevents the emission of dust from the premises.

O3.2 All loaded trucks entering or leaving the premises must have their loads covered.

O4 Other operating conditions

O4.1 The licensee must prevent any tracking of mud on to public roads by vehicles leaving the premises.

Environment Protection Licence

Licence - 6535



5 Monitoring and Recording Conditions

M1 Monitoring records

- M1.1 The results of any monitoring required to be conducted by this licence or a load calculation protocol must be recorded and retained as set out in this condition.
- M1.2 All records required to be kept by this licence must be:
- a) in a legible form, or in a form that can readily be reduced to a legible form;
 - b) kept for at least 4 years after the monitoring or event to which they relate took place; and
 - c) produced in a legible form to any authorised officer of the EPA who asks to see them.
- M1.3 The following records must be kept in respect of any samples required to be collected for the purposes of this licence:
- a) the date(s) on which the sample was taken;
 - b) the time(s) at which the sample was collected;
 - c) the point at which the sample was taken; and
 - d) the name of the person who collected the sample.

M2 Recording of pollution complaints

- M2.1 The licensee must keep a legible record of all complaints made to the licensee or any employee or agent of the licensee in relation to pollution arising from any activity to which this licence applies.
- M2.2 The record must include details of the following:
- a) the date and time of the complaint;
 - b) the method by which the complaint was made;
 - c) any personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect;
 - d) the nature of the complaint;
 - e) the action taken by the licensee in relation to the complaint, including any follow-up contact with the complainant; and
 - f) if no action was taken by the licensee, the reasons why no action was taken.
- M2.3 The record of a complaint must be kept for at least 4 years after the complaint was made.
- M2.4 The record must be produced to any authorised officer of the EPA who asks to see them.

M3 Telephone complaints line

- M3.1 The licensee must operate during its operating hours a telephone complaints line for the purpose of receiving any complaints from members of the public in relation to activities conducted at the premises or by the vehicle or mobile plant, unless otherwise specified in the licence.
- M3.2 The licensee must notify the public of the complaints line telephone number and the fact that it is a

Environment Protection Licence

Licence - 6535



complaints line so that the impacted community knows how to make a complaint.

M3.3 The preceding two conditions do not apply until 3 months after: the date of the issue of this licence.

6 Reporting Conditions

R1 Annual return documents

R1.1 The licensee must complete and supply to the EPA an Annual Return in the approved form comprising:

1. a Statement of Compliance,
2. a Monitoring and Complaints Summary,
3. a Statement of Compliance - Licence Conditions,
4. a Statement of Compliance - Load based Fee,
5. a Statement of Compliance - Requirement to Prepare Pollution Incident Response Management Plan,
6. a Statement of Compliance - Requirement to Publish Pollution Monitoring Data; and
7. a Statement of Compliance - Environmental Management Systems and Practices.

At the end of each reporting period, the EPA will provide to the licensee notification that the Annual Return is due.

R1.2 An Annual Return must be prepared in respect of each reporting period, except as provided below.

R1.3 Where this licence is transferred from the licensee to a new licensee:

- a) the transferring licensee must prepare an Annual Return for the period commencing on the first day of the reporting period and ending on the date the application for the transfer of the licence to the new licensee is granted; and
- b) the new licensee must prepare an Annual Return for the period commencing on the date the application for the transfer of the licence is granted and ending on the last day of the reporting period.

R1.4 Where this licence is surrendered by the licensee or revoked by the EPA or Minister, the licensee must prepare an Annual Return in respect of the period commencing on the first day of the reporting period and ending on:

- a) in relation to the surrender of a licence - the date when notice in writing of approval of the surrender is given; or
- b) in relation to the revocation of the licence - the date from which notice revoking the licence operates.

R1.5 The Annual Return for the reporting period must be supplied to the EPA via eConnect *EPA* or by registered post not later than 60 days after the end of each reporting period or in the case of a transferring licence not later than 60 days after the date the transfer was granted (the 'due date').

R1.6 The licensee must retain a copy of the Annual Return supplied to the EPA for a period of at least 4 years after the Annual Return was due to be supplied to the EPA.

R1.7 Within the Annual Return, the Statements of Compliance must be certified and the Monitoring and Complaints Summary must be signed by:

- a) the licence holder; or

Environment Protection Licence



Licence - 6535

b) by a person approved in writing by the EPA to sign on behalf of the licence holder.

Note: The term "reporting period" is defined in the dictionary at the end of this licence. Do not complete the Annual Return until after the end of the reporting period.

Note: An application to transfer a licence must be made in the approved form for this purpose.

R2 Notification of environmental harm

R2.1 Notifications must be made by telephoning the Environment Line service on 131 555.

R2.2 The licensee must provide written details of the notification to the EPA within 7 days of the date on which the incident occurred.

Note: The licensee or its employees must notify all relevant authorities of incidents causing or threatening material harm to the environment immediately after the person becomes aware of the incident in accordance with the requirements of Part 5.7 of the Act.

R3 Written report

R3.1 Where an authorised officer of the EPA suspects on reasonable grounds that:

- a) where this licence applies to premises, an event has occurred at the premises; or
- b) where this licence applies to vehicles or mobile plant, an event has occurred in connection with the carrying out of the activities authorised by this licence, and the event has caused, is causing or is likely to cause material harm to the environment (whether the harm occurs on or off premises to which the licence applies), the authorised officer may request a written report of the event.

R3.2 The licensee must make all reasonable inquiries in relation to the event and supply the report to the EPA within such time as may be specified in the request.

R3.3 The request may require a report which includes any or all of the following information:

- a) the cause, time and duration of the event;
- b) the type, volume and concentration of every pollutant discharged as a result of the event;
- c) the name, address and business hours telephone number of employees or agents of the licensee, or a specified class of them, who witnessed the event;
- d) the name, address and business hours telephone number of every other person (of whom the licensee is aware) who witnessed the event, unless the licensee has been unable to obtain that information after making reasonable effort;
- e) action taken by the licensee in relation to the event, including any follow-up contact with any complainants;
- f) details of any measure taken or proposed to be taken to prevent or mitigate against a recurrence of such an event; and
- g) any other relevant matters.

R3.4 The EPA may make a written request for further details in relation to any of the above matters if it is not satisfied with the report provided by the licensee. The licensee must provide such further details to the

Environment Protection Licence

Licence - 6535



EPA within the time specified in the request.

7 General Conditions

G1 Copy of licence kept at the premises or plant

G1.1 A copy of this licence must be kept at the premises to which the licence applies.

G1.2 The licence must be produced to any authorised officer of the EPA who asks to see it.

G1.3 The licence must be available for inspection by any employee or agent of the licensee working at the premises.

Environment Protection Licence

Licence - 6535

Dictionary

General Dictionary

3DGM [in relation to a concentration limit]	Means the three day geometric mean, which is calculated by multiplying the results of the analysis of three samples collected on consecutive days and then taking the cubed root of that amount. Where one or more of the samples is zero or below the detection limit for the analysis, then 1 or the detection limit respectively should be used in place of those samples
Act	Means the Protection of the Environment Operations Act 1997
activity	Means a scheduled or non-scheduled activity within the meaning of the Protection of the Environment Operations Act 1997
actual load	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
AM	Together with a number, means an ambient air monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
AMG	Australian Map Grid
anniversary date	The anniversary date is the anniversary each year of the date of issue of the licence. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
annual return	Is defined in R1.1
Approved Methods Publication	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
assessable pollutants	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
BOD	Means biochemical oxygen demand
CEM	Together with a number, means a continuous emission monitoring method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .
COD	Means chemical oxygen demand
composite sample	Unless otherwise specifically approved in writing by the EPA, a sample consisting of 24 individual samples collected at hourly intervals and each having an equivalent volume.
cond.	Means conductivity
environment	Has the same meaning as in the Protection of the Environment Operations Act 1997
environment protection legislation	Has the same meaning as in the Protection of the Environment Administration Act 1991
EPA	Means Environment Protection Authority of New South Wales.
fee-based activity classification	Means the numbered short descriptions in Schedule 1 of the Protection of the Environment Operations (General) Regulation 2009.
general solid waste (non-putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997

Environment Protection Licence

Licence - 6535

flow weighted composite sample	Means a sample whose composites are sized in proportion to the flow at each composites time of collection.
general solid waste (putrescible)	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
grab sample	Means a single sample taken at a point at a single time
hazardous waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
licensee	Means the licence holder described at the front of this licence
load calculation protocol	Has the same meaning as in the Protection of the Environment Operations (General) Regulation 2009
local authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
material harm	Has the same meaning as in section 147 Protection of the Environment Operations Act 1997
MBAS	Means methylene blue active substances
Minister	Means the Minister administering the Protection of the Environment Operations Act 1997
mobile plant	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
motor vehicle	Has the same meaning as in the Protection of the Environment Operations Act 1997
O&G	Means oil and grease
percentile [in relation to a concentration limit of a sample]	Means that percentage [eg.50%] of the number of samples taken that must meet the concentration limit specified in the licence for that pollutant over a specified period of time. In this licence, the specified period of time is the Reporting Period unless otherwise stated in this licence.
plant	Includes all plant within the meaning of the Protection of the Environment Operations Act 1997 as well as motor vehicles.
pollution of waters [or water pollution]	Has the same meaning as in the Protection of the Environment Operations Act 1997
premises	Means the premises described in condition A2.1
public authority	Has the same meaning as in the Protection of the Environment Operations Act 1997
regional office	Means the relevant EPA office referred to in the Contacting the EPA document accompanying this licence
reporting period	For the purposes of this licence, the reporting period means the period of 12 months after the issue of the licence, and each subsequent period of 12 months. In the case of a licence continued in force by the Protection of the Environment Operations Act 1997, the date of issue of the licence is the first anniversary of the date of issue or last renewal of the licence following the commencement of the Act.
restricted solid waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
scheduled activity	Means an activity listed in Schedule 1 of the Protection of the Environment Operations Act 1997
special waste	Has the same meaning as in Part 3 of Schedule 1 of the Protection of the Environment Operations Act 1997
TM	Together with a number, means a test method of that number prescribed by the <i>Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales</i> .

Environment Protection Licence

Licence - 6535



TSP	Means total suspended particles
TSS	Means total suspended solids
Type 1 substance	Means the elements antimony, arsenic, cadmium, lead or mercury or any compound containing one or more of those elements
Type 2 substance	Means the elements beryllium, chromium, cobalt, manganese, nickel, selenium, tin or vanadium or any compound containing one or more of those elements
utilisation area	Means any area shown as a utilisation area on a map submitted with the application for this licence
waste	Has the same meaning as in the Protection of the Environment Operations Act 1997
waste type	Means liquid, restricted solid waste, general solid waste (putrescible), general solid waste (non - putrescible), special waste or hazardous waste

Mr Nigel Sargent

Environment Protection Authority

(By Delegation)

Date of this edition: 14-June-2000

Environment Protection Licence

Licence - 6535



End Notes

- 1 Licence varied by change to Common Name field, issued on 15-Oct-2001, which came into effect on 15-Oct-2001.
- 2 Licence transferred through application 140865, approved on 29-Oct-2001, which came into effect on 24-Sep-2001.
- 3 Licence varied by notice 1012523, issued on 21-May-2002, which came into effect on 15-Jun-2002.
- 4 Licence varied by correction to EPA Sub Region data record, issued on 20-Sep-2002, which came into effect on 20-Sep-2002.
- 5 Licence transferred through application 141899, approved on 23-Apr-2003, which came into effect on 21-Apr-2003.
- 6 Licence varied by notice 1034428, issued on 13-Dec-2004, which came into effect on 07-Jan-2005.
- 7 Licence varied by notice 1081877, issued on 10-Mar-2008, which came into effect on 10-Mar-2008.
- 8 Licence varied by Change to schedule 1, issued on 07-May-2008, which came into effect on 07-May-2008.
- 9 Condition A1.3 Not applicable varied by notice issued on <issue date> which came into effect on <effective date>
- 10 Licence varied by notice 1111632, issued on 01-Apr-2010, which came into effect on 01-Apr-2010.
- 11 Licence varied by notice 1527501 issued on 09-Mar-2015
- 12 Licence varied by notice 1529566 issued on 03-Jun-2015
- 13 Licence varied by notice 1603067 issued on 26-Nov-2020



Appendix C: Guide to Notification of Incident and Injury

REPORT AN INCIDENT OR INJURY

NSW
Resources
Regulator

Notifying the NSW Resources Regulator

Serious safety incidents that occur at NSW mines, extractives or petroleum sites **must be reported** to the Resources Regulator under work health and safety legislation.



FURTHER INFORMATION

SCAN FOR MORE INFORMATION ON REPORTING AN INCIDENT OR INJURY TO THE NSW RESOURCES REGULATOR.



WHAT HAPPENED?	PHONE	REPORT ONLINE	PRESERVE SITE
DEATH, SERIOUS INJURY OR ILLNESS	IMMEDIATELY	AS SOON AS POSSIBLE NO LATER THAN 48 HOURS	YES
DANGEROUS INCIDENT	IMMEDIATELY	AS SOON AS POSSIBLE NO LATER THAN 48 HOURS	YES
NON-SERIOUS INJURY	NOT REQUIRED	AS SOON AS POSSIBLE NO LATER THAN 48 HOURS	ON REQUEST
OTHER INCIDENT	NOT REQUIRED	AS SOON AS POSSIBLE NO LATER THAN 7 DAYS	ON REQUEST



If there is a serious injury or illness, a death or a dangerous incident, you must report it to us immediately on **1300 814 609** as an urgent investigation may be needed. The incident site must be preserved until an inspector attends or the inspector or regulator directs otherwise. Operators of coal mines must also notify an industry safety and health representative.



For other types of notifiable incidents, complete the Resources Regulator's online incident notification form on our website as soon as possible.

REPORT AN
INCIDENT TO THE
NSW RESOURCES
REGULATOR



1300 814 609

Online notification form: resourcesregulator.nsw.gov.au

NSW
Resources
Regulator

GUIDE

Notification of incident and injury

WORK HEALTH AND SAFETY (MINES AND PETROLEUM SITES)
LEGISLATION



Document control

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Amendment schedule		
Date	Version	Amendment
January 2016	1	First published.
March 2016	2	Revised to reflect amendments to the Work Health and Safety (Mines and Petroleum Sites) Act and Regulation 2014.
July 2016	3	Revised to include new phone number for notification of incidents.
April 2018	4	Added four new events to the definition of high-potential incident, and three new events to the list of dangerous incidents, under the Work Health and Safety (Mines and Petroleum Sites) Regulation 2014. Updated department's name and contact details

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Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (July 2018). However, because of advances in knowledge, users are reminded of the need to ensure that information upon which they rely is up to date and to check currency of the information with the appropriate officer of the NSW Department of Planning and Environment or the user's independent advisor.

Contents

1. Introduction.....	3
2. Notifiable incidents	4
2.1. What is a serious injury or illness?	4
2.2. Dangerous incidents	6
2.3. Only work-related incidents are notifiable.....	8
2.4. Work-related incidents that occur outside a workplace may be notifiable	8
2.5. Still unsure?	8
2.6. When and how to notify a notifiable incident	8
2.7. Who is responsible for notifying?.....	8
2.8. Can work continue where a notifiable incident occurred?.....	9
2.9. Site preservation requirements apply only to the incident site	9
2.10. Upgrading notifications.....	10
2.11. Record-keeping requirements	10
2.12. What type of information must be provided	10
3. Other incidents that must be notified	11
3.1. Medical treatment by a doctor	11
3.2. High potential incidents	12
3.3. Only work-related incidents are notifiable.....	14
3.4. Who is responsible for notifying?.....	14
3.5. Site preservation is not required for other incidents.....	14
3.6. Upgrading notifications.....	15
3.7. Record-keeping requirements	15
4. Information needed for all incidents	15
4.1. Information needed for ancillary reports	16
5. Explosives Act 2003	16

1. Introduction

This guide will help you decide whether the NSW Resources Regulator needs to be informed of a work-related death, injury, illness, dangerous incident or high-potential incident under the *Work Health and Safety (Mines and Petroleum Sites) Act 2013* (the Act) and *Work Health and Safety (Mines and Petroleum Sites) Regulation 2014* (the Regulation).

Notifying the Regulator of incidents can help identify causes of incidents and prevent similar incidents at that workplace and other workplaces.

There are two types of incidents that require information to be given to the Regulator – notifiable incidents and ‘other incidents’. Requirements to notify the Regulator may relate to any person – whether an employee, contractor or member of the public. Failure to notify is an offence and penalties apply.

Notifiable incident

A notifiable incident is:

- the death of a person
- a ‘serious injury or illness’, or
- a ‘dangerous incident’ prescribed by the regulations.

Notification must be given to the Regulator if a notifiable incident arises out of the conduct of a business or undertaking at the mine or petroleum site.

A notifiable incident requires:

- immediate notification by the fastest possible means
- preservation of the incident site.

If notification is by telephone, written notification must be given within 48 hours of giving the notice by telephone.

‘Other incident’ that must be notified

An ‘other incident’ is an incident arising out of operations at the mine or petroleum site that:

- results in injury or illness requiring ‘medical treatment’, or
- is a high potential incident.

An ‘other incident’ requires:

- written notification as soon as possible but within 48 hours of becoming aware that the incident resulted in injury or illness, or
- written notification as soon as possible but no later than 7 days of becoming aware of the incident (whichever is earlier).

There is no need to preserve the incident site in relation to an ‘other incident’.

Written notification is made using the online incident notification form on the Regulator’s website at:

www.resourcesandenergy.nsw.gov.au/miners-and-explorers/safety-and-health/notifications/incident-or-injury

2. Notifiable incidents

2.1. What is a serious injury or illness?

Work health and safety laws define certain matters to be serious injuries or illness. The table below lists these matters together with examples. A key element for most matters is that the person affected 'requires' treatment. This means that the notification must still be made if treatment would be required but was not received by the person. For example, if:

- immediate treatment is not readily available because the incident site is rural or remote or specialist treatment is not available
- the person refuses treatment.

Treatment includes by a paramedic, registered nurse or a doctor. Medical treatment refers specifically to treatment by a registered medical practitioner, i.e. a doctor.

Examples of serious injury or illness

Injury or illness	Example
Immediate treatment as an in-patient in a hospital	Admission into a hospital as an in-patient for any duration, even if the stay is not overnight or longer. It does not include out-patient treatment provided by the emergency section of a hospital and immediate discharge or subsequent corrective surgery such as that required to fix a fractured nose.
Immediate treatment for the amputation of any part of the body	Amputation of a limb such as arm or leg, body part such as hand, foot or the tip of a finger, toe, nose or ear. It does not include bruising or minor abrasion or laceration to the skin.
Immediate treatment for a serious head injury	Fractured skull, loss of consciousness, blood clot or bleeding in the brain, damage to the skull to the extent that it is likely to affect organ/face function. Head injuries resulting in temporary or permanent amnesia.
Immediate treatment for a serious eye injury	Injury that results in or is likely to result in the loss of the eye or total or partial loss of vision. Injury that involves an object penetrating the eye (for example metal fragment, wood chip). Exposure of the eye to a substance that poses a risk of serious eye damage. It does not include eye exposure to a substance that merely causes irritation.

Injury or illness	Example
Immediate treatment for a serious burn	A burn requiring intensive care or critical care that could require compression garment or a skin graft. It does not include a minor burn that merely requires washing the wound and applying a dressing.
Immediate treatment for the separation of skin from an underlying tissue	Separation of skin from an underlying tissue such that tendon, bone or muscles are exposed (for example, degloving or scalping).
Immediate treatment for spinal injury	Injury to the cervical, thoracic, lumbar or sacral vertebrae including the discs and spinal cord.
Immediate treatment for the loss of a bodily function	Loss of consciousness, loss of movement of a limb or loss of the sense of smell, taste, sight or hearing, or loss of function of an internal organ. It does not include mere fainting or a sprain, strain or fracture.
Immediate treatment for serious lacerations	Serious lacerations that cause muscle, tendon, nerve or blood vessel damage or permanent impairment. Deep or extensive cuts. Tears or wounds to the flesh or tissues – this may include stitching to prevent loss of blood and/or other treatment to prevent loss of bodily function and/or infection.

Notification is also required for:

- an injury or illness requiring medical treatment (by a doctor) within 48 hours of exposure to a substance
- a fractured bone other than in a hand (including finger) or foot (including toe)
- the following prescribed serious illness:
 - any infection to which the carrying out of work is a significant contributing factor, including any infection that is reliably attributable to carrying out work:
 - with micro-organisms
 - that involves providing treatment or care to a person
 - that involves contact with human blood or body substances
 - that involves handling or contact with animals, animal hides, skins, wool or hair, animal carcasses or animal waste products

- the following occupational zoonoses contracted during work involving handling or contact with animals, animal hides, skins, wool or hair, animal carcasses or animal waste products:
 - Q fever
 - Anthrax
 - Leptospirosis
 - Brucellosis
 - Hendra virus
 - Avian Influenza.

2.2. Dangerous incidents

These include certain types of incidents that are inherently dangerous and other incidents where a person is exposed to a serious risk to their health or safety emanating from an immediate or imminent exposure to the hazard.

For most hazards, such as plant or a structure collapsing, a person will need to be in the immediate vicinity to be exposed to a serious risk to their health or safety. But some hazards, such as an uncontrolled leak of a hazardous gas or a fire, can travel towards a person and expose them to a serious risk to health and safety away from the original source.

A dangerous incident can include situations where there is an immediate exposure to the hazard, but the potential harm to a person's health or safety may not materialise until sometime in the future, for example exposure to asbestos or chemicals.

The following are reportable as a dangerous incident if a person is exposed to a serious risk to their health or safety from immediate or imminent exposure to a hazard:

- an uncontrolled escape, spillage or leakage of a substance
- an uncontrolled implosion, explosion or fire
- an uncontrolled escape of gas or steam
- an uncontrolled escape of a pressurised substance
- the fall or release from a height of any plant, substance or thing
- the collapse, overturning, failure or malfunction of, or damage to, any plant that is required to be authorised
- the collapse or partial collapse of a structure
- the collapse or failure of an excavation or of any shoring supporting an excavation
- rock falls, instability of cliffs, steep slopes or natural dams, occurrence of sinkholes, development of surface cracking or deformations or release of gas at surface, due to subsidence
- a vehicle or plant making contact with an energised source having a voltage greater than 1200 volts (not including testing equipment applied to energised equipment in accordance with the WHS Regulations)
- the inrush of water, mud or gas in workings at an underground excavation or tunnel

- the unintended interruption of the main system of ventilation at an underground excavation or tunnel
- the loss of control of heavy earthmoving machinery (including any failure of braking or steering)
- the unintended activation, movement, or failure to stop of vehicles or machinery
- a collision involving a vehicle or mobile plant
- damage to, or failure of any part of, a powered winding system or a shaft or shaft equipment
- damage to any plant or structure
- a failure of ground, or of slope stability control measures.

The following incidents are also dangerous incidents that must be notified to the Regulator, even if no one was in the vicinity at the time of the incident:

- a fire in the underground parts of a mine, including where the fire is in the form of an oxidation that releases heat and light
- an electric shock to a person (other than a shock from an extra low voltage source)
- any initial indication that any underground part of a coal mine is subject to windblast, outbursts or spontaneous combustion
- the unintended overturning of any vehicle or plant weighing more than 1000 kilograms
- ejection of fly rock so that it falls outside an exclusion zone (the area from which people are excluded during blasting)
- any initial indication that there may be a fault in the cementing of a casing string forming part of the cement casing of a well
- spontaneous combustion at a coal mine
- a gas outburst at an underground coal mine
- a coal burst or rock burst at an underground coal mine.

2.3. Only work-related incidents are notifiable

Only incidents arising out of the conduct of a business or undertaking at the mine or petroleum site must be notified. There may be cases where an incident occurs at a workplace but does not arise out of work.

2.4. Work-related incidents that occur outside a workplace may be notifiable

Even where a death, serious illness or injury or exposure to a dangerous incident occurs outside the workplace, notification will be required where that incident arises out of the conduct of a business or undertaking at the mine or petroleum site. For example, fumes from shot-firing causing illness to a person adjacent to the mine, or a chemical spill at a mine or petroleum site that exposes residents nearby to health and safety risks.

2.5. Still unsure?

If you are still unsure about whether an incident should be notified, contact the NSW Resources Regulator on 1300 814 609 for guidance.

2.6. When and how to notify a notifiable incident

The Regulator must be notified of a notifiable incident immediately by the fastest possible means. This would normally be by telephone to the central reporting number 1300 814 609.

Further written notification is to be made using the online incident notification form on the Regulator's website at: www.resourcesandenergy.nsw.gov.au/miners-and-explorers/safety-and-health/notifications/incident-or-injury.

2.7. Who is responsible for notifying?

All persons conducting a business or undertaking (PCBUs) at a mine or petroleum site, including the operator of the mine or petroleum site, have a duty to ensure that the Regulator is immediately notified of a notifiable incident arising out of the conduct of their business or undertaking at the mine or petroleum site. This does not mean that both the operator and a contractor must notify the Regulator, only that notification is made. In these circumstances, the duty holders must, so far as is reasonably practicable, consult, cooperate and coordinate and should put appropriate reporting and notification arrangements in place. For example, contractors at the mine or petroleum site may agree with the operator of the mine or petroleum site that the operator will notify of all 'notifiable incidents' that occur at the workplace.

If another PCBU at the mine or petroleum site notifies the Regulator of a notifiable incident, they must also ensure that the operator of the mine or petroleum site is notified as soon as is reasonably practicable after doing so.

In general, a PCBU that is a corporation is considered to be aware of a notifiable incident at the time that any of their workers in supervisory or managerial roles become aware of that incident. For example, if a worker is seriously injured and notifies their immediate supervisor, this is when the operator of the mine or petroleum site is considered to be aware of the incident. Operators and other PCBUs working at a mine or petroleum site should develop appropriate internal communication procedures to ensure compliance with their notification obligations.

When the incident occurs at a coal mine, the mine operator or other PCBUs must also ensure that an industry safety and health representative is notified and provided the same information as required by the Regulator.

2.8. Can work continue where a notifiable incident occurred?

When a notifiable incident has occurred, each person required to ensure the Regulator is notified, and any other PCBU with management and or control of the workplace is to ensure, so far as is reasonably practicable, that the site of the incident is not disturbed until an inspector arrives at the site or directs otherwise (whichever is earlier).

Requirements to preserve the incident site apply to any plant, substance, structure or thing associated with the notifiable incident. This ensures that any evidence that may help an inspector determine the cause of the incident is preserved.

However, the requirement to preserve the site does not prevent any action:

- to assist an injured person
- to remove a deceased person
- essential to make the site safe or to minimise the risk of a further notifiable incident
- associated with a police investigation
- for which an inspector or the Regulator has given permission.

An inspector who considers that a site should remain undisturbed (for example, to facilitate investigation of the incident) may issue a non-disturbance notice. This notice must specify the period for which the notice is to apply, but cannot be for more than seven days.

Penalties apply for failing to preserve a site.

2.9. Site preservation requirements apply only to the incident site

The requirement to preserve the site may not necessarily extend to the whole workplace. For example, in the case of a multiple vehicle collision, the site would include the immediate area where the incident occurred and the vehicles.

If unsure about what is required to preserve a site, ask the Regulator for guidance when notifying of the incident.

2.10. Upgrading notifications

If a notifiable incident escalates from serious illness or injury to death, the Regulator must be separately notified of the death immediately after becoming aware of the death. The Regulator must also be notified in an incident that did not originally involve injury or illness. For example, a dangerous incident escalates such that it is now notifiable on additional grounds.

2.11. Record-keeping requirements

A record of every incident notified to the Regulator must be kept with the mine or petroleum site record for at least seven years from the date the record is made. Penalties apply for failing to do so.

NOTE: A record of certain notices issued in respect of the incident, such as a non-disturbance notice, must also be kept.

2.12. What type of information must be provided

See section 4 Information needed when notifying an incident.

3. Other incidents that must be notified

Notification is also required for other incidents as set out below:

Type of other incident	When and how
<p>An incident that results in illness or injury that requires medical treatment by a doctor, being the management or care of a patient including:</p> <ul style="list-style-type: none"> → the suturing of a wound → the treatment of fractures → the treatment of bruises by drainage of blood → the treatment of second and third-degree burns → but not including diagnostic procedures, observation, counselling, first aid or therapeutic measures taken solely for preventative purposes. 	<p>Notification must be made as soon as possible and no later than 48 hours of becoming aware the incident resulted in an injury or illness.</p> <p>Notification must be in writing using the Notification of incident and injury form.</p>
<p>A high potential incident.</p>	<p>Notification must be as soon as possible and:</p> <ul style="list-style-type: none"> → in the case of a high potential incident that resulted in an injury or illness, no later than 48 hours after becoming aware the incident resulted in an injury or illness, or → no later than 7 days after becoming aware of the incident (whichever is earlier). <p>Notification must be in writing using the Notification of incident and injury form.</p>

3.1. Medical treatment by a doctor

Medical treatment refers to treatment by a registered medical practitioner, such as a doctor. It does not include treatment by an allied health professional, such as a paramedic or nurse.

For the purposes of notifying other incidents or completing a mine quarterly report, the management or care of a patient by a doctor involving any of the following matters is medical treatment:

- the suturing of a wound
- the treatment of fractures
- the treatment of bruises by drainage of blood
- the treatment of second and third-degree burns.

Other management or care of a patient by a doctor may also constitute medical treatment, unless it is diagnostic procedures, observation, counselling, first aid or therapeutic measures taken solely for preventative purposes.

The first question to consider is whether the treatment involved care or management of the patient by a doctor (other than diagnostic procedures, observation, counselling or first aid). The **First aid in the workplace code of practice** (July 2014) states that: “First aid is the immediate treatment or care given to a person suffering from an injury or illness until more advanced care is provided or the person recovers”. Unless a doctor provides immediate treatment or care of the patient, it is unlikely to be first aid.

A second question to consider is whether the care or treatment is solely for preventative purposes. Treatments for preventative purposes may include a tetanus injection, vaccination or other treatments to prevent an illness because a person may have been exposed to a harmful substance or agent. If the therapeutic measure was solely for preventative purposes, it is not medical treatment for the purposes of notifying other incidents or completing mine quarterly reports.

3.2. High potential incidents

There are two groups of incidents that are high potential incidents. Firstly, there is an incident or event that would have been a dangerous incident (see above) if a person were in the vicinity at the time when the incident or event occurred and in usual circumstances a person could have been in that vicinity at that time.

The important element in this group of incidents is that a person could have been present, and if so that the person would have been exposed to a serious risk from an immediate or imminent exposure to a hazard. For example, events that happened within an area that is fenced off from entry or events in other exclusion areas.

The second group of high potential incidents is:

- the detection of 2% by volume or greater concentration of methane in the general body of the air at an underground coal mine (other than in a sealed area or goaf)
- an unplanned fall of ground, roof or sides that impedes passage, extends beyond the bolted zone or disrupts production or ventilation
- a failure of ground support where people could potentially have been
- the burial of machinery such that it cannot be recovered under its own tractive effort
- progressive pillar failure or creep
- a sudden pillar collapse
- an electric arc occurring in the hazardous zone at an underground coal mine that is directly observed, or which leaves visible evidence on an electric cable
- an injury to a person (supported by a medical certificate) that results, or is likely to result, in the person being unfit, for a continuous period of at least seven days, to perform their usual activities at work

- a misfire or unplanned explosion of a blasting agent or explosive or explosive precursor (but not in the case of a misfire at a mine or petroleum site other than a coal mine if the misfired explosive can be fired without any significant risk to a person)
- an unplanned event that causes the emergency evacuation of more than one person from the mine or petroleum site or part of the mine or petroleum site
- an unplanned event that causes fewer than two exits from an underground mine to be available for use
- any indication from monitoring data of the development of subsidence that may result in damage to any plant or structure or a failure of ground
- the illness of a person (supported by a medical certificate) that is related to a work process and that results, or is likely to result in the person being unfit to do their usual activities at work for a continuous period of at least seven days
- the failure of the explosion-protection characteristics of an explosion-protected plant while it is in service at an underground coal mine¹
- the presence of energised electrical plant that is not explosion-protected in a hazardous zone at an underground coal mine (except where the use of the plant is permitted under clause 79 of the Regulation²)
- the detection of an atmospheric concentration of respirable dust that exceeds the level specified in clause 39(1)(a) (3 milligrams per cubic metre of air, or in the case of a coal mine, 2.5 milligrams per cubic metre of air)
- the detection of an atmospheric concentration of crystalline silica that exceeds the exposure standard specified in the Workplace Exposure Standards for Airborne Contaminants (0.1 milligrams per cubic metre of air)
- electrical plant that is powered by an internal battery is lost or misplaced in an underground coal mine.

¹ The failure of the explosion-protection characteristics of explosion-protected plant while that plant is in service at an underground coal mine is not limited to failure while the plant is operating (i.e. turned on and running). It includes any explosion-protection characteristic failures identified during routine maintenance or overhaul, as well as those identified during use. Such failures indicate that an explosion-protected plant has been (or is likely to have previously been) operating in a non-explosion-protected condition.

² Portable electrical plant may be used in the hazardous zone of an underground coal mine if:

- the concentration of methane in the general body of the air is 0.5% by volume or less, and
- the plant is powered by internal batteries, and
- the temperature of any surface of any component or part of the plant is not greater than 150°C, or if the surface is wholly internal to the plant and the plant has a level of ingress protection sufficient to prevent coal dust coming into contact with the surface – 450°C, and
- the plant does not in normal operation produce hot surfaces or sparks that could ignite methane, and
- the mine operator has implemented control measures to manage the risk of the plant becoming an ignition source.

Electrical equipment associated with hot work may be used in the hazardous zone of an underground coal mine if the mine operator has complied with the notification of high risk activities in clause 33 of the Regulation.

Insulation test instruments may be used in the hazardous zone of an underground coal mine if the instruments are used in accordance with the procedures for using those instruments developed under the electrical engineering control plan for the mine.

For explosion-protected diesel engine systems, this means that the plant may have been operating in a condition which has potential to ignite an explosion of dust or gas (such as coal dust on the surface of the engine) or methane in the surrounding atmosphere. An ancillary report is required for such incidents. Examples of such failures include:

- the failure of an explosion-protected open joint which exceeds the specified dimensions for explosion protection
- the failure of a diesel engine system to shut down when required by the control sensors (e.g. loss of water in the scrubber), excessive system temperature (above 150° C), failure of engine cooling system, etc.
- a catastrophic failure of the diesel engine system which protrudes external to the engine (such as turbochargers, superchargers, piston, valves, connecting rods, etc.)
- the failure to replace any explosion-protected component (such as a cap, plug, flame trap, gland or other like component) after carrying out maintenance activities
- evidence of thermal degradation of an exhaust filter
- looseness of any explosion-protected fixed joint (gasket joint).

3.3. Only work-related incidents are notifiable

The only other incidents that must be notified are those arising out of the carrying out of mining operations at the mine or the carrying out of petroleum operations at the petroleum site. As with notifiable incidents there may be cases where, for example, an incident occurs at a mine or petroleum site but does not arise out of mining or petroleum operations at the site, such as a person having a heart attack that is unrelated to work or the workplace.

3.4. Who is responsible for notifying?

The operator of the mine or petroleum site at which the incident occurs must tell the regulator when they become aware of the incident.

In general, an operator of the mine or petroleum site that is a corporation is considered to be aware of an incident at the time that any of their workers in supervisory or managerial roles become aware of that incident. For example, if a worker is seriously injured and notifies their immediate supervisor, this is when the operator is considered to be aware of the incident.

When the incident occurs at a coal mine, the mine operator must also notify an industry safety and health representative.

3.5. Site preservation is not required for other incidents

There is no requirement to preserve the incident site in relation to an 'other incident'.

3.6. Upgrading notifications

If an other incident escalates to a notifiable incident, the regulator must be separately notified of the incident immediately after becoming aware of the escalation.

3.7. Record-keeping requirements

As with notifiable incidents, a record of every incident notified to the regulator must be kept with the mine or petroleum site record for at least seven years from the date the record is made. Penalties apply for failing to do so.

4. Information needed for all incidents

A clear description of the incident (with as much detail as possible) will help the Regulator assess whether the incident needed to be notified and if the Regulator needs to investigate or take other action.

Information	Detail required
What happened: an overview	Provide an overview of what happened. Nominate the type of notifiable incident. For example, was it death, serious injury or illness, or dangerous incident (as defined above)?
When did it happen?	Supply the date and time of the incident.
Where did it happen?	Identify the address of the incident location. Supply details to describe the specific location of the notifiable incident to help instructions about site disturbance. For example, the section of the warehouse or the piece of equipment that the incident involved.
To whom did it happen?	Supply the injured person's name, salutation, date of birth, address, contact telephone number and occupation Include the relationship of the injured person to the entity notifying.
Additional details about the person	Add details about the injured person's roster, travel hours, experience and training.
What happened: detailed description	Provide a detailed description of the notifiable incident.

Information	Detail required
How and where is the injured person being treated (if applicable)?	<p>Include:</p> <ul style="list-style-type: none"> → a description of serious injury or illness (i.e. nature of injury) → initial treatment of serious injury or illness → where the patient has been taken for treatment.
Who is the person conducting the business or undertaking (there may be more than one)?	<p>Include:</p> <ul style="list-style-type: none"> → legal and trading name → business address (if different from incident address), ABN/ACN and contact details including phone number and email.
What has/is being done?	Explain the action taken, or intended to be taken, to prevent recurrence (if any).
Who is notifying?	<p>Supply:</p> <ul style="list-style-type: none"> → the notifier's name, salutation, contact phone number and position at workplace → the name, phone number and position of person to contact for further information (if different from above).

4.1. Information needed for ancillary reports

Additional details may also be required in relation to some types of incidents, such as those involving particular types of plant. These details are referred to as ancillary reports and where required must be submitted no later than 30 days after the incident was required to be notified to the Regulator. Typically, the information needed for ancillary reports is very specific to the type of incident and type of plant, such as fires on mobile plant or failure of explosion-protected plant.

Details of when ancillary reports must be submitted are included in the online incident form.

5. Explosives Act 2003

Licence holders under the *Explosives Act 2003* also have obligations to notify the regulator of certain incidents involving explosives. See [Incidents to be reported under explosives legislation](#) for more information.

QUICK HELP GUIDE

Resources Regulator Online Portal

Instructions for locating the new portal

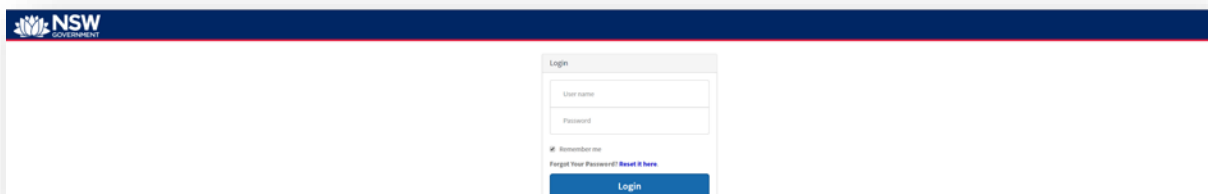
The new portal is entirely web-based and is accessible using a suitable Internet browser. We recommend using Google Chrome or Microsoft Internet Explorer to access the portal.

The URL you will need to use to locate the new portal is:

<https://nswresourcesregulator.service-now.com/regulator>

Instructions for logging in to the new portal

When you navigate to the URL <https://nswresourcesregulator.service-now.com/regulator> you will be prompted to provide log in details to access the system. If you forget your log in details then you are able to use the reset password option. This will ask you some identifying questions prior to sending your new details.



By entering these two items of information into the appropriate fields on the log-in page and clicking on the blue “Login” button, you should be taken to a landing page that looks similar to the screen below (note that your own user name will be shown in the top right-hand corner of the screen):



If you do not have log in details, then you will need to contact the Regulator to request that a user account be set up for you. You can do this either by visiting the public portal <https://nswresourcesregulator.service-now.com/public> and submitting a “Request to add a PCBU or Operator” form or by calling 1300 814 609.

What you will see when you first access the portal

The portal has the following key elements:

A search box

The search box is located in the centre of the dark blue band and has the phrase “How can we help?” displayed on it:



By typing into the search box, you can locate relevant information available on the portal that matches your search term. For example, by typing the word “Incident” into the search box, you will see a list of corresponding items appear in a list below the search box.

Clicking on any item in the list will direct you to that specific item in the portal.

Action buttons

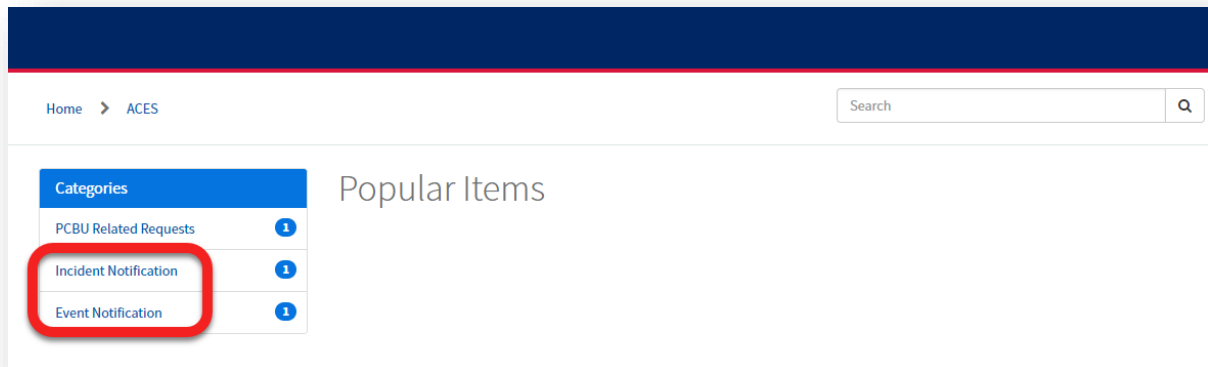
There are two action buttons located just under the search box:

- “Notify Resources Regulator”
- “PCBU Related Requests”



The “Notify Resources Regulator” button

By clicking on the “Notify Resources Regulator” button, you will be directed to a page that provides a number of catalogue items you can select from:



There are two possible choices available in the catalogue at the moment:

- An incident or injury report form, and
- A High-Risk Activity notification form.

In due course, it is our intention to introduce a range of other forms to this catalogue and users of the portal will be able to use these forms to provide a comprehensive range of statutory notifications.

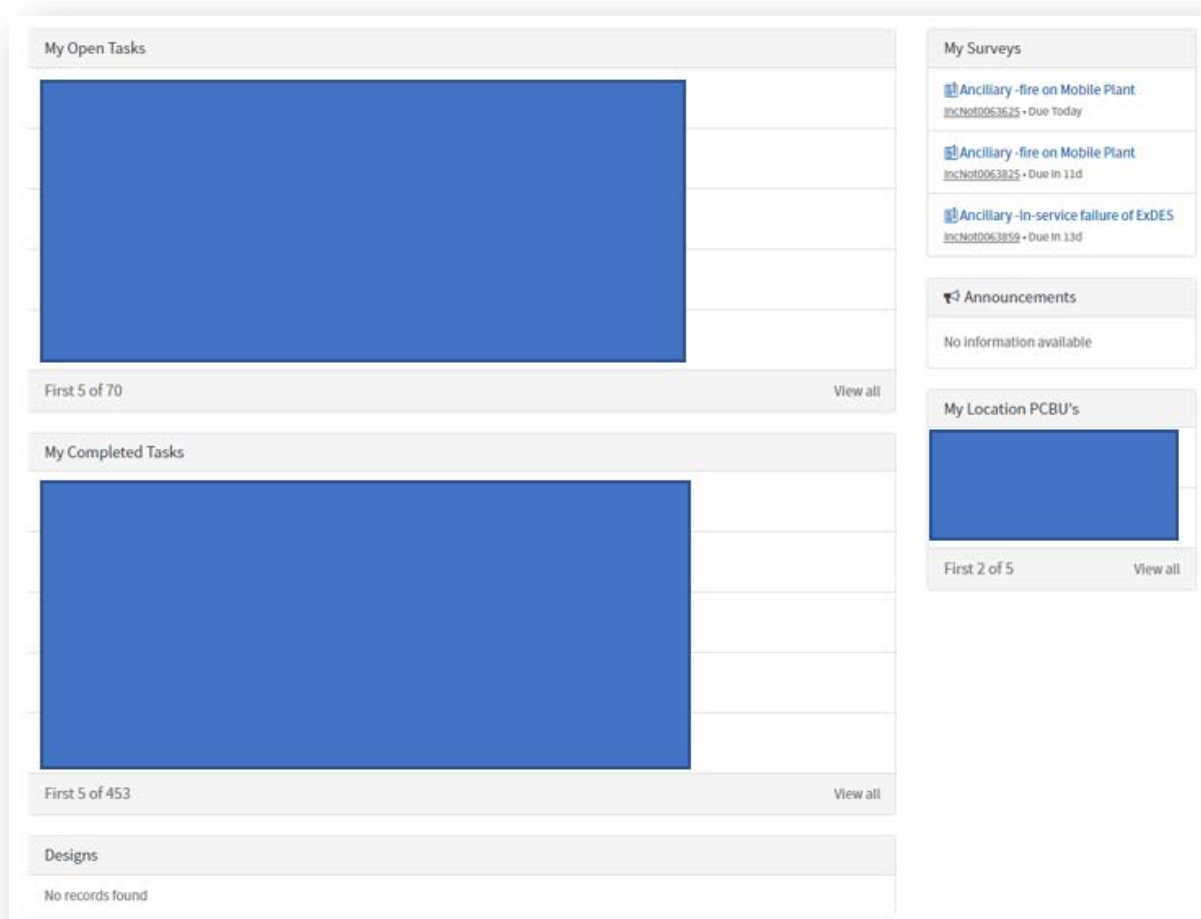
Further detail on the two forms currently accessible from the portal is provided in the [New Forms section of this document](#).

The “PCBU Related Requests” button

There are no forms or tools available at the moment. Further development coming soon.

Task and other tool widgets

There are a series of other task and tool widgets located on the bottom half of the home screen. They will be arranged similarly to the image below. *Please note that this image has been de-identified.*



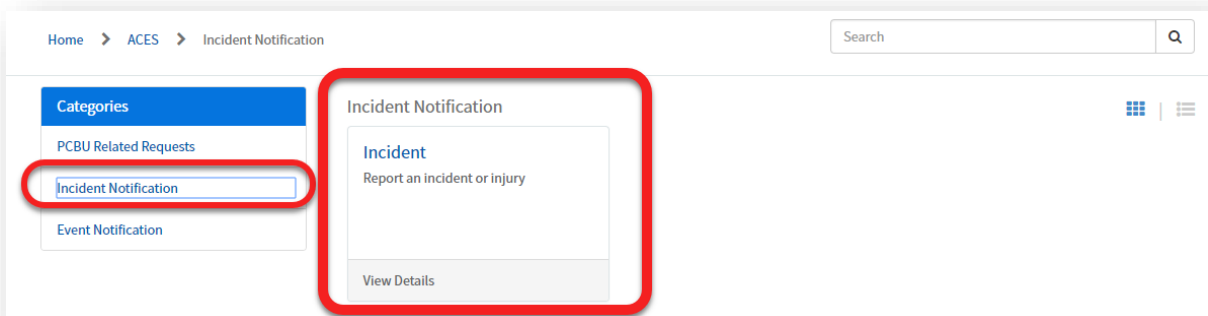
The items shown on these task and tool widgets will be customised based on your own user profile and the items you have used within the portal.

The new forms

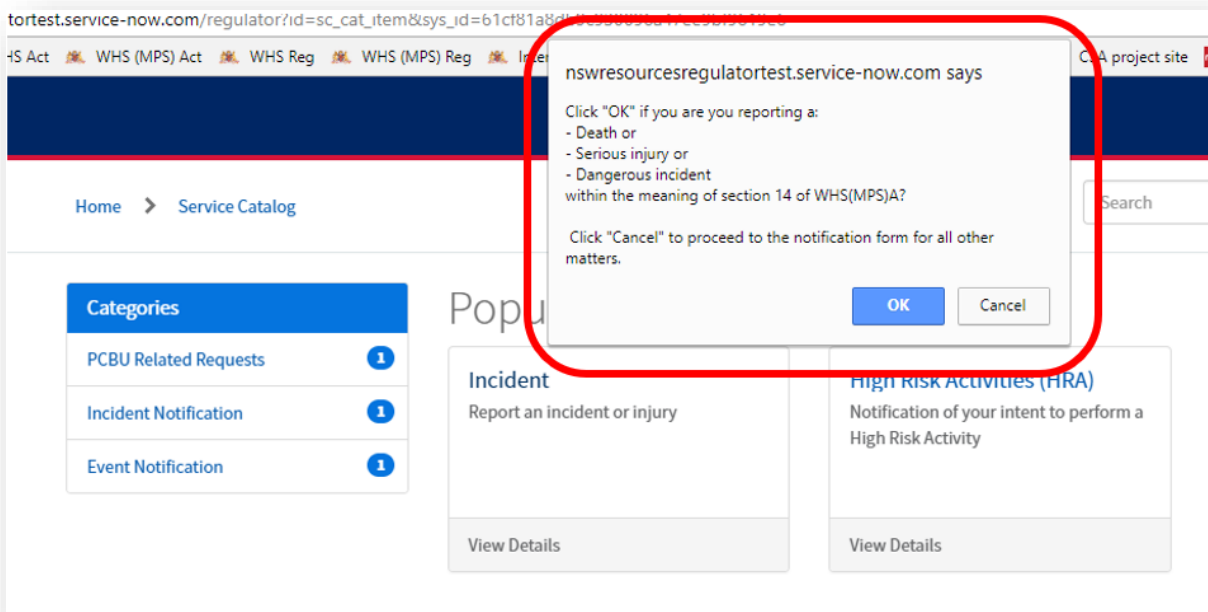
Incident notification form

The new Incident notification form replaces the Regulator's previous electronic form. The previous form was not authenticated, which means users need to provide their details on the form. By introducing this authenticated portal, this will provide external users a streamlined avenue to report Incident notifications.

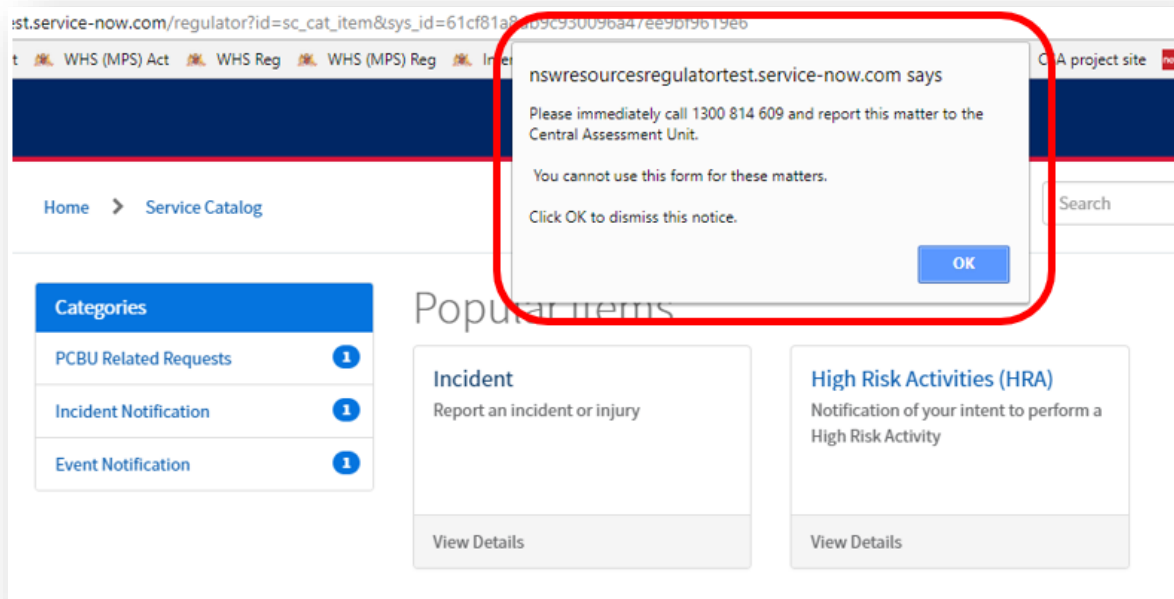
To access the new Incident notification form, click on the tile headed "Incident" from the service catalogue:



The following pop-up warning message will be displayed when you select this tile:



There have been **no changes made to the statutory requirements for reporting**. Notification of some matters must still be made by contacting the Resources Regulator by telephone on **1300 814 609**. If you click "OK" on the pop-up message, the following additional pop-up warning message will be displayed, selecting OK you will be returned to the home page:



If you click “Cancel” on the initial pop-up message, you will be directed to the new Incident notification form, which looks similar to the image below:

Home > ACES > Incident Notification > Incident

Search

Incident

Report an Incident or injury

All notifiable incidents* must be notified to the regulator by calling 1300 814 609 (*notifiable incident means: the death of a person, or a serious injury or illness of a person that is prescribed, or a dangerous incident prescribed)

*** Mine**
Select the mine or petroleum site that the incident relates to.
Should the mine or petroleum site not be listed please contact the Regulator to have the site linked to your user profile.

Incident date: [Text Field] Incident time accuracy: [Dropdown: -- None --]

*** The date and time you became aware of the Incident**
[Text Field]

*** Please provide a detailed description of the Incident**
Specific details and circumstances including what occurred, when the incident occurred, who was involved, how/why the incident occurred and what the incident outcome was.
[Text Area]

Instructions to the Regulator
Information to assist the Regulator in attending the site (most efficient access point) or contacting other persons for further information (person submitting the form, site manager etc).
[Text Area]

Please select the legislative reason for your report of this incident to the regulator:

- Medical treatment injury (cl 128(1)(a))
- High potential incident (cl 128(1)(b))
- Loss or theft of explosives (cl 102)
- Serious incident involving explosives (cl 103)
- Event at a mine rescue station (s 45)

Details

Describe the location of the incident within the site
[Text Field]

Number injured
[Text Field]

Number exposed
[Text Field]

Submit

Required Information

Site Incident date The date and time you became aware of the Incident

Please provide a detailed description of the Incident

Forms associated with an Incident notification

There are additional forms that are associated with an Incident notification and are required to be completed subsequent to the Incident notification being submitted. To complete these forms, you will need to access the previously submitted Incident notification and navigate to the bottom of the Incident notification form. You can find previously lodged Incident notifications on the home screen under “my open tasks”.

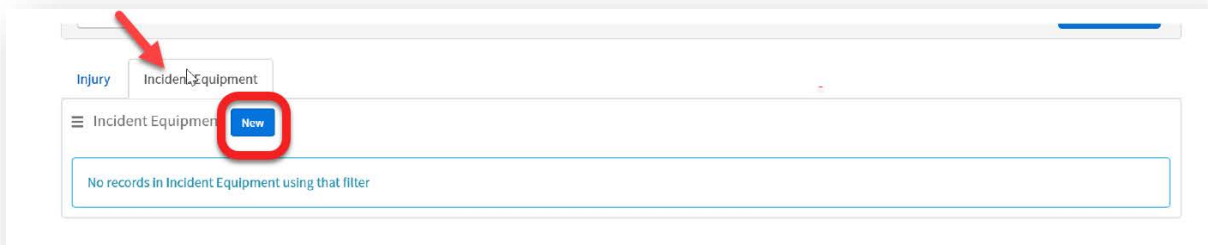
Injury form

For each injured person, a separate injury form is required to be completed. To create a new Injury form, navigate to the bottom of the previously lodged Incident notification form and click on the 'New' button as shown below.



Incident Equipment form

For each item of equipment involved in and reported as a part of the Incident notification, a separate Equipment form is required to be completed. To create a new Equipment form, click on the 'New' button as shown below.

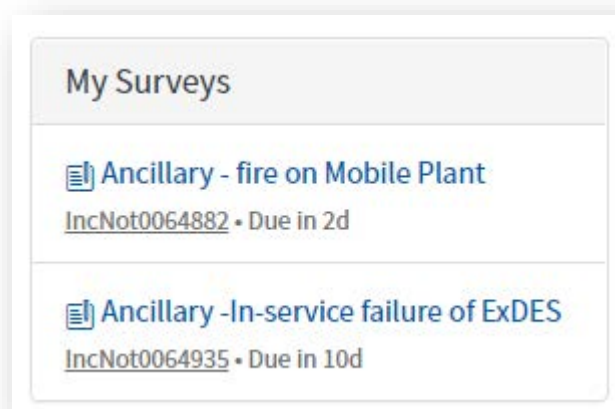


Ancillary reports associated with an Incident notification

Ancillary reports are required if an Incident notification involves a Fire on a Mobile Plant or an In-service failure of ExDES. These will be available from your home page once the Incident notification has been submitted.

Fire on Mobile Plant or In-service failure of ExDES

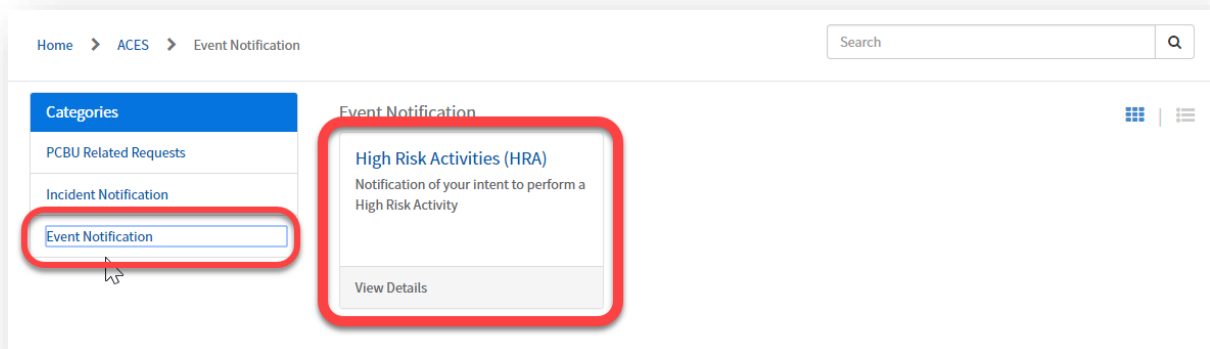
To complete an Ancillary report, click on the blue link in the 'My Surveys' area of the home screen as shown below. You will be directed to take a survey and will be required to click 'Get Started'.



High risk activity notification form

The new high-risk activity notification form accessible from the authenticated portal replaces the previous paper-based notification form.

To access the new high-risk activity notification form, simply click on the tile labelled “High Risk Activities (HRA)” from the service catalogue:



A form similar to the image below will be loaded when you make this selection:

The screenshot shows the 'High Risk Activities (HRA)' notification form. The breadcrumb trail is Home > ACES > Event Notification > High Risk Activities (HRA). A search bar is in the top right. The form title is 'High Risk Activities (HRA)' with the subtitle 'Notification of your intent to perform a High Risk Activity'. A blue 'Submit' button is located in the top right corner. The form is divided into three sections:

- Section 1: What Type of HRA are you proposing to undertake?** It contains a dropdown menu for 'Activity'.
- Section 2: Details of mine or petroleum site** It contains a dropdown menu for 'Mine or Petroleum Site' with the instruction: 'Select the mine or petroleum site that the HRA relates to. Should the mine or petroleum site not be listed please contact the Regulator to have the site linked to your user profile.'
- Section 3: Details of HRA** It contains a date input field for 'Proposed commencement date', a checkbox for 'Are you seeking a reduction of the waiting period', a text area for '1. Describe the nature of the proposed high risk activity, including particulars of how the activity is to be carried out', a checkbox for 'Q1 Attachment (if required)', and a text input field for 'Q1 Title of page or name of document (use a comma to separate multiple document names)'.

 On the right side, there is a 'Required information' sidebar with three red buttons: 'Activity', 'Mine or Petroleum Site', and 'Proposed commencement date', and a 'Declaration' button.

Other navigation options

Returning to the home page

To return to the home page at any time, you can simply click on the NSW Government icon located in the top left-hand corner of any page:



Mandatory fields on forms

Any mandatory fields on forms in the portal may be identified by a small red asterisk alongside the field label:

Section 1: What Type of HRA are you proposing to undertake?

* Activity

Section 2: Details of mine or petroleum site

* Mine or Petroleum Site

Select the mine or petroleum site that the HRA relates to.

Should the mine or petroleum site not be listed please contact the Regulator to have the site linked to your user profile.

Section 3: Details of HRA

* Proposed commencement date

Are you seeking a reduction of the waiting period

Unfilled mandatory fields on any form will also be shown in the box labelled “Required information” located in the right-hand side of the form:

Home > ACES > Event Notification > High Risk Activities (HRA)

Search

High Risk Activities (HRA)

Notification of your intent to perform a High Risk Activity

Submit

Required information

- Activity
- Mine or Petroleum Site
- Proposed commencement date
- Declaration

Section 1: What Type of HRA are you proposing to undertake?

* Activity

Section 2: Details of mine or petroleum site

* Mine or Petroleum Site

Select the mine or petroleum site that the HRA relates to.

Should the mine or petroleum site not be listed please contact the Regulator to have the site linked to your user profile.

Section 3: Details of HRA

* Proposed commencement date

As you fill the mandatory fields, the fields will be removed from the “Required information” list.

If you fail to fill in a mandatory field and attempt to submit the form, you will be provided with an error message.

Adding attachments to forms

Attachments may be added to forms by clicking on the paperclip icon located at the bottom of the forms:

Q5. Title of page or name of document (use a comma to separate multiple document names)

Section 5: Declaration

* Declaration

- I have authority from the person conducting a business or undertaking to complete and submit this notification on their behalf
- I consent to the Department making enquiries and exchanging information with other Work Health and Safety Regulators in this or other states, other territories and/or the Commonwealth regarding any matter relevant to this notification
- To the best of my knowledge, the information provided in this notification and any attachment to this notification, is true and correct in every detail

NOTE: Giving false or misleading information is a serious offence under section 268 of the Work Health and safety Act 2011, and part 5A of the Crimes Act 1900

Add attachments

Using date and time choosers

A number of fields on the forms require the user to select a date and/or a time. Date and time choosers are provided for making these selections – fields will have a calendar icon located to the right of the field when the selector is available:



Section 3: Details of HRA

* Proposed commencement date

Are you seeking a reduction of the waiting period

The image shows a screenshot of a web form. At the top, it says 'Section 3: Details of HRA'. Below that is a required field labeled '* Proposed commencement date'. The input field is empty. To the right of the input field is a small calendar icon, which is highlighted with a red rectangular box. Below the input field is a checkbox labeled 'Are you seeking a reduction of the waiting period'.

If you don't use the date and time selector for these fields, you will need to ensure your entry in the field is in the format DD MON YYYY, for example 17 OCT 2018.

If your date is some time in the past you can select the appropriate day and month via the calendar icon and then manually adjust the year.

Your feedback would be greatly appreciated

We always appreciate feedback on the authenticated portal as your feedback will help to guide system improvements towards the future.

Providing feedback

Your feedback on the authenticated portal can be provided by calling the Regulator at 1300 814 609 or via email to:

cau@planning.nsw.gov.au



INCIDENT NOTIFICATION INFORMATION SHEET

Overview

This information sheet provides general guidance on mandatory reporting requirements for 'notifiable incidents' under Work Health and Safety (WHS) legislation.



Businesses and undertakings must notify their work health and safety regulator of certain 'notifiable incidents' at work. This information sheet will help you decide when you need to notify the regulator of a work-related death, injury, illness or dangerous incident.

Work health and safety regulators are committed to preventing work-related deaths and injuries. Notifying the regulator of 'notifiable incidents' can help identify causes of incidents and prevent similar incidents at your workplace and other workplaces.

The WHS law requires:

- a 'notifiable incident' to be reported to the regulator immediately after becoming aware it has happened
- if the regulator asks—written notification within 48 hours of the request, and
- the incident site to be preserved until an inspector arrives or directs otherwise (subject to some exceptions).

Failing to report a 'notifiable incident' is an offence and penalties apply.

What is a 'notifiable incident'

A 'notifiable incident' is:

- the death of a person
- a 'serious injury or illness', or
- a 'dangerous incident'

arising out of the conduct of a business or undertaking at a workplace.

'Notifiable incidents' may relate to any person—whether an employee, contractor or member of the public.

Serious injury or illness

Only the most serious health or safety incidents are notifiable, and only if they are work-related. They trigger requirements to preserve the incident site pending further direction from the regulator.

Serious injury or illness must be notified if the person requires any of the types of treatment in the following table:

Types of treatment	Example
Immediate treatment as an in-patient in a hospital	Admission into a hospital as an in-patient for any duration, even if the stay is not overnight or longer. It does not include: Out-patient treatment provided by the emergency section of a hospital (i.e. not requiring admission as an in-patient) Admission for corrective surgery which does not immediately follow the injury (e.g. to fix a fractured nose).
Immediate treatment for the amputation of any part of the body	Amputation of a limb such as arm or leg, body part such as hand, foot or the tip of a finger, toe, nose or ear.
Immediate treatment for a serious head injury	Fractured skull, loss of consciousness, blood clot or bleeding in the brain, damage to the skull to the extent that it is likely to affect organ/face function. Head injuries resulting in temporary or permanent amnesia. It does not include: A bump to the head resulting in a minor contusion or headache.

Types of treatment	Example
Immediate treatment for a serious eye injury	<p>Injury that results in or is likely to result in the loss of the eye or total or partial loss of vision.</p> <p>Injury that involves an object penetrating the eye (for example metal fragment, wood chip).</p> <p>Exposure of the eye to a substance which poses a risk of serious eye damage.</p> <p><u>It does not include:</u></p> <p>Eye exposure to a substance that merely causes irritation.</p>
Immediate treatment for a serious burn	<p>A burn requiring intensive care or critical care which could require compression garment or a skin graft.</p> <p><u>It does not include:</u></p> <p>A burn that merely requires washing the wound and applying a dressing.</p>
Immediate treatment for the separation of skin from an underlying tissue (such as de-gloving or scalping)	<p>Separation of skin from an underlying tissue such that tendon, bone or muscles are exposed (de-gloving or scalping).</p> <p><u>It does not include:</u></p> <p>Minor lacerations.</p>
Immediate treatment for a spinal injury	<p>Injury to the cervical, thoracic, lumbar or sacral vertebrae including the discs and spinal cord.</p> <p><u>It does not include:</u></p> <p>Acute back strain.</p>
Immediate treatment for the loss of a bodily function	<p>Loss of consciousness, loss of movement of a limb or loss of the sense of smell, taste, sight or hearing, or loss of function of an internal organ.</p> <p><u>It does not include:</u></p> <p>Mere fainting</p> <p>A sprain or strain.</p>
Immediate treatment for serious lacerations	<p>Deep or extensive cuts that cause muscle, tendon, nerve or blood vessel damage or permanent impairment.</p> <p>Deep puncture wounds.</p> <p>Tears of wounds to the flesh or tissues—this may include stitching to prevent loss of blood and/or other treatment to prevent loss of bodily function and/or infection.</p>

Types of treatment	Example
Medical treatment within 48 hours of exposure to a substance	'Medical treatment' is treatment provided by a doctor. Exposure to a substance includes exposure to chemicals, airborne contaminants and exposure to human and/or animal blood and body substances.

Notification is also required for the following serious illnesses:

- Any infection where the work is a significant contributing factor. This includes any infection related to carrying out work:
 - (i) with micro-organisms
 - (ii) that involves providing treatment or care to a person
 - (iii) that involves contact with human blood or body substances
 - (iv) that involves handling or contact with animals, animal hides, skins, wool or hair, animal carcasses or animal waste products.
- The following occupational zoonoses contracted in the course of work involving handling or contact with animals, animal hides, skins, wool or hair, animal carcasses or animal waste products:
 - (i) Q fever
 - (ii) Anthrax
 - (iii) Leptospirosis
 - (iv) Brucellosis
 - (v) Hendra Virus
 - (vi) Avian Influenza
 - (vii) Psittacosis.

Treatment

'Immediate treatment' means the kind of urgent treatment that would be required for a serious injury or illness. It includes treatment by a registered medical practitioner, a paramedic or registered nurse.

'Medical treatment' refers to treatment by a registered medical practitioner (a doctor).

Even if immediate treatment is not readily available, for example because the incident site is rural or remote or because the relevant specialist treatment is not available, the notification must still be made.

Still unsure?

If you are still unsure about whether a particular incident should be notified then contact your regulator for advice or further guidance. Contact details are included below.

Dangerous incidents including 'near misses'

Some types of work-related dangerous incidents must be notified even if no-one is injured. The regulator must be notified of any incident in relation to a workplace that exposes any person to a serious risk resulting from an immediate or imminent exposure to:

- an uncontrolled escape, spillage or leakage of a substance
- an uncontrolled implosion, explosion or fire
- an uncontrolled escape of gas or steam
- an uncontrolled escape of a pressurised substance
- electric shock:
 - examples of electrical shock that are not notifiable
 - shock due to static electricity
 - 'extra low voltage' shock (i.e. arising from electrical equipment less than or equal to 50V AC and less than or equal to 120V DC)
 - defibrillators are used deliberately to shock a person for first aid or medical reasons

- examples of electrical shocks that are notifiable
 - o minor shock resulting from direct contact with exposed live electrical parts (other than 'extra low voltage') including shock from capacitive discharge
- the fall or release from a height of any plant, substance or thing
- the collapse, overturning, failure or malfunction of, or damage to, any plant that is required to be design or item registered under the Work Health and Safety Regulations, for example a collapsing crane
- the collapse or partial collapse of a structure
- the collapse or failure of an excavation or of any shoring supporting an excavation
- the inrush of water, mud or gas in workings, in an underground excavation or tunnel, or
- the interruption of the main system of ventilation in an underground excavation or tunnel.

A dangerous incident includes both immediate serious risks to health or safety, and also a risk from an immediate exposure to a substance which is likely to create a serious risk to health or safety in the future, for example asbestos or hazardous chemicals.

Only work-related incidents are notifiable

To be notifiable, an incident must arise out of the conduct of the business or undertaking. An incident is not notifiable just because it happens at or near a workplace.

Incidents may happen for reasons which do not have anything to do with work or the conduct of the business or undertaking, for example:

- a worker or another person suffers a heart attack while at work which is unrelated to work or the conduct of the business or undertaking
-

- an amateur athlete is injured while playing for the local soccer team and requires immediate medical treatment (this is not work)
- a person driving to work is injured in a car accident (where driving is not part of their work)
- a person with epilepsy has a seizure at work.

These kinds of incidents are **not notifiable**.

Work-related incidents that occur outside a workplace may be notifiable

Work-related incidents may affect people outside the workplace. These may still be notifiable if they involve a death, serious illness or injury or a dangerous incident.

For example:

- an object like a hand tool falls off a multi-storey building under construction hitting a person below
- scaffold collapse that causes a risk of serious injury to persons adjacent to a construction site
- an awning over a shop-front collapses, hitting a person underneath it.

Appendix A provides more information about incidents at public places or sporting events.

Who is responsible for notifying?

Any person conducting a business or undertaking (PCBU) from which the 'notifiable incident' arises must ensure the regulator is notified immediately after becoming aware it has happened.

Procedures should be put into place to ensure work health and safety incidents are promptly notified to the people responsible for responding to them, for example a manager and then notified to the regulator, if required.

Incidents involving multiple businesses or undertakings

If a 'notifiable incident' arises out of more than one business or undertaking then each must ensure that the incident has been notified to the regulator.

There is no need for all duty holders to notify—only one needs to. However, all duty holders retain their responsibility to notify, regardless of any agreement between them.

In these circumstances the duty holders must, so far as is reasonably practicable, consult, cooperate and coordinate to put appropriate reporting and notification arrangements in place.

For example contractors at a construction workplace may agree that the principal contractor for the workplace will notify all ‘notifiable incidents’ that occur at the workplace.

Incidents involving a ‘State-based contractor working for a Commonwealth entity’

Workplaces shared by a Commonwealth entity and one or more state-based contractors may be covered by both Commonwealth and state or territory work health and safety (WHS) laws.

For example an asbestos removal company is engaged by the Department of Defence (Defence) to carry out asbestos removal work at Randwick Army Barracks in Sydney and a dangerous incident occurs (as defined above). Because the incident has occurred at a place where work is carried out for Defence (on behalf of the Commonwealth) the

company must ensure that both Comcare and WorkCover NSW are notified of the incident. Defence and the company may co-operate so that only one notification is made to Comcare on behalf of both.

When and how to notify

You must notify the regulator immediately after becoming aware of a ‘notifiable incident’.

The notice must be given by the fastest possible means—which could be by telephone or in writing, for example by email or online (if available). See page 8 for contact details.

Regulators have adopted a common-sense approach to assessing whether an incident has been notified immediately. This means incidents must be notified as soon as the particular circumstances permit.

In general a PCBU ‘becomes aware’ of a notifiable incident once any of their supervisors or managers becomes aware of the incident. For example when a worker suffers a serious injury and reports it to their immediate supervisor, it is at this point that the PCBU is considered to be aware of the incident.

It is therefore essential to develop internal communication systems to ensure health or safety incidents are promptly brought to the relevant persons’ attention.

What information will be requested?

At first, the regulator will ask for a clear description of the incident with as much detail as possible. This will help the regulator assess whether or not the incident is notifiable and the need for a follow-up investigation. The following information is usually requested:

What happened: an overview	<ul style="list-style-type: none"> • Provide an overview of what happened. • Nominate the type of notifiable incident—was it death, serious injury or illness, or ‘dangerous incident’ (as defined above)?
When did it happen	Date and time.
Where did it happen	Incident address. Details that describe the specific location of the notifiable incident—for example section of the warehouse or the particular piece of equipment that the incident involved—to assist instructions about site disturbance.
What happened	Detailed description of the notifiable incident.

Who did it happen to	<ul style="list-style-type: none"> • Injured person's name, date of birth, address and contact number. • Injured person's occupation. • Relationship of the injured person to the entity notifying.
How and where are they being treated (if applicable)	<ul style="list-style-type: none"> • Description of serious injury or illness—i.e. nature of injury • Initial treatment of serious injury or illness. • Where the patient has been taken for treatment.
Who is the person conducting the business or undertaking (there may be more than one)	<ul style="list-style-type: none"> • Legal and trading name. • Business address (if different from incident address), ABN/ACN and contact details including phone number and email.
What has/is being done	Action taken or intended to be taken to prevent recurrence (if any).
Who is notifying	<ul style="list-style-type: none"> • Notifier's name, contact phone number and position at workplace. • Name, phone number and position of person to contact for further information (if different from above).

Notify immediately, and provide the information you can, even if you do not have all of the required information.

The regulator may follow-up with a request for more information later if necessary. You must provide the required information in writing within 48 hours of the request being made.

Can work continue where the incident occurred?

An incident site must not be disturbed until an inspector arrives at the site or directs otherwise (whichever is earlier). The person with management or control of the workplace is responsible for preserving the incident site, so far as is reasonably practicable.

Any evidence that may assist an inspector to determine the cause of the incident must be preserved—including any plant, substance, structure or thing associated with the incident.

However, preserving an incident site does not prevent any action needed:

- to assist an injured person
- to remove a deceased person
- to make the site safe or to minimise the risk of a further notifiable incident, or
- to facilitate a police investigation.

The sooner the regulator is notified, the sooner the site can be released.

An inspector may issue a non-disturbance notice, if they consider that the incident site should remain undisturbed in order to facilitate their investigation. This notice must specify the period for which the notice is to apply—no more than seven days.

Penalties apply if an individual or body corporate fails to preserve a site.

Site preservation requirements only apply to the incident site

Requirements to preserve a site only apply to the area where the incident occurred—not the whole workplace.

If you are unsure about what you need to do, you can ask the regulator for advice or to be excused from having to preserve the site.

Amending notifications

If you receive information that changes the incident type of a notified incident, you must notify the regulator of those changes. For example, if a notified serious injury or illness later results in the person's death, the regulator must be advised immediately upon you learning that the person has died.

Record keeping requirements

Records of notifiable incidents must be kept for at least five years from the date of notification. Penalties apply for failing to do so.

It is useful to keep a record of having made the notification (e.g. confirmation from the regulator), and also any directions or authorisations given by an inspector at the time of notification.

Contact details for regulators

To notify a 'notifiable incident' contact your local regulator:

Jurisdiction	Regulator	Telephone	Website
New South Wales	SafeWork NSW	13 10 50	safework.nsw.gov.au
Victoria	WorkSafe Victoria	1800 136 089	worksafe.vic.gov.au
Queensland	WorkSafe Queensland	1300 369 915	worksafe.qld.gov.au
South Australia	SafeWork SA	1800 777 209	safework.sa.gov.au
Western Australia	WorkSafe WA	1300 307 877	commerce.wa.gov.au/worksafe
Australian Capital Territory	WorkSafe ACT	02 6207 3000	worksafe.act.gov.au/healthsafety
Tasmania	WorkSafe Tasmania	1300 366 322 (Tas) 03 6233 7657 (External)	worksafe.tas.gov.au
Northern Territory	NT WorkSafe	1800 019 115	worksafe.nt.gov.au
Commonwealth	Comcare	1300 366 979	comcare.gov.au

Appendix A

Public places and sporting events

Workplaces may also be public or partly public places, for example:

- public parks, streets
- public transport
- shopping centres
- sports facilities
- schools and colleges
- aged care facilities, hospitals and medical centres
- cafes, restaurants, hotels and other kinds of public accommodation.

Incidents involving bystanders, visitors, students, patrons or other members of the public are only notifiable if:

- there is a death
- a 'serious injury or illness' is suffered or there is a dangerous incident ('near miss' as described above), and
- the incident arises out of the conduct of a business or undertaking.

An incident may arise out of the conduct of a business or undertaking for example because of:

- the way a work activity is organised (for example inadequate safety precautions)
- the way equipment or substances are used (for example lifts, machinery)
- the condition of a workplace (for example poorly maintained or slippery floors)
- actions of someone who is not a worker at the workplace.

If a visitor at a shopping centre is taken to hospital after sustaining a serious fracture then the incident would be notifiable. If a visitor is taken to hospital because of their pre-existing medical condition (for example heart attack, epileptic seizure at a shop) this would not be notifiable as it did not result from the conduct of the business or undertaking.

Incidents during sports activities

Work health and safety duties apply in relation to professional sports people for whom sport is work and sport organised by businesses or undertakings. They do not apply to purely social or recreational activities or activities organised by wholly volunteer associations that do not employ anyone.

For more information about the way the work health and safety laws affect volunteers and organisations with volunteers refer to the online resource kit published by Safe Work Australia.

Some sports injuries may arise from 'work' (for example a professional AFL footballer) while others may not (a local amateur club footballer).

Sports injuries are **not notifiable** if arising out of the normal conduct of a sports activity for example rough and tumble of a game.

Sports injuries **are notifiable** only if arising out of the conduct of a business or undertaking for example:

- the way a work activity involving sport is arranged
- the way the sporting activity is managed or controlled
- the condition, design or maintenance of premises or equipment, or
- the way work is carried out, for example inadequate supervision.

Examples of notifiable incidents include:

- the condition of the premises or sports equipment was a factor in the incident—for example where a participant suffers an injury requiring admission as an inpatient at a hospital due to tripping over on a potholed tarmac surface, or
- there was inadequate supervision to prevent an incident—like ensuring the safe use of equipment used by students on a school excursion or failings in the organisation and management of an event.

Appendix D: External Communication Worksheet

EXTERNAL COMMUNICATION PIRMP SUMMARY WORKSHEET

Site Details

Site Name: Hodgson Quarries and Plant Pty Ltd Maroota	Site Address: Roberts Rd, Corner of Old Northern Rd, Maroota, NSW 2756	Responsible Person
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Government Agency Contact List

(document date and time of contact and who contacted) (police contact is only required if considered necessary)

EPA: 131 555 Date and Time: Person Making Contact: Instructed Actions: Time of arrival:	Fire Brigades: 000 or 1300 729 579 Date and Time: Person Making Contact: Instructed Actions: Time of arrival:
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Safe Work Aust: 13 10 50 Date and Time: Person Making Contact: Instructed Actions: Time of arrival:	Mine Safety Department: 1300 814 609 <u>Requires Separate Form</u> Date and Time: Person Making Contact: Instructed Actions: Time of arrival:	Department of Planning and Environment: 1300 305 695 Date and Time: Person Making Contact: Instructed Actions: Time of arrival:
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Hills Council: 9843 0555 Date and Time: Person Making Contact: Instructed Actions: Time of arrival:	Local Police (if necessary): The Hills LAC Office 9680 5399 Date and Time: Person Making Contact: Instructed Actions: Time of arrival:
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Incident Details		
Type & Location of Incident:	Emission Type (air, water, land etc):	Scale of the incident (litres/m3 involved):
Date and time of the incident:	Internal persons involved:	
Chemicals/substances involved:		
Processes involved:		
Details of the Incident:		
Main Areas/sensitive areas of concern e.g. water course, drains etc:		
Other Contacts if required Y/N		
Community Group Contact Date and Time: Person Making Contact: Contact method:	Neighbour 1 Date and Time: Person Making Contact: Contact method:	Neighbour 2 Date and Time: Person Making Contact: Contact method:
Neighbour 3 Date and Time: Person Making Contact: Contact method:	Neighbour 4 Date and Time: Person Making Contact: Contact method:	Neighbour 5 Date and Time: Person Making Contact: Contact method: