

ASBESTOS POLICY

QUALITY CONTROL

COUNCIL POLICY			
TRIM REFERENCES	12/114 – D14/30171		
RESPONSIBLE POSITION	Manager Infrastructure Strategy		
APPROVED BY	Council		
REVIEW DATE	June 2017	REVISION NO.	1
EFFECTIVE DATE	ACTION	MINUTE NO.	
26/08/2015	Public Exhibition	45046	
28/10/2015	Adopted	45102	

1. INTRODUCTION

Asbestos is a known carcinogen and inhalation of fibres is known to cause lung cancer, mesothelioma and asbestosis. Asbestos was widely used in the construction industry prior to the mid-1980s and many buildings in the Broken Hill Local Government Area built prior to 1987 are likely to contain asbestos. The supply and installation of asbestos containing materials has been prohibited since December 2003. Asbestos, when disturbed, is hazardous. Disturbance is generally caused by building works such as demolition or alterations.

There are National and State standards including NSW Acts, Regulations and State Environmental Planning Policies (SEPPs) which govern the management of asbestos, in particular removal, storage and disposal. Building sites are administered by NSW Work Cover Authority under WH&S legislation.

2. POLICY OBJECTIVE

The objectives of this policy are:

- a) To encourage safe handling, removal and transport of materials containing asbestos;
- b) To promote community awareness of the dangers of asbestos and the safe and correct methods for removal, transport and disposal.

3. POLICY SCOPE

- a) This policy applies to all of the Broken Hill City Council LGA within Council's jurisdiction
- b) This policy provides information for council workers, the local community contractors, and wider public
- c) The policy applies to friable and non-friable (bonded) and naturally occurring asbestos.

4. POLICY STATEMENT

This policy aims to outline the roles and responsibilities of Broken Hill City Council in relation to asbestos management which will include:

- a) Where Council is the appropriate authority manage complaints and inspect illegal dumping or storage of asbestos on private and/or public land (This responsibility is shared with NSW EPA or Work Cover NSW or a combination of the three)
- b) Where Council is the appropriate authority control and regulate safe asbestos removal and disposal
- c) Provide accurate information to the local community, especially in relation to demolition and building, removal and transporting of asbestos waste
- d) Council's approach to dealing with sites that contain asbestos containing materials in an emergency
- e) Council's approach to managing asbestos containing materials in Council's work places.

4.1. Regulatory Responsibilities

Council has regulatory responsibilities under the following legislation, policies and standards in situations where council is the regulatory authority:

- AS 2601-2001 : the demolition of structures;
- Contaminated Land Management Act 1997;
- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2000;
- Local Government Act 1993;
- Work Health Safety Act 2011;
- Protection of the Environment Operations Act 1997;
- Protection of the Environment Operations (General) Regulation 2009;
- Protection of the Environment Operations (Waste) Regulation 2014;
- State Environmental Planning Policy (exempt and complying development codes) 2008);
- State Environmental Planning Policy - No55 Remediation of Land.

4.2. Council Asset Management and Staff

Council maintains an asbestos register for all Council owned buildings which form part of the Health and Safety Assessment Program.

Council provides PPE, training and health checks to relevant staff that may come across asbestos whilst carrying out the duties of their position.

4.3. Development Controls

Council has specific conditions for inclusion in approvals or consents for developments, where it is likely or reasonably suspected to contain asbestos. The aim of these conditions of consent is to minimise asbestos exposure in the environment by requiring asbestos safe work practices and controls and disposal procedures during development activities, including demolitions.

4.4. Managing Waste

Where Council is the appropriate regulatory authority, Council is responsible for:

- Issuing clean up notices to address illegal storage or disposal of asbestos waste or after an accident or emergency;
- Issuing clean up notices where asbestos has been handled;
- Issuing penalty infringement notices for improper transport of asbestos;
- Applying planning controls for the disposal of asbestos and seeking advice from Environment Protection Authority (EPA);
- Managing the Broken Hill Waste Management Facility in accordance with environmental legislation and licence conditions.

4.5. Educating Residents

- Council shall assist residents to access appropriate information and advice on the:
- Prohibition of the use and reuse of asbestos containing materials;
- Risks of exposure to asbestos;
- Safe management of asbestos containing materials;
- Safe removal and disposal of small quantities (under 10m²) of asbestos containing materials.

4.6. Complaints and Investigations

Council investigates complaints related to asbestos dumps on private land and public land. Complaints should be reported to Council's Customer Service Centre by phone on 8080 3300 from 9am to 5pm five days a week or by email council@brokenhill.nsw.gov.au, in writing or in person (during business hours).

4.7. Further information

Council provides accurate and up to date information on safe asbestos practices on its website at www.brokenhill.nsw.gov.au.

5. IMPLEMENTATION

5.1. Roles and Responsibilities

The following Council officers are responsible for the implementation and the adherence to this policy:

- **Planning, Development and Compliance Unit** – Inspections of illegal dumping and/or storage of asbestos, issuing clean up notices, penalty infringement notices, planning controls, education,
- **Waste Coordinator** – managing Broken Hill Waste Management Facility
- **Environment, Waste and Recycling Specialist** - managing Broken Hill Waste Management Facility, and education
- **Trades Coordinator** – managing asbestos containing materials in Council's workplaces and infrastructure

5.2. Communication

This Policy will be communicated to the community and staff in accordance with Council's Policy, Procedure and Process Framework and Council's Business Paper process. Following adoption by Council the Policy will be made available on Council's website.

5.3. Associated Documents

The following documentation is to be read in conjunction with this policy.

- Work Health & Safety Policy;
- Work Cover Authority guidelines;
- Australian Standard AS 2601-2001;
- Broken Hill City Council Asbestos Management Procedures;
- Broken Hill City Council Asbestos Register.

6. REVIEW

Review of this policy will incorporate relevant legislation, documentation released from relevant state agencies and best practice guidelines.

The standard review period will be every two years from the effective date. The responsible Council officer will be notified of the review requirements three (3) months prior to the expiry of this policy.

The Manager Infrastructure Strategy is responsible for the review of this policy.

7. LEGISLATIVE AND LEGAL FRAMEWORK

This policy is to be read in conjunction with the following:

- Work Health and Safety Act 2011;
- Work Health and Safety Regulation 2011;
- Protection of the Environment Operations Act (POEO) 1997 and POEO Regulation;
- Protection of the Environment Operations (Waste) Regulation 2014 (NSW);
- Environmental Protection & Assessment Act (EP&A) 1979;

- Environment Protection & Planning Assessment Regulation 2000;
- State Environmental Planning Policy (Exempt & Complying Development Codes) 2008;
- Local Government Act 1993.

Council employees shall refrain from personal activities that would conflict with proper execution and management of Council's Asbestos Policy. Council's Code of Conduct provides guidance for recognising and disclosing any conflicts of interest.

8. DEFINITIONS

“Council” shall mean Broken Hill City Council.

“Demolition” shall mean the complete or partial dismantling of a structure.

“Development” shall mean the meaning and term in the Environmental Planning and Assessment Act 1979.

“PPE” shall mean Personal Protective Equipment and includes all items of protective clothing or other protective equipment that comply with all laws and requirements relating to the safe handling of asbestos.