

2.3 Response to Incidents Involving Hazardous Materials

POLICY TITLE: RESPONSE TO INCIDENTS INVOLVING HAZARDOUS MATERIALS

FILE REF: SC67

EXPIRY DATE: MARCH 2027

OBJECTIVES

To define the responsibilities of organisations and to provide clear guidelines as to the Council's policy as well as procedures to be followed in responding to any incident involving hazardous materials.

POLICY STATEMENT

Hazardous Materials Incidents - Definition

On land, the New South Wales Fire & Rescue is the primary combat agency responsible for hazardous materials incidents. The Fire and Rescue NSW Act 1989 defines 'Hazardous Material' and 'Hazardous Material Incidents' as follows:

"hazardous material" means anything that, when produced, stored, moved, used or otherwise dealt with without adequate safeguards to prevent it from escaping, may cause injury or death or damage to property.

"hazardous material incident" means an actual or impending land-based spillage or other escape of hazardous material that causes or threatens to cause injury or death or damage to property.

1. COUNCIL'S ROLE

- a) To undertake such containment and/or removal of hazardous materials as may be requested and properly authorised.
- b) To provide support services such as road closures, communications, or other activities outside the danger area, that may be requested.

2. IMPLEMENTATION

a) Recording

Reports, requests, decisions and actions taken during a hazardous materials incident should be logged as accurately as possible. Any draft form and/or modification from time to time developed for this purpose will be set out as an attachment to this policy as Schedule I.

b) Reporting

Any report of a chemical incident must be immediately notified to Police and NSW Fire & Rescue. Council staff does not become involved unless requested to do so by an officer of one of those Departments or the Environmental Protection Authority (EPA) and unless Council staff are authorised by some appropriate person in the Council organisation as indicated in (iii) hereafter.

c) Requests for Assistance

- i) Any request for assistance received from other than Police, NSW Fire & Rescue or Environmental Protection Authority (EPA) must be referred to those authorities, no direct action by Council staff being authorised.
- ii) In the event of a request for assistance being received from an officer of the NSW Police, NSW Fire & Rescue, or Environmental Protection Authority (EPA) such request shall be referred to any appropriate officer. Such officer may, depending on availability, be the Director Engineering, the Director Planning and Environment, the Manager Works or other member of engineering or planning and environment staff.
- iii) It is possible that, particularly in emergency situations, messages may be received by two or more persons. Staff receiving requests for assistance should endeavour to contact the most senior Council officer available and establish whether any action is already in hand before initiating further procedures.
- iv) Before Council participates in the assistance or removal of any hazardous substance/s the officer responsible for Council's assistance must obtain a written guarantee from the Environmental Protection Authority (EPA) to reimburse all costs associated with the clean up and disposal of the orphan hazardous substances/s.
- v) Council acknowledges that, in an emergency situation, communication may frequently only be verbal, and difficult (if not impossible) to confirm in writing. Every reasonable effort should be made to transmit and receive messages reliably thus minimising risks of error.

2.3 Response to Incidents Involving Hazardous Materials (cont'd)

- vi) The Council officer accepting responsibility in accordance with the above procedures shall then act in accordance with the following.
- d) Limits of Assistance
It is Council's policy to provide any available resources requested to minimise actual, potential or suspected dangers to persons or property BUT subject to the overriding limitation that the health and safety of all personnel for whom Council is responsible must be ensured.

*Adopted by Council – 18 March 2024
Refer minute 47/24*

*Adopted by Council – 15 March 2021
Refer minute 38/21*

*Confirmed by Council – 17 August 2009
Refer minute 283/09*

*Reviewed by Council – 20 March 2000
Refer Minute No. 2213*