

Policy 3.08 Asbestos Management

Directorate	Business and Governance
Responsible Officer	Director, Business and Governance

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1.1 Introduction

1.1.1 Scope

This policy applies to all the processes implemented by Council to safely handle, remove and transport materials containing asbestos. It provides asbestos management information for council staff, contractors, consultants, volunteers, and the local community.

The policy applies to friable, non-friable (bonded) and naturally occurring asbestos within the Bega Valley Shire.

The policy does not provide detail on specific procedures. Practical guidance on how to manage risks associated with asbestos and asbestos containing material can be found in the:

- *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.

1.1.2 Purpose

This policy identifies the commitment of council and its responsibilities relating to safely managing asbestos. role of council in managing asbestos in accordance with its regulatory powers. This policy gives direction about how to:

- ensure safe handling, removal and transport of materials containing asbestos.
- promote community awareness of dangers of asbestos and the safe and correct methods for removal, transport and disposal.
- set out procedures for reporting and investigation of illegal asbestos waste storage and dumping.
- ensure a consistent approach of asbestos management is applied throughout the Bega Valley Shire local government area.

1.2 Definitions

Word or Terminology	Description
Airborne asbestos	Any fibres of asbestos small enough to be made airborne. For the purposes of monitoring airborne asbestos fibres, only respirable fibres are counted.
Asbestos	The asbestiform varieties of mineral silicates belonging to the serpentine or amphibole groups of rock forming minerals including the following: <ol style="list-style-type: none"> 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)	Any material or thing that, as part of its design, contains asbestos.
Asbestos-contaminated dust or debris (ACD)	Dust or debris that has settled within a workplace and is, or is assumed to be, contaminated with asbestos.

Word or Terminology	Description
Asbestos related work	Work involving asbestos that is permitted under the <i>Work Health and Safety Regulation 2011</i> , other than asbestos removal work.
Asbestos removal licence	A 'Class A' asbestos removal licence or a Class B asbestos removal licence
Asbestos removal work	Means: <ol style="list-style-type: none"> a. work involving the removal of asbestos or asbestos containing material, or b. Class A asbestos removal work or Class B asbestos removal work.
Asbestos removalist	A person conducting a business or undertaking who carries out asbestos removal work.
Asbestos waste	Any waste that contains asbestos. This includes asbestos or asbestos containing material and disposable items used during asbestos removal work including plastic sheeting and disposable tools.
Certifying authority	A person who is authorised by or under section 85A of the <i>Environmental Planning and Assessment Act 1979</i> to issue complying development certificates or is authorised by or under section 109D of the <i>Environmental Planning and Assessment Act 1979</i> to issue part 4A certificates.
Friable asbestos	Material that is in a powder form or that can be crumbled, pulverised or reduced to a powder by hand pressure when dry and contains asbestos.
In-situ asbestos	Asbestos or asbestos containing material fixed or installed in a structure, equipment or plant, but does not include naturally occurring asbestos.
Non-friable asbestos	material containing asbestos that is not friable asbestos, including material containing asbestos fibres reinforced with a bonding compound.
Waste	In the context of this policy, 'waste' means: <ul style="list-style-type: none"> • any substance (whether solid, liquid or gaseous) that is discharged, emitted or deposited in the environment in such volume, constituency or manner as to cause an alteration in the environment, or • any discarded, rejected, unwanted, surplus or abandoned substance, or • any otherwise discarded, rejected, unwanted, surplus or abandoned substance intended for sale or for recycling, processing, recovery or purification by a separate operation from that which produced the substance, or • any process, recycled, re-used or recovered substance produced wholly or partly from waste that is applied to land, or used as fuel, but only in the circumstances prescribed by the regulations, or • any substance prescribed by the regulations made under the <i>Protection of the Environment Operations Act 1997</i> to be waste.
Waste facility	Any premises used for the storage, treatment, processing, sorting or disposal of waste.

Word or Terminology	Description
Worker	<p>A person is a worker if the person carries out work in any capacity for a person conducting a business or undertaking, including work as:</p> <p>an employee, or</p> <ul style="list-style-type: none"> • a contractor or subcontractor, or • an employee of a contractor or subcontractor, or • an employee of a labour hire company who has been assigned to work in the person's business or undertaking, or <p>an outworker, or</p> <ul style="list-style-type: none"> • an apprentice or trainee, or • a student gaining work experience, or <p>a volunteer, or</p> <ul style="list-style-type: none"> • a person of a prescribed class.
Workplace	<p>A workplace is 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.</p>

1.3 Legislation

- *Contaminated Land Management Act 1997* (NSW)
- *Environmental Planning and Assessment Act 1979* (NSW)
- *Environmental Planning and Assessment Regulation 2000* (NSW)
- *Local Government Act 1993* (NSW)
- *Protection of the Environment Operations Act 1997* (NSW)
- *Protection of the Environment Operations (General) Regulation 2009* (NSW)
- *Protection of the Environment Operations (Waste) Regulation 2014* (NSW)
- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*
- *State Environmental Planning Policy No. 55 – Remediation of Land*
- *Work Health and Safety Act 2011*
- *Work Health and Safety Regulation 2011*
- Demolition work code of practice 2015 (catalogue no. WC03841).

1.4 Implementation

1.4.1 Policy Statement

Bega Valley Shire Council will address the matter of asbestos management in a systematic manner by:

- Adhering to its obligations under the *Work Health and Safety Regulation 2011* to ensure that asbestos within the land under jurisdiction of Bega Valley Shire Council is appropriately managed and controlled to ensure adequate safety measures are undertaken in regard to asbestos.

- Actively regulating the local building and development industries to ensure the safe handling and disposal of asbestos products.
- Implementing specific strategies to protect the community and staff against the health risks associated with asbestos.
- Promoting safe handling and disposal methods for asbestos products within the Bega Valley Shire.
- Ensuring Council compliance with related procedures and guidelines associated with this policy.

1.4.2 Responsibilities

1.4.2.1 Elected Council

The elected council will make sure this policy is reviewed, updated and adopted on a needs basis and in accordance with the requirements of Section 165 of the *Local Government Act 1993*.

1.4.2.2 Chief Executive Officer (CEO), Leadership Executive Group (LEG)

The CEO and members of leadership executive group will make sure Council's asbestos management policy is reviewed, updated, and adopted in accordance the requirements of Section 165 of the *Local Government Act 1993*.

The CEO and LEG will also make sure appropriate guidelines, procedures, and asbestos registers are developed and shared with members of staff and the wider community.

In sharing relevant information, the council will:

- Assist residents to access appropriate information about the management of asbestos
- Provide information and advice on how to responsibly manage public land which may contain asbestos
- Provide information and advice on how to safely dispose of asbestos waste material.

1.4.2.3 Directorate responsibilities

- The Assets and Operations Group, through the Waste Section will be responsible for managing asbestos waste material in accordance with the appropriate regulatory authority.
- The Community, Environment and Planning Group, through the Certification and Compliance Section will be response for making sure planning and regulatory authorities are adhered to in relation to the management of asbestos.
- The Business and Governance Group, through the Work Health and Safety function will make sure that appropriate asbestos management and training procedures are developed and implemented for staff in accordance with the *Work Health and Safety Regulation 2011*. Council's safety advisors will also create and share asbestos awareness advice and information and make sure it is published on Council's website.

1.5 Supporting documents

1.5.1 BVSC Procedures that relate to this Policy

Procedure No.:	Procedure Name	External or Internal Procedure
3.10.10	Disposal of Asbestos	External
6.05.21	Asbestos Management	Internal

1.5.2 BVSC Policies that Relate to this Policy

Policy No.:	Policy Name
3.01	Development Administration
3.10	Waste Services
4.05	Enforcement and compliance
5.01	Asset Management
6.05	Work Health and Safety

Note: Policy details may change from time to time. To ensure you are viewing the most recent version please view Council's adopted Policies and Procedures on Council website:

Under Review