

2.28 Asbestos Management

POLICY TITLE: ASBESTOS MANAGEMENT

FILE REF: SC67

EXPIRY DATE: AUGUST 2025

OBJECTIVES

Lockhart Shire Council acknowledges the serious health hazard from exposure to asbestos.

In Australia, asbestos has been phased out of building materials since the 1980s and the supply and installation of asbestos containing goods has been prohibited since 31 December 2003.

However, Council recognises that asbestos legacy materials still exist in many homes, buildings and other assets and infrastructure. Council has no record of naturally occurring asbestos within the Shire.

Council has an important dual role in minimising exposure to asbestos, as far as is reasonably practicable, for both:

- residents and the public within Lockhart Shire
- workers (employees and other persons) in Council workplaces or facilities.

This Asbestos Management Policy forms part of the Risk Management processes employed by Council to achieve two of its Strategic Objectives; A2: Our community services and facilities meeting the needs of our community; and E1: Council is strong, sustainable, and able to stand alone.

DEFINITIONS

Asbestos means the asbestiform varieties of mineral silicates belonging to the serpentine or amphibole groups of rock forming minerals including the following:

- a) Actinolite asbestos
- b) Grunerite (or Amosite) asbestos (brown)
- c) Anthophyllite asbestos
- d) Chrysotile asbestos (white)
- e) Crocidolite asbestos (blue)
- f) Tremolite asbestos
- g) 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-contaminated dust or debris (ACD) means dust or debris that has settled within a workplace and is, or is assumed to be, contaminated with asbestos.

Friable Asbestos means material that:

- 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.

Non-friable Asbestos means material containing asbestos that is not friable asbestos, including material containing asbestos fibres reinforced with a bonding compound.

Naturally Occurring Asbestos (NOA) means the natural geological occurrence of asbestos minerals found in association with geological deposits including rock, sediment or soil.

SCOPE

This policy applies to all of the residents, land and property holders and other stakeholders within Lockhart Shire and to all Councillors, Senior Management, staff, volunteers and contractors of Lockhart Shire Council.

The Policy provides information for council workers, the local community and wider public and applies to friable, non-friable (bonded) and naturally occurring asbestos (where applicable) within the Lockhart Shire.

2.28 Asbestos Management

Legislative Requirements

Council's legislative functions 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.

POLICY STATEMENT

This Policy is supported by a specific Asbestos Management Plan, comprising two sub plans, and subordinate documents to manage risks associated with asbestos and asbestos containing material.

In the preparation of the Asbestos Management Plan Council has taken guidance from the following:

- Code of practice on how to manage and control asbestos in the workplace (catalogue no. WC03560) published by SafeWork NSW;
- Code of practice on how to safely remove asbestos (catalogue no. WC03561) published by SafeWork NSW;
- Model Asbestos Policy for NSW Councils published by the Office of Local Government (OLG);
- Asbestos Blueprint – A Guide to the Roles and Responsibilities of Government Agencies in NSW;
- Additional guidance material listed in Appendix B.

PROCEDURE

Roles and Responsibilities of Council in the Management of Asbestos

Educating residents

Council shall assist residents to access appropriate information and advice 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.

Managing land

Council is responsible for managing public land. This may include land with naturally occurring asbestos and land contaminated with asbestos.

Managing waste

Council is responsible for:

- Issuing clean up notices to address illegal storage or disposal of asbestos waste or after an emergency or incident (under the Protection of the Environment Operations Act 1997);
- Issuing prevention or clean up notices where asbestos waste has been handled (including stored, transported or disposed of) in an unsatisfactory manner (under the Protection of the Environment Operations Act 1997);
- Issuing penalty infringement notices for improper transport of asbestos (under the Protection of the Environment Operations Act 1997); and
- Applying planning controls to proposals to dispose of asbestos waste on-site, seeking advice from the Environment Protection Authority (EPA) on this matter and making notation on planning certificates (section 10.7 certificates) where on-site disposal is permitted.

2.28 Asbestos Management

Regulatory responsibilities

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

Asbestos Management Plan

The Asbestos Management Plan is designed to assist Council:

- assess and/or surveying all property under its care and control to ascertain the presence of asbestos/ACM or not;
- maintain an Asbestos Register containing the location (or suspected location) of asbestos/ACM;
- assess potential health risks and implement control mechanisms;
- remove or control asbestos materials that pose an immediate health risk to the public or staff;
- regularly review and monitor identified areas to ensure they are appropriately labelled and in good condition and do not pose an immediate health risk;
- continually work toward an asbestos-free Council;
- consult with and educate staff on the dangers of asbestos/ACM in homes and workplaces, and the correct handling procedures if it is necessary to work with asbestos/ACM;
- educate and, where necessary, assist the residents and ratepayers of Lockhart Shire on the dangers of asbestos/ACM in homes and workplaces.

If naturally occurring asbestos is discovered in Lockhart Shire, Council will, if necessary, develop risk controls and an asbestos management plan in relation to the naturally occurring asbestos and provide guidance materials where necessary.

In the unlikely event that staff or volunteers have been exposed, or suspected of being exposed, the normal Incident Reporting process must be undertaken, and if necessary health surveillance steps are to be instigated, Personnel Files to be suitable endorsed.

REFERENCES, ASSOCIATED DOCUMENTS AND RELEVANT LEGISLATION

- Australian Standard 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
- Protection of the Environment Operations Act 1997
- Protection of the Environment Operations (General) Regulation 2009
- Protection of the Environment Operations (Waste) Regulation 2005
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy No. 55 – Remediation of Land.

RELEVANT COUNCIL POLICIES & DOCUMENTS

- Lockhart Shire Council Work Health & Safety Policies
- Lockhart Shire Council Risk Management Policy
- Lockhart Shire Council Asbestos Management Plan
 - Asbestos Management Plan – Community Asbestos Sub-plan
 - Asbestos Management Plan – Council Asbestos Sub-plan.

Adopted by Council 15 August 2022

Refer Minute 170/22

Reviewed by Council – 18 March 2019

Refer minute No. 45/19

Adopted by Council 17 August 2009

Refer minute 283/09

Adopted by Council – 19 May 2003

Refer Minute No. 23612