

Pollution Incident Response Management Plan

EPL 5583: Application of Herbicides

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Version History

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2	10/10/2014	Update to reflect Reorganisation (staff	Barry Bourke
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		Contacts and numbers	Andrew Staniland
		Update corporate name	

Distribution

A hard copy of this plan will be retained by Pest and Noxious Weeds Management Officers and additional copies will be located on each of the weed spray vehicles and in the chemical storage shed. The controlled copy will be retained in ECM, City of Newcastle's (CN) document management system, where it can be accessed by all personnel as necessary. A public version of this Management Plan will also be placed on CN's website.

Terms and Definitions

EPA	Environment Protection Authority			
EPL	Environment Protection Licence			
Immediately	Promptly and without delay			
Notifiable Incident	A pollution incident causing or threatening material harm (actual or potential			
	harm to the health or safety of human beings or to ecosystems that is not			
	trivial, or results in actual or potential loss or property damage of an amount,			
	exceeding \$10,000)			
PIRMP	Pollution Incident Response Management Plan			
POEO ACT	Protection of the Environment Operations Act 1997			

Pollution Incident	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.		
Relevant Authority	Environment Protection Authority, NSW Health (Public Health Unit),		
	WorkCover, The City of Newcastle and Fire and Rescue NSW		
SDS	Safety Data Sheet		

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1.0 Introduction

Under the *Biosecurity Act 2015* City of Newcastle (CN) is responsible for the management and control of weeds on all land that is under the City's care and control. To meet this requirement, CN implements an integrated weed management approach for the removal and control of weeds.

One of the primary techniques utilised is the application of herbicides, although in most cases the negative impacts of herbicide can be prevented, by exercising due care and carrying out the control programs in an environmentally responsible manner. In some circumstances CN is required to apply herbicides directly to aquatic weeds which have the potential to result in pollution of waters and impact on non-target species.

As a result, CN currently holds an Environment Protection Licence* under the *Protection of the Environment Operations Act 1997* (POEO Act) for the application of herbicides to the waterways of the CN Local Government Area (LGA). The licence contains conditions which aim to minimise the environmental impacts of herbicide application, prevent water pollution and ensure the implementation of best practice weed management.

Under part 5.7A of the POEO Act, licensees are required to prepare *Pollution Incident Response Management Plans*. These plans are designed to ensure that pollution incidents are minimised through the identification of risks and the development of planned actions to minimise and manage those risks and to ensure that emergency response procedures are developed and implemented in the event that an incident occurs.

This plan has been prepared in accordance with the requirements contained in section 153C of the *Protection* of the Environment Operations Amendment Act 2011 and the details prescribed by the Protection of the Environment Operations (General) Regulation 2009.

* See Appendix 1 for a copy of the Environment Protection Licence (EPL) 5583.

2.0 Objectives

The objectives of this plan are to ensure:

- The effective management of noxious and environmental weeds to reduce the negative impacts of weeds on the environment.
- That the risks associated with this activity are mitigated, to ensure the protection of workers, the community and the environment.
- That CN's weed management practices are ecologically, socially and financially sustainable.
- That a comprehensive and timely response to all pollution incidents occurs, including the effective communication of the incident to the relevant authorities and those who may be affected by the impacts of the incident.
- Compliance with all legislative requirements.

3.0 Scope

This plan applies to all waterways within the CN LGA including the waters of the Hunter River and its tributaries, where the application of herbicides either by or on behalf of the City occurs*. This includes all ancillary activities associated with the application of herbicides including storage, handling, transportation and disposal.

CN's Annual Invasive Weed Control Program identifies the types of weeds and the waterways which will be targeted each financial year*.

4.0 Legal Requirements

4.1 Pesticide Act 1999

Under the POEO Act, CN has a responsibility to:

- Only use pesticides which are registered by the Australian Pesticides and Veterinary Medicines Authority (APVMA)
- Take all reasonable steps to determine all the risks involved in using a pesticide and taking appropriate action to avoid and minimise those risks
- Only use pesticides in accordance with the label instructions unless an APVMA off-label permit is
 obtained and complied with or a lower application rate is used than recommended on the label
 (unless the label instructions or an EPA pesticide control order specifically prohibits use at lower
 rates)
- Store pesticides in a container appropriate to the chemical being stored with an approved label
- The Pesticides Regulation 2009 makes it compulsory for all people who use pesticides for commercial or occupational purposes to make a record of their pesticide use. The record must be made within 24 hours of use and kept for three years. The record needs to contain information about:
 - who applied the pesticide
 - what was applied
 - when, how and where it was applied
 - what it was applied to
 - the quantity that was applied
 - outdoor application by spray equipment: an estimate of wind speed and direction.
- Ensure that all staff who use pesticides as part of their job, are trained in the use of such. This training must be renewed every five years. The minimum level of competency in pesticide use required under the Regulation is Australian Qualifications Framework Level 3 (AQF3).

^{*} See Appendix 2 for a list of the waterways to which this plan applies and maps of these locations.

4.2 Protection of the Environment Operations Act 1997

Under the POEO Act, the City has a responsibility to:

- Prevent pollution relating to air, water, land, noise and waste disposal
- Immediately notify the Relevant Authorities (EPA, CN, Public Health Unit, WorkCover Authority, and Fire & Rescue NSW) of pollution incidents which involve actual or potential material harm to the health or safety of people or to the environment
- Obtain an Environment Protection Licence for the carrying out of non-scheduled activities for regulating water pollution which may result from the activity and comply with the conditions outlined in the licence
- Prepare a Pollution Incident Response Management Plan for the licensed premise, to be publicly displayed on CN's website
- Complete an Annual Return for the licensed premises.

4.3 Work Health and Safety Act 2017 (WH&S)

Under the WH&S Act, the City must ensure that:

- Risks to health and safety associated with using, handling, generating or storing hazardous chemicals at a workplace are identified and managed
- All hazardous chemicals used, handled or stored at the workplace are labelled correctly
- A current safety data sheet (SDS) for a hazardous chemical is readily accessible to a person at the workplace
- A register of hazardous chemicals used, handled or stored at the workplace is prepared and kept at the workplace and is regularly maintained to ensure the information in the register is up to date
- A manifest is prepared and maintained if the quantity of the hazardous chemicals or group of hazardous chemicals used, handled or stored at the workplace exceeds the manifest quantity.CN must also ensure that written notice is given to the regulator
- A hazardous chemical used, handled or stored at the workplace does not become unstable, decompose or change (and in the process creates a new hazard or significantly increases the risk)
- Appropriate safety signage is displayed
- Where there is a risk from a spill or leak of a hazardous chemical, provision is made in each part of the workplace where the hazardous chemical is used, handled, generated or stored for a spill containment system.

5.0 Roles and Responsibilities

Invasive Species Coordinator is responsible for ensuring that:

- Adequate resources are provided for the implementation of this plan
- Staff are trained and competent in undertaking their roles
- The relevant Authorities are notified in the event of a pollution incident
- This plan is authorised, along with all subsequent amendments
- This plan is initiated in the event of an incident (as the 24-hour contact).

Invasive Species Officers are responsible for:

- Ensuring that staff carry out activities in accordance with the procedures outlined in this plan
- · Undertaking site assessments to determine the methodology and herbicide required
- Providing written notification at least 7 days prior to the application of the herbicide
- Completion of the Annual Return and renewal of the EPL.

6.0 Risk Management

6.1 Hazard Identification

The hazards and risk associated with the application of herbicides are identified in CN's Work Health Safety Management System (WHS Risk Management). This System identifies the hazards, risk, inherent risk rating, control measures and residual risk rating. **Table 1** below provides an extract of the hazards which are associated with this activity.

Table 1 – Description and Likelihood of Hazards

Hazard	Impact	Likelihood (with controls in place)
Chemical spill or leak	Contamination of water	Rare: May happen in exceptional circumstances
	Land contamination	Possible: Might occur at sometime
	Harm to non-target species	Unlikely: Not likely to occur
Incorrect application	Contamination of water	Rare: May happen in exceptional circumstances
(herbicide type,	Land contamination	Rare: May happen in exceptional circumstances
quantity or method)	Harm to non-target species	Rare: May happen in exceptional circumstances
Generation of noise	Excessive noise generation resulting in reduction in amenity and disturbance to the community	Possible: Might occur at sometime
Spread of weeds	Increased competition and biodiversity impacts	Rare: may happen in exceptional circumstances
Exposure to persons	Death	Rare: may happen in exceptional circumstances
through contact with skin, inhalation or	Injury	Unlikely: Not likely to occur
swallowing	illness	Possible: Might occur at sometime

The following methods may be utilised to identify additional hazards/risks:

- Use of the WHS Risk Assessment Form (FM 3.6.1)). This form is completed by the Supervisor prior to works commencing and identifies the hazards and controls implemented in accordance with standard work procedures. A copy of this form is provided in Appendix 3.
- Use of the WHS Management System Form Temporary Workplace Risk Assessment/ Induction Form (FM 3.2.10). This form is to be completed by any CN employee reporting a hazard prior to work starting, which cannot be effectively controlled immediately. A copy of this form is provided in Appendix 4.

6.2 Hierarchy of Controls

When determining how to control risks in the workplace the following control must be applied:

- 1. Eliminate the hazard altogether.
- 2. **Substitute** the hazard with a safer alternative.
- 3. **Isolate** the hazard from anyone who could be harmed.
- 4. Use **engineering** controls to reduce the risk.
- 5. Use **administrative** controls to reduce the risk.
- 6. Use personal protective equipment (PPE).



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7.0 Training

7.1 Herbicide Mixing, Application, Transport and Storage

- All staff who mix or apply herbicides or calibrate equipment used to apply herbicides must hold Australian Qualifications Framework Level 3 (AQF 3) or above. AQF 3 requires the following units of competency to be attained:
 - AHCCHM303A (Prepare and Apply Chemicals), and
 - AHCCHM304A (Transport, Handle and Store Chemicals).
- Proof of training must be carried by all staff at all times, as it may be requested to be produced by an Authorised Officer of the EPA. This may include:
 - a certificate or statement of attainment issued by the registered training organisation in accordance with the Australian Qualifications Framework (AQF)
 - a card that has been approved by the EPA as being an equivalent record of evidence to the above forms of proof currently this applies to cards issued by ChemCert NSW, SmartTrain and RuralBiz training, Local Government Training Institute or;
 - a permit or licence held by groups such as pest technicians and aerial applicators, who are subject to separate mandatory qualification requirements.
- A refresher course must be completed every 5 years to ensure competency.

7.2 Induction Training

- All CN staff are required to participate in a formal Induction Training Program relating to the role of a CN employee and responsibilities regarding Environmental Management and Work Health and Safety.
- Site induction training is undertaken by the Pest and Weeds Management Officer.
 Training involves the detailed review and acceptance of documented procedures relevant to each staff member, to ensure that staff are aware of their roles and responsibilities and any site-specific safety procedures.
- All staff that apply or mix herbicides in or around waterways will be required to undertake training in relation to the procedures outlined in this plan, to ensure that staff are aware of their roles and responsibilities. The objectives of providing training and updates will be to:
 - Create awareness of the potential hazards associated with the activity which may cause harm to staff, the community and the environment and the controls implemented to minimise the risk.
 - Ensure staff understand the procedures which must be implemented in the event of a pollution incident.
 - Ensure staff understand the internal and external reporting requirements.

7.3 Record Keeping

A record of training attendance and competencies for each staff member is maintained, updated
and recorded by the WHS Training Officer. This system provides an alert to the relevant Supervisor
when staff are required to undertake refresher training.

8.0 Procedure

Step 1 - Undertake a site assessment

In most instances a site assessment is required prior to implementing weed management techniques in order to determine the methodology and herbicide to be utilised. This will be undertaken by the Pest and Noxious Weeds Management Officer and the following aspects should be considered:

- Identify the type of weed/s
- Establish the exact location and extent of the weed/s
- Identify any hazards/risk associated with the site.

Step 2 - Determine the methodology

Using the information obtained from the site assessment, the appropriate method of weed control must be determined. An integrated weed management approach is the most effective method used to control weeds. It involves a sustainable approach to long-term management of weeds using a combination of the following techniques:

- Weed prevention
- Mechanical control
- · Chemical control
- Biological control

Where the use of chemicals is considered, the hierarchy of control must be implemented in-line with WHS Risk Management protocols as outlined below:

- 1. Elimination: Where possible, alternative weed control methods should be utilised.
- **2. Substitution:** Where possible replace the chemical with a less toxic chemical.
- **3. Minimisation:** Minimise the amount of chemical used (eg by increasing efficiency, dilution, or recycling of the chemical).
- **4.** Engineering controls: Reduce the risk of chemicals or their by-products entering the environment or affecting the health and safety of staff and the community (e.g. through PPE, staff training, safe work procedures).

When scheduling works, where possible, schedule outside of the peak times, to minimise potential impacts on the community.

Step 3 - Selection of herbicide

- Only herbicides registered by the Australian Pesticides and Veterinary Medicines Authority for use in aquatic environments will be used to control weeds in and around waterways, unless an "Off Label" Permit is obtained from the Australian Pesticides and Veterinary Medicines Authority for the product to be used for a purpose or in a manner that is not included on the approved label
- The herbicide utilised will be based on the type of weed
- CN currently uses three chemicals in waterways:
 - Glyphosate (Aquatic approved variants) *
 - Carfentrazone-ethyl (Shark Aquatic Herbicide) *
 - Metsulfuron Methyl*

These chemicals are utilised for their non-residual and low toxicity properties. In-line with WHS Risk Management protocols, ongoing investigation and research will be undertaken to identify and trial more environmentally sensitive chemicals or alternative techniques for weed control.

- * See appendix 5 for Safety Data Sheet (SDS) for Glyphosate
- * See appendix 6 for SDS for Carfentrazone-ethyl
- * See appendix 7 for SDS for Metsulfuron Methyl

Step 4 - Notification

- At least 7 days prior to the application of the herbicide(s) in the waters, the Pest and Weeds and Management Officer will provide written notification to any occupier of the waters or any occupier of land adjacent to the waters into which herbicide(s) are to be applied (see appendix 7). This notification will include the following details:
 - what herbicide(s) is to be applied
 - when the herbicide(s) is to be applied
 - a warning not to use, drink or swim in the water until further notice
 - that further information can be obtained from CN
 - contact person and phone number.
- At least 7 days prior to the application of the herbicide(s) to the waters, the Pest and Noxious Weeds Management Officer will also publish a notice in the local newspaper, notifying the intention to apply herbicide(s) to the waters. This notification will include the following details:
 - what herbicide(s) is to be applied
 - when the herbicide(s) is to be applied
 - a warning not to use, drink or swim in the water until further notice
 - that further information can be obtained from CN
 - contact person and phone number.

Step 5 - Quantity of herbicide applied

Herbicides, if mixed incorrectly can have a significant impact on the environment. To minimise the risk of this occurring the following controls must be in place at all times:

- All herbicides must be mixed in accordance with the instructions on the label (unless an Off Label Permit is obtained from the Australian Pesticides and Veterinary Medicines Authority)
- If the herbicide has not been used previously, a minimum of two staff must read the label and the SDS prior to mixing. A copy of the SDS's for *Glyphosate* and *Metsulfuron Methyl* have been provided in Appendix 5 and 6
- The required amount of herbicide will be calculated and mixed accordingly to minimise waste. If any herbicide is left after the job is complete, where possible the mixed herbicide will be stored in a bunded area and applied to the next job
- If the herbicide is mixed and the weather conditions are not suitable for spraying, mixed herbicide will be stored in a bunded area until conditions become suitable.

Prior to decanting the herbicide into the spray truck, the Operator must complete a full inspection of the spray equipment, to identify any potential faults in hoses or connections and complete a Temporary Workplace Risk Assessment / Induction Form.

When decanting the herbicide into the spray vehicles, a spill kit will be readily accessible to be used in the event of a spill.

Step 6 - Transportation of Herbicides

- The quantity of herbicide transported will be limited to the amount used each day
- Spill kits will be located on each of the weed spray vehicles and must be inspected regularly to ensure they are complete. The spill kits must be appropriate to the capacity of potential spills

Step 7 - Application of Herbicides

Prior to Use

- Prior to the application of herbicides, undertake a site-specific risk assessment, including an
 assessment of weather conditions to identify any site-specific controls (weed spraying will not occur
 in unsuitable conditions). These details are to be recorded on the Pesticide Application Log. A copy
 of this Log is provided in Appendix 8
- Warning signs must be displayed near the application area (at access points) and attached to the spray vehicle
- Weed spraying must not be undertaken adjacent to certified organic farms registered with CN, unless the property owner has not controlled the noxious weed/s. These farms will have their boundaries marked as organic farms at all times
- Warning signs must be in plain English and must include:
 - Purpose of use (e.g. weed/s being treated)
 - Chemical being used
 - Contact details of CN (During and after business hours)
- The signs will be regularly monitored to ensure they remain in place and are visible to the public until the water is safe.

During Use

- Herbicides must be applied in accordance with the directions on the label (unless an 'Off Label' Permit is obtained from the Australian Pesticides and Veterinary Medicines Authority).
- Appropriate PPE must be worn at all times when applying herbicides, such as the following items in accordance with the risk assessment and herbicide label directions:
 - Cotton or disposable overalls
 - Impervious boots and PVC gauntlet gloves
 - Half face respirator
 - RQ2000 respirator fitted with RC86 cartridges or equivalent
 - Lifejacket (if applying using a boat)
 - Washable hat
 - Sunglasses/goggles
 - Sunscreen
- Staff must work in pairs whilst applying herbicide to waterways.

After Use

- Remove all clothing and boots that were worn whilst applying the herbicides and place in a plastic bag
- Wash any contaminated clothing separately at your place of residence.

Step 8 - Records of herbicides applied

- The Pesticide Application Log must be completed after each individual job
- The completed Pesticide Application Log must be returned to the Pest and Noxious Weeds Management Officer at the end of each shift or no later than the following working day
- The Pest and Noxious Weeds Management officer will audit and review the following:
 - Herbicide and quantity applied
 - Weed treated
 - Location
 - Weather conditions
 - Time taken for treatment
 - Date of treatment
 - Any complaints made
- The forms must include the following details:
 - Location of where the herbicide(s) was applied, and the area of water covered by the application
 - Date of herbicides(s) application
 - Type of weeds(s) treated
 - Name of herbicide (s) applied and formulation /mixing details of the herbicide(s)
 - Amount of herbicide(s) used
 - Wind speed (m/s) and direction at the time of the herbicide(s) application
 - Air temperature (degrees Celsius) at the time of the herbicide(s) application
 - Tide (if applicable) low tide or high tide at the time of the herbicide application
 - Humidity (where applicable)
 - Rainfall (mm) over the 24-hour period immediately prior to and following the herbicide(s) application
 - Names of person(s) applying the herbicide(s) and supervisor
 - Date and time of any query by any person in relation to the herbicide(s) application
 - Method by which any such query was made
 - Name and contact details of the person making any such query
 - Nature of any such query
 - Action taken by the Licensee in relation to any such query.
- The Pesticide Application Log must be kept for at least 3 years after the herbicide(s) application to which they relate was undertaken.

Step 9 - Wash down of spray trucks

- Spray tanks are to be triple rinsed and cleaned thoroughly using clean water or a registered tank leaner on a weekly basis or prior to a change in chemical used.
- Apply a neutralising agent in accordance with the relevant SDS, where required.
- All areas within the vehicle that may have been exposed to chemicals (such as handles, vinyl seats, steering wheel, and any knobs) are to be cleaned with de-contamination wipes once a week.

Step 10 - Disposal of Herbicides

All empty containers must be triple rinsed as soon as they are empty. Containers which cannot be recycled will be damaged to prevent re-use and disposed of at Summerhill Waste Management Centre.

Step 11 - Storage of Herbicides

- Herbicides must be stored:
 - In the original container
 - In containers that are labelled correctly in accordance with WHS: GHS Labelling of Workplace Hazardous Chemicals
 - In an area protected from the weather and with adequate ventilation
 - In a bunded area which is appropriate to the herbicide being stored and greater than the capacity of chemicals stored. The bund must be regularly monitored to ensure it is free from contamination
 - With appropriate Hazchem signage displayed where the herbicide is stored to identify the potential risks
 - Separately from non-compatible hazardous chemicals
 - The volume of herbicides stored should be kept to a minimum, taking into consideration usage and shelf life
 - Current SDS's must be easily accessible where herbicides are stored
 - If the volume of herbicides stored exceeds manifest quantities the quantity and type of chemical stored must be detailed in CN's Manifest.

Step 12 - Maintenance of Plant and Equipment

- All plant and equipment will be maintained and serviced regularly in accordance with CN's Fleet Management System
- All equipment used to apply herbicides will be calibrated as required.

9.0 Emergency Response

9.1 Pollution Complaints

- Complaints can be made by phoning City of Newcastle on 4974 2000. This number can be obtained from the signage displayed whilst applying the herbicide as well as the public notifications
- Records must be kept of all complaints made in relation to pollution arising from any of the activities
 associated with the Environment Protection Licence. The record must include details of the following:
 - Date and time of the complaint
 - Method by which the complaint was made
 - Personal details of the complainant which were provided by the complainant or, if no such details were provided, a note to that effect
 - Nature of the complaint
 - Action taken in relation to the complaint, including any follow-up contact with the complainant
 - If no action was taken, the reasons why no action was taken.
- The record of a complaint must be kept for at least 4 years after the complaint was made.
- The record must be produced to any authorised officer of the EPA who asks to see them.

9.2 Emergency Response

It is not feasible to provide comprehensive instructions on the precise actions to be taken for every possible pollution incident. Each situation will need to be assessed and responded to in a manner which is appropriate for the circumstances of the incident, using the process steps outlined below.

The Invasive Species Coordinator is responsible for activating this plan in the event of an incident and can be contacted on 0413 610 272.

In the event of an incident occurring, the first step is to undertake a risk assessment of the site to determine if there is a risk to people, property and/or the environment and implement immediate corrective actions to prevent further harm in accordance with the relevant SDS.

In general, the primary control which should be implemented is to eliminate the pollution source through isolation. Once this is completed the spill kit must be utilised to contain the spill and once contained the contaminated material should be disposed of at an approved waste management facility.

9.3 Incident Reporting and Investigation

All incidents require some form of notification. The two different types of reporting include External and Internal Reporting. Staff who are involved in or witness the incident are required to immediately assess whether the incident is of a notifiable nature – that is any incident resulting in actual or potential material harm to the health or safety of human beings or the environment that is not trivial, or results in actual or potential loss or property damage exceeding \$10,000.

If unsure as to whether it is a reportable incident consult with the Emergency Management Coordinator (02 4974 2106) **IMMEDIATELY**. If the incident occurs outside of standard operating hours when the Emergency Management Coordinator is not available for consultation - **IMMEDIATELY** contact the relevant Authorities identified below.

External Reporting

Environmental incidents which require external notification are required to be notified **IMMEDIATELY**. Where adequate resources are available to allow for concurrent notification and immediate response to an environmental incident, notification to the relevant Authorities must be given 'immediately'. The decision on whether to notify should not delay immediate actions to ensure the safety of people or contain a pollution incident, however the notification to the relevant Authorities should be made as soon as it is safe to do so.

If the pollution incident presents an immediate threat to human life or property '000' must be called first. If the incident does not present an immediate threat to human life or property or once '000' has been called then the other relevant Authorities listed below must be notified **IMMEDIATELY** in the following order:

	Relevant Authority	Phone Number
1	EPA – Environment line	131 555 (24 hours)
2	Work Cover	13 10 50 (24 hours)
3	City of Newcastle	4974 2000 (24 hours)
4	Fire and Rescue NSW	000 (24 hours)
5	NSW Police	000 (24 hours)
6	Hunter New England Health	4921 3000 (24 hours)

When notifying the relevant Authorities, state that you are calling to advise of a pollution incident and provide the following information (if known):

- Time, date, nature, duration and location of the incident
- Location of the place where pollution is occurring or is likely to occur
- Nature, the estimated quantity or volume and the concentration of any pollutants involved
- The circumstances in which the incident occurred (including the cause of the incident, if known)
- Action taken or proposed to be taken to deal with the incident and any resulting pollution or threatened pollution
- Other information prescribed by the regulations.

Any required information that is not known when the incident is notified must be notified to the relevant Authorities immediately once it becomes known.

When each of the relevant Authorities are notified, the following must be recorded:

- Time of the call
- Date of the call
- Incident/reference numbers given by the relevant Authority
- The name of the operator
- Information provided
- If further notification is required

These details must be recorded in the *Incident Management System* and forwarded to the Emergency Management Coordinator **IMMEDIATELY**.

Internal Reporting

All incidents and near misses must be reported via the *Incident Management System*. An investigation will be undertaken with the relevant staff, to determine the cause of the incident and identify corrective and preventative actions to ensure that the incident does not re-occur.

All corrective and preventative actions will be reviewed within 3 months of the implementation to determine if the actions were 'effective' or 'ineffective'. Where the action is determined to be 'not effective', additional corrective/preventative actions will be identified and implemented.

Communication

The objective of communication is to ensure that those potentially affected by a pollution incident know what has happened, how they may be affected by the incident, what they can do avoid potential harm, and to explain what CN is doing to rectify the incident. The mechanisms used and the information provided to stakeholders will depend on the circumstances of the pollution incident.

Following a pollution incident, the occupiers of neighbouring premises will be notified via a letterbox drop/door knock. An assessment of who should be notified will be undertaken by the Works Coordinator - City Presentation in consultation with the Emergency Management Coordinator

In most cases, a pollution incident will be confined to a location and notification to stakeholders can be handled by the erection of warning signage. Where the incident is not confined to an area and/or may have a significant impact upon the environment the following types of communication mechanisms are to be considered when selecting an appropriate means of providing stakeholder notification:

- Phoning stakeholders
- · Emailing stakeholders
- Issuing of media releases, and
- Posting of notices on CN's website.

The EPA may also issue a direction to notify any other person of the incident that the EPA considers necessary.

10.0 Testing & Review

This plan will be reviewed and tested annually prior to submission of the Annual Return to ensure that the plan is accurate and up-to-date, and that the plan is capable of being implemented in a workable and effective manner.

In addition, the plan will be reviewed and tested:

- within one month of any pollution incident (or near miss) occurring
- when legislative requirements are changed, or
- when there is a change in work processes.

The scenarios tested will be obtained from the hazards identified in 6.1 (**Table 1**) of this plan and those with the highest risks will be tested as a priority. Two methods will be utilised which include undertaking desktop simulations and practical. The results of these tests will be recorded in ECM.

Testing History

Test Number	Date	Testing Method (simulation /	Authorisation
4	11/11/2014	practical)	Dawn Davids
1	11/11/2014	Desktop Simulation	Barry Bourke
2	21/11/2014	Practical (in conjunction with Depot	Rachael Evans
		evacuation drill)	Barry Bourke
3	19/08/2016	Practical (in conjunction with Depot	Rachael Evans
		evacuation drill)	Barry Bourke
4	11/10/2017	Practical drill	Dean Semit
			Geoff Weaver
5	20/06/2018	Desktop Simulation	Dean Semit
			Geoff Weaver
6	20/06/2019	Practical Simulation	Dean Semit
			Luke Parker
7	21/06/2020	Desktop Simulation	Dean Semit
8	25/06/2021	Practical Simulation	Dean Semit
9	24/06/2022	Practical Simulation	Dean Semit
10	23/06/2023	Practical Simulation	Dean Semit
11	21/06/2024	Practical Simulation	Dean Semit

Appendix 1 – EPA Licence

	CASTLE OTY COUNCIL		
Ą	Statement of	Compliance - Licence Detail	s
	ALL ficence holders mus	check that the license details in Section A are correct	
	If there are changes to any for a variation to your flo	of these deteleyed must advise the EPA and apply as sence or for a floonce transfer.	oon as possible
	Licenco variation and trans http://srmv.ega.nem.cov.au telephone 02 9905 5700	for application forms are invaliable on the EPA vieloste at <u>Reensing</u> , or front regional effices of the EPA, or by centact	ing usion
	If you are applying to vary of	z trunsfor your hoeneo you must sul-liconsplate sivis Annuau i	letum.
1	Licence Holder		
	Licence Nuraber	6683	
	Licence Holder	NEWGASTLE CITY COUNCIL	
	Yrading Name of applicable		
	ABN-	26 242 008 129	
١2	Premises to which Lie	ence Applies (if applicable)	
	Conmon Name (if any)	WATERWAYS OF NEWCASTLE CITY	
	Prensides.	- NEWCASTLE NSW 2300	
3	Activities to which Lic	ence Applies	
	N/A		
4	Other Activities (if app	Sicable)	
5	Fee-Based Activity Cla	naifications	
		wify classification is used to calculate the administrative	. fac
	Fee-based astirity	Activity scale	Unit of mosseus
	Other activities		annual capacity
6	Assessable Pollutants	(Mat Applicable)	

Annual	Return
MILLIOIGI.	I CCCOLLI



NEWCASTLE CITY COUNCIL

ANNUAL RETURN

LICENCE NO	5563
LICENCE HOLDER	NEWCASTLE CITY COUNCIL
REPORTING PERIOD	28-Aug-2011 to 27-Aug-2012

If your licence has been transferred, suspended, surrendered or revoked by the EPA during this reporting period, cross cut the dates above and specify the new dates to which this Annual Resum relations below.

REVISED REPORTING PERIOD _____ / ____ / ____ to ____ / ____ / ____ / ____ / ____ (Note: the revised reporting period also needs to be entered in Section E)

THIS ANNUAL RETURN MUST BE RECEIVED BY THE EPA BEFORE 27-Oct-2012

Your Annual Return must be completed, including certification in Section E, and submitted to the EPA no later than 60 Days after the end of the reporting period for your licence.

Failure to submit this Annual Return within 60 days after the reporting period ends may result in:

- the issue of a Penalty Notice for \$750 (individuals) or \$1500 (corporations);
 OR
- · prosecution.

Page 3 of 9

Please send your completed Annual Return by Registered Post to:

Regulatory and Compliance Support Unit Environment Protection Authority PO Box A290 SYDNEY SOUTH NSW 1232

It is an offered to supply any information in this form to the EPA that is false or mideading in a material

respect, or to swiffly a scattment that is false or existencing in a material respect.

THERE IS A MANAHUM PENALTY OF \$250,000 FOR A CORPORATION OR \$120,000 FOR AN INDIVIDUAL.

Entails provided in this Armad Return will be available on the EPA's Public Regular in accuratives with section 208 of the Production of the Environment Designment Act 1987.

Page 1 of 2

Appendix 2 - CN Aquatic Weed - Control Public Notice

PUBLIC NOTICE

TREATING OF AQUATIC WEED **INFESTATIONS** (Conditions Permitting)

The City of Newcastle intends to treat

aquatic weed infestations in watercourses and waterbodies throughout the Newcastle LGA between Wednesday 18th September 2024 and Friday 30th May 2025

The following sites are to be treated for Aquatic weeds infestations:

- Sections of unformed drain leading to Ironbark Creek from Col Curran Oval, Wallsend to Maryland Reserve, Maryland
- Sections of drain at Grange Avenue Reserve to Bill Elliot Oval, Maryland
- Sections of unformed drain leading to Ironbark Creek from Watkins Road, Elermore Vale to Croudace Road, Elermore Vale
- Sections of Ironbark Creek:
- From Federal Park, Wallsend to Dark Creek, Birmingham Gardens
- From Dark Creek, Birmingham Gardens north to Main Northern Rail Line bridge
- Sections of Viney Creek:
- From Beresfield Golf Course to Rail Line
- Sections of unformed drain crossing Woodlands Close, Tarro
- Water body adjacent to Tarro Sporting Complex, Anderson Drive, Tarro
- Sections of unformed drain in Rasberry Gully Reserve from Vista Parade to Lake Macquarie City Council boundary
- Sections of unformed drain in Rasberry Gully Reserve from Vista Parade to Lake Macquarie City Council boundary
- Waterbody bounded by Minmi Rd and Boscawen Street, Wallsend
- Waterbody bounded by Rural Drive, Jersey Avenue and Friesian Close, Sandgate
- Waterbody between the Regional Produce Markets, Sandgate and the Main Northern Rail Line
- Waterbody bounded by Kekul Street and Katal Street, Fletcher
- Waterbody bounded by Prospero Street and Katal Street, Fletcher
- Waterbody on Viney Creek at Beresfield Golf Club
- Sections of Viney Creek from Beresfield Golf Club to Rail Line
- Any other waterbody where a priority weed infestation requires management.

During the treatment period, at sign posted areas, residents are advised not to use, drink or swim in the water.

The herbicides, Weedmaster Duo (active ingredient Glyphosate 360g/L), Metmac (active ingredient 600g/kg metsulfuronmethyl), Shark Aquatic Herbicide (active ingredient 240g/L carfentrazone-ethyl) and Clipper Herbicide (active ingredient : Each tablet contains 15 g flumioxazin) are being used by qualified staff under the terms and conditions of EPA Licence 5583 and APVMA Permits PER83083,

PER14734.

For details call Invasive Species coordinator on 4974 2000.



Appendix 3 – WHS Risk Assessment Form

WHS Risk Assessment

Process / Task:		The Higher the Residual Risk, the higher the priority for implementation of Controls			
Site Location:		HIGH Residual Risk (25-20)	MEDIUM Residual Risk (19-11)	OW Residual Risk (10-1)	
Date of Assessment: (Date that the RAF was first completed or was Biennially Reviewed) Assessment completed by:		Eliminate or control the risk immediately. Written work procedure required. E.g. SWMS. Communicate & train all employees then begin job.	Eliminate or control the risk before work commences. No formal written work procedure required. Communicate & train all employees then begin job.	No formal written work procedure required. Communicate & train all employees then begin job.	
-		Either a signature / ECM 'Note'			
Approved by: (print name) Worker's consulted during the development of this RAF:	(signature)	must be used to indicate approval	Note in ECM?	Signature	
Legislation / Codes of Practice / Chapters & Clauses reference					
Evaluation of available information Manufacturers Manuals, other risk as	,				
Level of supervision required:	Continuous	☐ Intermittent	☐ Infrequent [☐ Not required	
Minor Reviews or Updates: minor corrections, small additions or updates. All changes should be added in italics so that they are readily identifiable in the RAF.					
lazard / Danger Signs:	PPE Required Signs	5:	Last updated on: Last updated by: Previous version E	ECM No:	
City of Newcastle WHS MS	Document No: FM 3.6.1	Version No: 15 Issue Sta	atus: Current Page	23 of 33	

Records of past incidents, illness & disease		
from this process / task in past 3 years:		
<u> </u>		
Potential emergency situations		
from this process / task:		

Activity	<u>Hazard</u>	Initial Risk Rating		Can you Eliminate	Hierarchy of Control Measures If 'No', work through the controls sequentially. Tick and provide further detail on the control selected: Substitution, Isolation, Person/s	Person/s Responsible
<u>, conviry</u>		H/M/L	#	the Hazard?	Engineering, Administration, Personal Protective Equipment. Add the applicable WHS Safety Sign in the table on page 1	<u> </u>
				☐ Yes ☐ No	☐ Sub ☐ Iso ☐ Eng ☐ Admin ☐ PPE	
				☐ Yes ☐ No	□ Sub □ Iso □ Eng □ Admin □ PPE	
				☐ Yes ☐ No	□ Sub □ Iso □ Eng □ Admin □ PPE	
				☐ Yes ☐ No	□ Sub □ Iso □ Eng □ Admin □ PPE	

^{***} Note: To put an 'X' in the boxes: Double click the box then select 'checked' ***

City of Newcastle WHS MS Document No: FM 3.6.1 Version No: 15 Issue Status: Current Page 2 of 33

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Date: Feb 2020

Review Date: Feb 2023

		CONSEQUENCE							
Ri	sk Rating Matrix	Catastrophic	Major	Moderate	Minor	Insignifica nt	CONSEQUENCE	<u>LIKELIHOOD</u>	
	Almost Certain 25 23 20 16 11		Catastrophic: Single or multiple fatalities.	Almost certain: Is expected to occur in most circumstances. (common)					
	Likely	24	21	17	12	7	Major : Hospitalisation with potential to result in permanent impairment.	Likely : Will probably occur in most circumstances (Has happened).	
	Possible	22	18	13 V I	8	4	Moderate : Person unable to resume normal duties in the short-medium term.	Possible : Might occur at some time (Could happen).	
hood	Unlikely	19	14	9	5	2	Minor : First aid or precautionary medical attention only. Person likely to immediately resume normal duties.	Unlikely: Could occur at some time (Not likely).	
i i	Rare	15	10	6	3	1	Insignificant: No injury / Minor first aid treatment only.	Rare: May occur only in exceptional circumstances (Practically impossible).	
Implementation Priorities: High – 2 weeks, Medium – 1 month, Low – 3 months. Monitor and review risk control									

Figtree Hotline: 4974 6064

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Date: Feb 2020

Review Date: Feb 2023

Appendix 4 - Temporary Workplace Risk Assessment

Section 1: General Site	Information						
	HIIOHHAUOH	D / /T	A 11 11				
Site Location:		Date / Time:	Activity:		Evacuation Point:		
Section 2: Workplace h	nazard / Inspection						
☐ Traffic	☐ Manual Handling	☐ Enviro	nment (Eg Sun / Dust)	Permit to Work Com	pleted:		
☐ Pedestrian	☐ Mobile Plant	☐ Overhe	ead Powerlines	☐ Hot Work	☐ Working at Heights		
☐ Asbestos	☐ Hazardous Substances	☐ Tool / I	Power Tool	☐ Confined Space	☐ Excavation		
☐ Water hazards	☐ Public	☐ Work A	At Heights	Underground Utilities	Itilities:		
Other: eg Safety [Data Sheet			Gas [Electricity 🔲 Water		
				☐ Fuel Line ☐ ⁻	Telecommunication		
Have the above hazard	ds been covered in a RAF / SWMS?	☐ Yes ☐ No *II	f not complete Section 7				
IB Supervisor is ultimate	ly responsible for all control measur	es implemented on si	ite.				
Section 3: List of Gene	ric Risk Assessments / SWMS used	for Activity / Job					
1.			4.				
2.			5.				
3.			6.				
Section 4: Additional C	omments						
Section 5: Worker Sign	Off						
Name (print) Si	gnature Name (print)	Signature	Name (print)	Signature	Name (print) Signature		
Section 6: Responsible	Person Signoff (*Responsible Person -	Is the person who makes	out the Permit / Temporary W	orkplace Risk Assessment / Induc	ction /Toolbox and supervises the works underway in		
accordance with the requirer	ments of the Permit/ Temporary Workplace R	isk Assessment / Induction	and its supporting risk assess	sment/SWMS eg Ganger, Coordin	ator or Tradesman in charge of work tasks)		
Name (print)		Signature		Date			

City of Newcastle WHS MS

Document No: FM 3.2.10

Version No: 5

Issue Status: Current

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Uncontrolled document when printed.

Access the Intranet for current version.

Date: Oct 2018

Review Date: Oct 2021

Section 7: Site Specific Risk Assessment

Activity	<u>Hazard</u>	Initial Risk Rating		Can you Eliminate	Hierarchy of Control Measures If 'No', work through the controls sequentially. Tick and provide further detail on the control selected: Substitution, Isolation,		ual ating	Person/s Responsible
<u>Activity</u>		H/M/L	#	the Hazard?			#	<u> </u>
				☐ Yes ☐ No	☐ Sub ☐ Iso ☐ Eng ☐ Admin ☐ PPE			
				☐ Yes ☐ No	☐ Sub ☐ Iso ☐ Eng ☐ Admin ☐ PPE			
				☐ Yes ☐ No	Sub Iso Eng Admin PPE			
				☐ Yes ☐ No	☐ Sub ☐ Iso ☐ Eng ☐ Admin ☐ PPE			

Risk	Rating	Consequer	nce			
Matr	rix	Catastrophic	Major	Moderate	Minor	Insignificant
	Almost Certain	25	23	20	16	11
	Likely	24	21	17	12	7
000	Possible	22	18	M	8	4
Likelihood	Unlikely	19	14	9	5	2
	Rare	15	10	6	3	1

Implementation Priorities: High – 2 weeks, Medium – 1 month, Low – 3 months and review risk control

Emergency Procedure: anything not already covered in the generic emergency plan. Provide
detail below. Eg Smith Street to be blocked off.

Appendix 5 - Nufarm Weedmaster Duo - SDS



Chemwatch: 5055-90 Print Date: 09/21/2020 Issue Date: 03/05/2020

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Appendix 6 - Carfentrazone-ethyl - SDS



Product Name: Shark Aquatic Herbicide

Page: 1 of 6

This version issued: July 2020

Section 1 - Identification of The Material and Supplier

FMC Australasia Pty Ltd Emergency: 1800 033 111 (24 hours - Australia wide)

12 Julius Ave Freecall 1800 624 597 (business hours)
North Ryde, NSW 2113 www.fmccrop.com.au

Chemical nature: Active ingredient is a fluorinated triazole derivative.

Trade Name: Shark Aquatic Herbicide

APVMA Code: 64095

Other Names: Carfentrazone - ethyl.

Product Use: Agricultural herbicide for use as described on the product label.

Creation Date: July, 2020

This version issued: July, 2020 and is valid for 5 years from this date.

Poisons Information Centre: Phone 13 1126 from anywhere in Australia

Section 2 - Hazards Identification

Statement of Hazardous Nature

This product is classified as: Xn, Harmful. Not classified as hazardous according to the criteria of SWA.

Not a Dangerous Good according to Australian Dangerous Goods (ADG) Code, IATA or IMDG/IMSBC criteria. Combustible Liquid (C1).

SUSMP Classification: S5

ADG Classification: None allocated. Not a Dangerous Good according to Australian Dangerous Goods (ADG)

Code, IATA or IMDG/IMSBC criteria.

UN Number: 3082



GHS Signal word: DANGER

Aspiration Hazard Category 1

Flammable Liquids - Category 4.

Hazard to the aquatic environment - Acute hazard: Category 1.

HAZARD STATEMENT:

H304: May be fatal if swallowed and enters airways.

H227: Combustible Liquid.

H400: Very toxic to aquatic life.

PREVENTION

P102: Keep out of reach of children.

P210: Keep away from heat/sparks/open flames/hot surfaces: - No smoking.

P261: Avoid breathing fumes, mists, vapours or spray.

P262: Do not get in eyes, on skin, or on clothing. P271: Use only outdoors or in a well ventilated area.

P281: Use personal protective equipment as required.

P281: Use personal protective equipment as required.

P235+P410: Keep cool. Protect from sunlight.

P273: Avoid release to the environment

RESPONSE

P340: Remove victim to fresh air and keep at rest in a position comfortable for breathing.

P301+P330+P331: IF SWALLOWED: Rinse mouth. Do NOT induce vomiting.

P302+P350: IF ON SKIN: Gently wash with plenty of soap and water.

P304+P341: IF INHALED: If breathing is difficult, remove victim to fresh air and keep at rest in a position

comfortable for breathing.

P391: Collect spillage.

P370+P378: In case of fire, use carbon dioxide, dry chemical, foam, water fog.

SAFETY DATA SHEET

Issued by: FMC Australasia Pty Ltd

Emergency: 1800 033 111 (24 hours - Australia wide)

Poisons Information Centre: 13 1126 from anywhere in Australia, (0800 764 766 in New Zealand)

Appendix 7 - Metmac 600 SDS



Chemwatch: 24-0630 Print Date: 09/22/2020 Issue Date: 09/03/2020

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TREATMENT OF AQUATIC WEED

INFESTATIONS

(Conditions Permitting)

City of Newcastle intends to treat infestations of the Priority Aquatic Weed, Alligator Weed on the following dates and at locations as listed:

<u>Treatment Dates:</u> Monday XX September through Friday xxth September 2024

Locations: Wallsend

- Sections of unformed drain through Able Lane Wallsend
- Sections of unformed drain through Benjamin Drive Wallsend
- Sections of unformed drain through Spargo Lane Wallsend
- Sections of Creek from Spargo Lane Wallsend through to Minmi Road Wallsend

Residents are advised not to use, drink or swim in the affected waters listed above during the treatment period.

The herbicide Metmac 600 (active ingredient 600g/kg metsulfuron-methyl) is being used per APVMA Permit No PER14734 by qualified staff under the terms and conditions of EPA Licence 5583.

For more details contact Invasive Species team on 49742000,

City of Newcastle
Invasive Species Coordinator

