

ASBESTOS MANAGEMENT

Policy | Integrated Risk Management

This policy has been developed to state Singleton Council's commitment to and responsibilities for safely managing asbestos.

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Service Unit:	Integrated Risk Management		
Responsible Officer:	Manager Integrated Risk		
Responsible Director:	Director Organisation and Community Capacity		
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1 Background

1.1 Title of the Policy and Commencement Date

The Asbestos Management Policy takes effect from 21 October 2019.

1.2 Purpose of the Policy

Singleton Council acknowledges the serious health hazard of exposure to asbestos. It has an important role in both maintaining a safe environment and minimising, as far as reasonably practicable, the risk of exposure to asbestos by the public within the local government area (LGA) and workers in Council workplaces.

In Australia, asbestos was gradually phased out of building materials in the 1980s and the supply and installation of asbestos containing goods has been prohibited since 31 December 2003. Yet asbestos legacy materials still exist in many homes, buildings and other assets and infrastructure. It is estimated that one in three Australian homes contains asbestos. It is expected that a significant number of Council owned assets may have involved asbestos in their original construction. In addition, Council as the local water authority, recognises that it has asbestos cement (AC) pipes as part of its water supply and sewer systems.

Where material containing asbestos is in a non-friable form, undisturbed and painted, buried or in use or otherwise sealed, it may remain safely in place. However, where asbestos containing material is broken, damaged, disturbed or mishandled, fibres can become loose and airborne posing a risk to health. Breathing in dust containing asbestos fibres can cause asbestosis, lung cancer and mesothelioma.

2 Objective

2.1 Objectives and Coverage of the Policy

Council is committed to complying with the Model Asbestos Policy and Guide for NSW councils developed by the Heads of Asbestos Coordination Authorities to promote a consistent local government approach to asbestos management across NSW.

The main objectives of this policy are to outline:

- the role of Council and other organisations in managing asbestos
- Council's relevant regulatory powers
- Council's approach to dealing with sites contaminated by asbestos and emergencies or incidents
- general advice for residents on renovating homes that may contain asbestos
- Council's development approval process for developments that may involve asbestos
- waste management and regulation procedures for asbestos waste in the Singleton local government area
- sources of further information.



3 Application

3.1 Application of this Policy

Council's responsibilities for minimising the risks from asbestos apply in various scenarios including:

- as a responsible employer
- contaminated land management
- council land, building and asset management
- emergency response
- land use planning (including development approvals and demolition)
- management of naturally occurring asbestos
- regulation of activities (non-work sites)
- waste management and regulation.

4 Definitions

For the purposes of this policy:

Term	Meaning
Asbestos	means the asbestiform varieties of mineral silicates belonging to the serpentine or amphibole groups of rock forming minerals including the following: - actinolite asbestos - grunerite (or amosite) asbestos (brown) - anthophyllite asbestos - chrysotile asbestos (white) - crocidolite asbestos (blue) - tremolite asbestos - a mixture that contains 1 or more of the minerals referred to in paragraphs (a) to (f).
Asbestos-containing material (ACM)	means any material or thing that, as part of its design, contains asbestos.
Asbestos waste	means any waste that contains asbestos. This includes asbestos or asbestos containing material removed and disposable items used during asbestos removal work including plastic sheeting and disposable tools.
Contamination of land	means the presence in, on or under the land of a substance at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment.
Friable asbestos	means material that:



Term	Meaning
	a. is in a powder form or that can be crumbled, pulverised or reduced to a powder by hand pressure when dry b. contains asbestos.
Naturally occurring asbestos	means the natural geological occurrence of asbestos minerals found in association with geological deposits including rock, sediment or soil.
Non-friable asbestos	means material containing asbestos that is not friable asbestos, including material containing asbestos fibres reinforced with a bonding compound. NB Non-friable asbestos may become friable asbestos through deterioration
Waste facility	means any premises used for the storage, treatment, processing, sorting or disposal of waste (except as provided by the regulations).
Worker	a person who carries out work in any capacity for Singleton Council. This includes employees, contractors or subcontractors, employees of a contractor or subcontractor, employees of labour hire companies assigned to work with Council, outworkers, apprentices, trainees, volunteers and students gaining work experience.
Workplace	a place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work. Place includes: a vehicle, vessel, aircraft or other mobile structure, and any waters and any installation on land, on the bed of any waters or floating on any waters.

5 Principles/Body

5.1 Procedural Statement

This policy applies to the management of friable and non-friable (bonded) asbestos and includes naturally occurring asbestos, however, Council is not aware of any naturally occurring asbestos within the Singleton local government area.

This policy is not intended to provide detail on specific procedures. These procedures will be developed progressively to meet the requirements of the codes of practice listed below. These guides provide practical guidance on how to manage risks associated with asbestos and asbestos containing material:

- *Code of practice on how to manage and control asbestos in the workplace* published by SafeWork NSW.
- *Code of practice on how to safely remove asbestos* published by SafeWork NSW.
- Related Documents (Clause 71.) of this policy.

Council is committed to fulfilling its responsibilities to workers under the *NSW Work Health and Safety Act 2011* and *NSW Work Health and Safety Regulation 2017* and maintaining a safe work environment through Council's:

- general responsibilities
- education, training and information for workers
- health monitoring for workers



- procedures for identifying and managing asbestos containing materials in council premises and workplaces.

An Asbestos Management Procedure has been developed as a component of Council's Integrated Risk Management System to ensure that workers are involved in the development of safe systems of work and a safe environment to manage any asbestos related risks.

5.2 Contaminated land management

The nature of asbestos contamination of land can vary significantly and there can be a number of different mechanisms available to address this contamination depending upon its source and extent.

Responsibility for cleaning up contaminated land lies with the person responsible for contaminating the land or the relevant landowner. Where Council is responsible for contaminating the land or is the relevant landowner, Council will comply with its relevant protocols and procedures and any requirements of EPA and SafeWork NSW. Where the responsibility lies with the community, Council may issue an order that requires the person responsible or the landowner to engage a licensed contractor and to comply with EPA and SafeWork NSW requirements.

For sites that require a major remediation program independent of any rezoning or development applications, the EPA and SafeWork NSW are the lead regulatory authorities.

Council has a responsibility to provide information about land contamination on planning certificates issued under section 107 of the Environmental Planning and Assessment Act 1979. Council records can only indicate known contaminated sites. Any site may potentially be contaminated.

5.3 Council land, building and asset management

Council is responsible for managing public land. In addition, a number of Council buildings and assets were constructed or refurbished prior to asbestos being banned in Australia in 2003.

Where asbestos is identified as present in a workplace, the site will be included in Council's asbestos register and asbestos management plan.

While Council operates and maintains a water network utilising asbestos cement pipes, the World Health Organisation has stated that ingestion of asbestos in drinking water from asbestos cement pipes do not present a hazard to human health.

5.4 Emergency response

Emergencies or incidents can arise from natural hazards such as fires and storms, or from accidental or deliberate human activities such as major collapses, explosions or vandalism causing damage to buildings or land that contain asbestos. Council may be required to work with state agencies in accordance with the NSW Asbestos Emergency Plan and the Disaster Assistance Guidelines.

Council may play a role in ensuring that asbestos containing materials are cleaned up after an emergency or incident. If the emergency or incident occurs at a workplace, SafeWork NSW is the lead agency.

Council may issue a clean up, prevention notice, or cost compliance notice under the Protection of the Environment Operations Act 1997. Any clean up order would require the engagement of a suitably licensed contractor. Alternatively, council may act under the Environmental Planning and Assessment Act 1979.

Council will determine an appropriate response depending on the nature of the situation.



5.5 Land use planning (including development approvals and demolition)

Council is the consent authority for local development applications in the LGA.

Where Council is the relevant planning authority, Council may impose conditions of consent to ensure the safe removal of asbestos by a licensed contractor, where asbestos has been identified or may be reasonably assumed to be present.

5.6 Waste management and regulation

It is illegal to dispose of asbestos waste in domestic garbage bins and kerbside waste collections or to recycle, reuse, bury or illegally dump asbestos waste. Asbestos must not be placed in general waste skip bins.

Asbestos waste (in any form) must only be disposed of at a landfill site that may lawfully receive asbestos waste.

The Singleton Waste Management Facility is the sole EPA licensed waste facility that can accept asbestos waste in the Singleton local government area.

Concerns regarding potential health risks from derelict properties may be directed to Council. Council may respond to derelict properties that pose a demonstrable public health risk using a range of regulatory tools according to the particular circumstances.

5.7 Educating residents

Providing education for the community on the identification and safe removal of asbestos is the joint responsibility of councils and State Government agencies. Council is often the first point of contact and will assist residents to access appropriate guidance by directing them to information on the:

- prohibition on the use and re-use of asbestos containing materials
- requirements in relation to development, land management and waste management
- risks of exposure to asbestos
- safe management of asbestos containing materials
- safe removal and disposal of minor quantities of asbestos containing materials.

6 Relevant Legislation

Contaminated Land Management Act 1997

Environmental Planning and Assessment Act 1979

Environmental Planning and Assessment Regulation 2000

Local Government Act 1993

Local Government (General) Regulation 2005

Protection of the Environment Operations (General) Regulation 2009

Protection of the Environment Operations (Waste) Regulation 2014

Protection of the Environment Operations Act 1997

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

NSW Work Health and Safety Act 2011

NSW Work Health and Safety Regulation 2017

Workers' Compensation (Dust Diseases) Act 1942

Code of practice on how to manage and control asbestos in the workplace published by SafeWork NSW



*Code of practice on how to safely remove asbestos published by SafeWork NSW
Demolition work code of practice 2015*

7 Document Information

Related documents and reference information in this section provides a single reference point to develop and maintain site compliance information.

7.1 Related Documents

Related documents, listed in **Table 7-1** below, are internal documents directly related to or referenced from this document.

Number	Title
18/21795	Asbestos Management procedure
17/64925	Singleton Heights Sports Centre – Hazardous Materials Survey – Asbestos Register
16/7795	Singleton Regional Livestock Market Upgrade – Hazardous Materials Survey
14/77071	Singleton Gym & Swim Redevelopment – Hazardous Materials Survey
15/8733	Asbestos Management Plan – Waste Depot
12/63639	SWMS 635 – Waste Depot – Receiving & Disposing of Asbestos Waste
14/45447	Cutting, Handling & Disposal of Asbestos Cement Pipe Guidelines
09/30384	Singleton Council Building Asbestos Report – Asset Priority Rating
14/0478	Asbestos Register – Waste Depot
19/21431	Pre-Approved Waste Disposal Procedure (draft)
13/12508	Asbestos Register (RMCC Quality Management System)

Table 7-1 – Related documents

8 Responsible Officer / Policy Owner

Ownership of this policy rests with the Manager Integrated Risk.



9 Responsibilities

Parties or Persons	Responsibilities
Leadership Team	Implementing this policy in their respective areas of responsibility
People Leaders	- Ensuring compliance with safe systems of work and an environment where workers minimise the risk of exposure to asbestos - Ensuring that risk assessments are carried out for any work on Council owned buildings or assets that may contain asbestos materials and that appropriate control measures are in place to manage the risk of exposure to asbestos
Integrated Risk Management Team	- Establishing and maintaining safe systems of work and an environment where workers minimise the risk of exposure to asbestos - Creating and maintaining a Health Surveillance Register for workers that includes exposure and/or possible exposure to asbestos
Manager Development and Environmental Services	- Providing information about land contamination on planning certificates issued under section 107 of the <i>Environmental Planning and Assessment Act</i> - Considering asbestos contamination when assessing development applications - Coordinating Council's response to asbestos-related issues such as land contamination and illegal dumping - Managing Singleton Waste Management Facility for the receipt and appropriate disposal of asbestos - Ensuring compliance with EPA license conditions at Singleton Waste Management Facility
Manager Strategy and Engagement	Provision of links to information and guidance for the community in relation to asbestos awareness
Manager Infrastructure Services	- Ensuring that risk assessments are carried out on any Council owned buildings or assets that may contain asbestos materials and that appropriate control measures are in place to manage the risk of exposure to asbestos - Creating, updating and making available the Asbestos Register for Council owned buildings or assets - Ensuring an Asbestos Management Plan is in place for each asset containing asbestos - Coordinating Council's clean up response to asbestos-related issues such as land contamination and illegal dumping - Ensuring compliance with Singleton Council's asbestos notification, handling and disposal policies for all Infrastructure Delivery staff and operations
Manager Human Resources	Facilitating training in asbestos awareness, identification, handling and removal for nominated staff



Parties or Persons	Responsibilities
Local Emergency Management Officer (LEMO)	In the event of an emergency, serve as point of contact for the Local Emergency Operations Controller (LEOCon) access to Council information regarding properties affected or possibly affected by asbestos containing material

10 Approval

As per cover sheet.

11 Monitoring

This policy will be monitored by the Manager Integrated Risk to ensure compliance.

12 Review Date

This policy, once adopted, is to remain in force until it is reviewed by Council. This policy is to be reviewed approximately every two (2) years to ensure that it meets legislative requirements.

13 Last Review Date

The Asbestos Management Plan Policy was adopted by the then Executive Management Team on 7 December 2006 (policy no. 5003.1). The Asbestos Management policy was reviewed by the Asbestos Management Project Control Group and both the WHS Committee and Leadership Team prior to its adoption in September 2017.

14 Record Keeping, Confidentiality and Privacy

This policy is to be made available for public viewing as required under the *Government Information (Public Access) 2009, NSW*.

15 Breaches and Sanctions

Any breaches of this Policy will be referred to the General Manager for appropriate action.

