

Pollution Incident Response Management Plan Summary

M4-M5 LINK MAINLINE TUNNELS

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Document Control

Document Detail

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05	7 October 2021	Revision after Third Annual PIRMP Test
06	18 July 2021	Revision after Fourth Annual PIRMP Test
07	14 July 2022	Revision after Fifth Annual PIRMP Test
08	17 July 2023	Revision after Sixth Annual PIRMP Test (and Project Completion)
09	1 October 2024	Revision after Seventh Annual PIRMP Test
10	1 October 2025	Revision after eighth Annual PIRMP Test

1. Introduction

1.1 Background

This Pollution Incident Response Management Plan (PIRMP) Summary has been prepared to provide required publicly available information for the notification of applicable pollution incidents during the construction of the WestConnex M4-M5 Link Tunnels (Stage 1) Project (the Project).

It is of note that construction of the project has been completed, and as such, the likelihood of a pollution incident resulting from construction activities is essentially zero.

Relevant information from the PIRMP is required to be made available to the public through the Project website www.westconnex.com.au in accordance with clause 98D of the POEO (G) Regulation. This includes the following detail:

- procedures for contacting the relevant authorities including the EPA, local council, NSW Ministry of Health, WorkCover NSW, and Fire and Rescue NSW
- procedures for communicating with the community
- may be exclusive of any personal information within the meaning of the Privacy and Personal Information Protection Act 1998.

The PIRMP has been prepared for the Project premises under which the Environment Protection Licence (EPL) 21149 has been obtained for the Scheduled Activity of Road Construction¹. The PIRMP has been developed in accordance with and to satisfy the requirements of the:

- Environmental Protection Authority (EPA) Environmental guidelines: Preparation of pollution incident response management plans (2012) (the PIRMP Guidelines).
- Roads and Maritime Services (Roads and Maritime) Environmental Incident Classification and Reporting Procedure (September 2017).
- Part 5.7A of the *Protection of the Environment Operations Act 1997* (NSW) (POEO Act)
- Protection of the Environment Operations (General) Regulation 2009 (POEO(G) Regulation)²

1.2 PIRMP Objectives

The primary purpose of the PIRMP is to identify and manage the risk of pollution incidents, plan the Project response to pollution incidents, and facilitate coordination with the relevant authorities. The objectives of the PIRMP are to:

- Minimise and control the risk of a pollution incident at the premises of the Project through the early identification of risks and the development of planned actions to minimise and manage those risks
- Ensure timely communication about pollution incidents to construction personnel, the EPA, relevant response agencies/authorities and the community who may be affected by the impacts of a pollution incident
- Ensure that the PIRMP is properly implemented by trained staff, identifying persons responsible for implementing it, and ensuring that the Plan is regularly tested for accuracy, currency and suitability.

¹ As defined in the Protection of Environment Operations Legislation Amendment (Scheduled Activities) Regulation 2019 (which updates the POEO Act), where the remaining extraction or processing is 50,000 tonnes or more and the total length of the road to be constructed is >10 and <30km (Clause 35 (1) of Schedule 1 to the Act).

² As amended by the Protection of the Environment Operations (General) Amendment (Pollution Incident Response Management Plans) Regulation 2012

2. Pollution Incidents that are to be notified

A pollution incident is defined in the PIRMP Guidelines to be ‘an incident or set of circumstances during or as a consequence of which there is or 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.’

A pollution incident is considered notifiable under the POEO Act if there is a risk of causing or threatening “material harm to the environment”. “Material harm to the environment” is defined in Section 147 of the POEO Act as:

- (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.

Pollution incidents that could potentially occur at a construction site and are covered by the PIRMP include:

- Material, such as waste material, concrete, fuels etc, that travel beyond the site boundary causing or potentially causing adverse impact to the environment or community
- Discharge of waters from site not in accordance with the requirements of the Project EPL.

Incidents that are not considered to threaten, or cause material environmental harm will be recorded and reported in accordance with client and/or organisational requirements as outlined in the CEMP.

If statutory notification is given to the EPA as required under the POEO Act in relation to the Project, such notification must also be provided to the Secretary within 24 hours after the notification was given to the EPA in accordance with the Condition of Approval (CoA) A43.

3. Procedure for Notifying a Pollution Incident

In the event of an incident that ‘causes or threatens to cause material harm to the environment’, appropriate regulatory authorities and the ASBJV Defect and Liability Period Manager must be immediately notified with the required information; emergency services and community stakeholders may also require notification in the event that there is an unacceptable impact to the community from the pollution incident.

3.1 Relevant Regulatory Authorities

If it is determined that a pollution incident has occurred as a result of road construction works completed by ASBJV meets the notifiable criteria that the pollution incident “causes or threatens to cause material harm to the environment”, the ASBJV DLP manager, in consultation with M4-M4 Operator will immediately notify the appropriate regulatory authorities listed below.

- the EPA
- the Ministry of Health via the local Public Health Unit (Camperdown Public Health Unit)
- SafeWork NSW
- Local Authority (i.e. Inner West Council and City of Sydney Council) if it is not the ARA
- Fire and Rescue NSW (if the situation warranted calling 000 as a first point of notification, you do not need to ring Fire and Rescue NSW again.)

Contact details are provided below:

Relevant Regulatory Authorities and Agencies	Phone (24 hours unless specified)
Emergency Services if the incident presents an immediate threat to human health or property (Police, Fire & Rescue, Ambulance, HAZMAT)	000
NSW EPA	131 555
NSW Health - Public Health Unit – Camperdown Public Health Unit	Standard hours: (02) 9515 9420 After hours: (02) 9515 6111 - ask for Public Health Officer on call
Fire & Rescue NSW	1300 729 579
Newtown Fire Station	(02) 9557 5260
SafeWork NSW	13 10 50
Inner West Council	(02) 9392 5000
City of Sydney Council	(02) 9265 9333

As required by POEO (G) Regulation clause 101, a pollution incident that is required to be notified under section 148 of the POEO Act will be notified verbally to each regulatory authority, and followed by written notification within 7 days of the date on which the incident occurred. If information becomes known between the immediate notification given verbally and the time when written notification is required to be given, that new information will be required to be notified immediately after it becomes known and to be included in the written notification.

As required in section 148 of the POEO Act, the CoA A41 and the Roads and Maritime Environmental Incident Classification and Reporting Procedure, the following information will need to be collected to communicate during immediate EPA, ARA and authority notification as well as for inclusion in follow up reporting required in the event of a pollution incident:

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

A record of information provided during notification of pollution incidents in accordance with the PIRMP will be recorded on the external communication summary worksheet.

If the information required to be included in a notice of a pollution incident from points (c), (d) or (e) is not known to the person making the initial notification but becomes known afterwards, that information must be notified in accordance with section 148 immediately after it becomes known.

3.2 Community Stakeholders

Key community stakeholders in close proximity to the project which may be notified in the event of a pollution incident that threatens or causes environmental harm include:

- Government Agencies
- Councils (Inner West Council and City of Sydney Council)
- Local Community (impacted residents and landowners)
- Adjacent and surrounding businesses
- Recreational Clubs
- Schools and day care centres
- Health Facilities
- Emergency Services
- Indigenous Groups
- The Project team and parent organisations
- Adjacent infrastructure projects.

Community stakeholder notification is required for incidents or events from the Project which:

- Will result in an unacceptable impact to community stakeholders during the incident (where community stakeholders are present (e.g. residing in their houses or using adjacent recreational facilities at the time of the incident))
- Will result in an unacceptable impact to a community area that is to be used by community members in the days and weeks following the incident. These community stakeholders may not be present during the incident but might be present in the following days.

Should community notification be required, the following actions shall be taken where appropriate and safe to do so:

- Community stakeholders will be contacted either face to face or by telephone to advise the stakeholder of the incident with recommended actions (that the community stakeholder can take to prevent or minimise harm, for example close windows, evacuate buildings, not to drink or swim in watercourses etc).
- Further follow up communications will be undertaken as directed by the ASBJV Public Liaison Manager. This may include but not be limited to:
 - Further face to face / telephone contact
 - Letterbox drops
 - Email
 - Update to Project website
 - Providing protective fencing and barricading to prevent community stakeholders from entering into a polluted area
 - Use of technology such as Variable Message / Motorway signage
 - Local Media – Radio / TV if required.

A combination of the above mechanisms will be used to ensure that relevant community messages are quickly and effectively distributed amongst the affected community. Early warnings for affected or potentially affected

community members for any pollution incident will be communicated to those members in consultation with relevant authorities. The means of communication will vary based on the size and severity of the pollution incident.

It is likely that during the notification process, the incident will likely be under the control of emergency services personnel.

For air pollution incidents that may affect community members, those community members may be asked to either close their doors and windows and stay indoors until further notice or to vacate the premises. For water pollution incidents that may affect community members, those community members may be asked to avoid use of the water until further notice. To assist in the areas that would be affected by a pollution incident, sensitive receivers such as schools, local government and national parks have been identified in sub-catchment areas.

NOTE: All construction related activities as they relate to EPL21149 have ceased at the licenced premises, following award of the Project Completion on 22 June 2023. Despite this, the PIRMP has been reviewed to ensure compliance with the relevant requirements listed in Section 1.1.