
NARROMINE SHIRE COUNCIL
ORDINARY MEETING BUSINESS PAPER – 10 FEBRUARY 2021
REPORTS TO COUNCIL – GENERAL MANAGER

1. DELIVERY PROGRAM PROGRESS REPORT – 1 JULY 2020 TO 31 DECEMBER 2020

Author	Director Governance
Responsible Officer	General Manager
Link to Strategic Plans	CSP – 4.3.1 Operate and manage Council in a financially sustainable manner that meets all statutory and regulatory compliance and Council policies.

Executive Summary

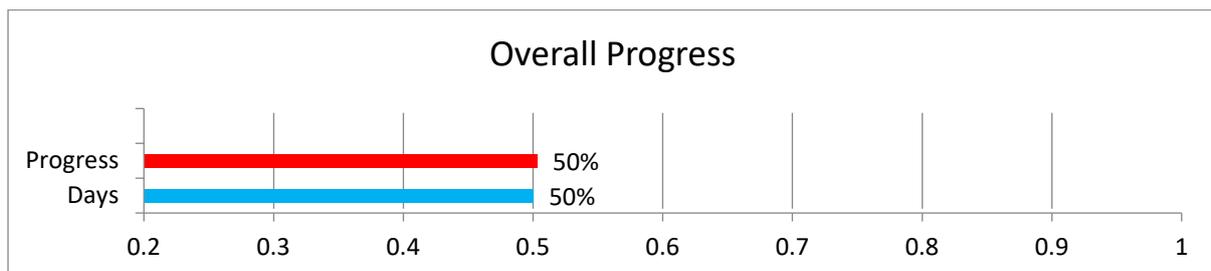
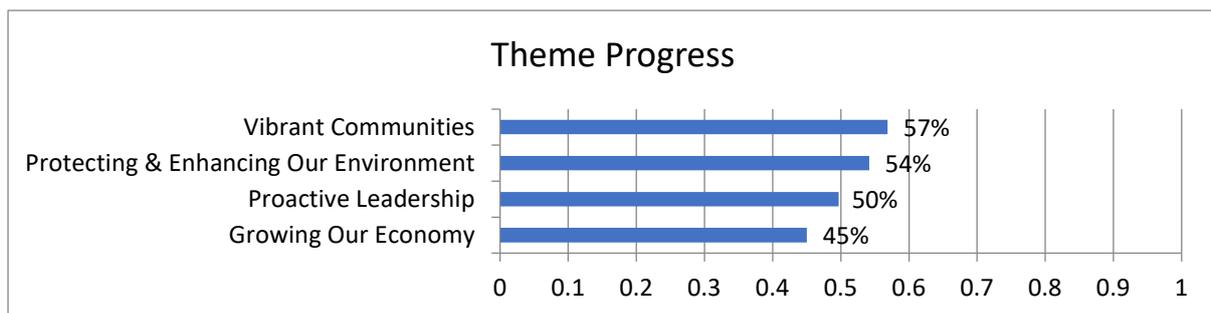
This report provides Council with information on the progress of Council's Delivery Program actions from 1 July 2020 to 31 December 2020. Council has achieved 50% of its goals for the 2020/2021 financial year.

Report

The General Manager must ensure that progress reports are provided to Council, with respect to the principal activities detailed in the Delivery Program, at least every six months.

The report (**see Attachment No. 1**) presents the progress on Council's achievements in implementing the 2017/2021 Delivery Program and the 2020/2021 Operational Plan to 30 June 2021. Each item in the Delivery Program is referenced to one of the key priorities in the Community Strategic Plan – Vibrant Communities; Growing Our Economy; Protecting and Enhancing Our Environment; Proactive Leadership.

Council's performance against each key priority is reflected in the graph below:-



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**1. DELIVERY PROGRAM PROGRESS REPORT – 1 JULY 2020 TO 31 DECEMBER 2020
(Cont'd)**

Notable achievements for the 2020/2021 financial year to date include: -

- Receipt of over \$3.8 million in funding allocations
 - Regional Airports Program - \$419,750
 - Murray-Darling Basin Economic Development Program - \$450,000
 - Local Roads and Community Infrastructure Program and Resources for Regions Program - \$1.5 million
- Contract management of the Narromine and Trangie Aquatic Centres
- Donation of over \$18,000 to community groups
- Reserves Clean-up project in partnership with Ozfish Inland Waterways River Repair Bus
- Upgrades to Rotary Park leash free area
- Completion of Narromine Lawn Cemetery extension and fencing upgrade
- Replacement of electricals in the Trangie Showground and Racecourse Pavilion
- Renewal of the Narromine Pool centre line
- Completion of Apex Park basketball court resurface and installation of play-space - \$110,000

Financial Implications

Operational Plan and Budget 2020/21

Legal and Regulatory Compliance

Local Government Act 1993 – Section 404(5)

Risk Management Issues

Compliance with legislative requirements.

Council's Delivery Program must include a method of assessment to determine the effectiveness of each principal activity detailed in the Delivery Program in implementing the strategies and achieving the strategic objectives at which the principal activity is based.

Internal/External Consultation

Council's Delivery Program was placed on public exhibition prior to its adoption by Council.

Attachments

- Delivery Program Progress Report – 1 July 2020 to 31 December 2020

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**1. DELIVERY PROGRAM PROGRESS REPORT – 1 JULY 2020 TO 31 DECEMBER 2020
(Cont'd)**

RECOMMENDATION

That the Delivery Program Progress Report from 1 July 2020 to 31 December 2020 be noted.

2. OVERGROWN AND UNSIGHTLY PROPERTY POLICY

Author	Director Governance
Responsible Officer	General Manager
Link to Strategic Plans	CSP – 4.2.8 Implement best practice governance standards, transparent decision making and a strong ethical culture CSP – 3.2.2 Ensure regulatory compliance with environmental legislation

Executive Summary

This report is presented to Council to consider adoption of the Overgrown and Untidy Property Policy following public exhibition.

Report

Council at its Ordinary Meeting held 14 October 2020 resolved to place the Draft Overgrown and Unsightly Property Policy on public exhibition for a period of 28 days, allowing 42 days for public submissions to be made to Council.

Accordingly, the draft Policy was placed on public exhibition with the closing date for submissions being 9 December 2020.

No written submission were received.

Financial Implications

Council receives numerous customer service requests regarding overgrown vegetation and untidy privately-owned properties and has limited resources for compliance activities. The policy serves to provide a responsive and proportional framework for compliance and enforcement decisions in relation to overgrown and untidy properties within the Narromine Local Government area.

2. OVERGROWN AND UNSIGHTLY PROPERTY POLICY (Cont'd)

Legal and Regulatory Compliance

Under the Local Government Act, Council can only take enforcement action in relation to overgrown and untidy properties where it has become a public health or safety risk.

Risk Management Issues

Overgrown or unsightly properties can be a nuisance and a danger to neighbours and the community. All residents have a responsibility to keep their properties neat and tidy and to improve the appearance of our community, remove harbourage for vermin to breed and reduce health risks. This policy provides the criterion to trigger enforcement actions.

Internal/External Consultation

In accordance with Section 160 of the Local Government Act, the draft policy has been placed on public exhibition for at least 28 days, allowing no less than 42 days for submissions to be made to Council.

The draft policy was also provided to real estate agents within the Narromine LGA, as well as to the Narromine LALC and Trangie LALC.

No written submissions were received.

Attachments

- Overgrown and Unsightly Property Policy (**Attachment No. 2**)

RECOMMENDATION

That the Overgrown and Unsightly Property Policy as presented to Council be adopted.

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3. ASBESTOS POLICY

Author	Director Governance
Responsible Officer	General Manager
Link to Strategic Plans	CSP – 4.2.8 Implement best practice governance standards, transparent decision making and a strong ethical culture 3.2.2 Ensure Regulatory compliance with environmental legislation DP – 4.2.8.2 Maintain a framework of relevant policies and procedures.

Executive Summary

This report is presented to Council to consider revising Council's Asbestos Policy.

Report

The Model Asbestos Policy for NSW Councils was developed by LGNSW in partnership with the Heads of Asbestos Coordination Authorities (HACA) and was issued to all councils in May 2013 by the Office of Local Government under section 23A of the Local Government Act 1993 as a guideline that must be considered by councils in carrying out their functions.

Accordingly, Council adopted its Asbestos Policy in September 2013 based on the above model policy. A revised Model Policy for NSW Councils was issued by the OLG in 2015, which was subsequently considered by Council and adopted. The policy is now due for further review. Suggested amendments have been marked in red for ease of reference (**see Attachment No. 3**). The majority of amendments reflect updates to legislation, namely references to the Environmental Planning and Assessment Act 1979, the Work Health and Safety Regulation 2017, and the Building and Development Certifiers Act 2018.

Financial Implications

There are no financial implications in adopting Council's Asbestos Policy.

Legal and Regulatory Compliance

Council has regulatory responsibilities under the following: -

- *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)*

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3. ASBESTOS POLICY (Cont'd)

- *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*
- *Demolition work code of practice 2015*

Risk Management Issues

The policy is based on the Model Asbestos Policy for NSW Councils to promote a consistent Local Government approach to asbestos management across NSW. As the Model Policy has been issued under section 23A of the Local Government Act 1993, it must be considered by councils in carrying out their functions.

Internal/External Consultation

There is no requirement to place the policy on public exhibition.

Attachments

- Revised Asbestos Policy (**Attachment No. 3**)

RECOMMENDATION

That the proposed amendments to the Asbestos Policy as presented to Council be adopted.

4. CLOSURE OF COUNCIL FACILITIES OVER CHRISTMAS/NEW YEAR PERIOD POLICY

Author	Director Governance
Responsible Officer	General Manager
Link to Strategic Plans	CSP – 4.2.8 Implement best practice governance standards, transparent decision making and a strong ethical culture 3.2.2 Ensure Regulatory compliance with environmental legislation DP – 4.2.8.2 Maintain a framework of relevant policies and procedures.

Executive Summary

This report is presented to Council to consider revoking Council's Closure of Council Facilities Over Christmas/New Year Period Policy.

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4. CLOSURE OF COUNCIL FACILITIES OVER CHRISTMAS/NEW YEAR PERIOD POLICY (Cont'd)

Report

Council's Closure of Council Facilities Over Christmas/New Year Period Policy was considered by Council in 2016 and is now scheduled for review.

In recent years, Council has resolved to close the Council Chambers, Customer Services and Payments Centre and Works Depot facilities for a two-week period over the Christmas/New Year break. All other facilities (including Swimming Pools and Waste Depots) are closed on Christmas Day and re-open during the rest of the Christmas and New Year period but may operate with changes to the hours of operation. Council continues to provide essential services to ensure the health and safety of the community i.e. kerbside garbage collection, CBD cleaning, cleaning of public facilities e.g. toilets, BBQ's. Council still provides appropriate on-call officers to respond to urgent maintenance work or emergency situations.

Council staff have now reviewed the policy, and recommend the policy be revoked, given that the General Manager has delegated authority to determine the operating hours of all Council facilities.

Financial Implications

Staff leave liabilities increase in value every year in line with the statutory wage increases. In order to reduce staff leave balances and leave liability costs and to support employee work/life balance, the General Manager will continue to maintain the two week closure period in accordance with her delegated authority.

Legal and Regulatory Compliance

Local Government (State) Award 2020

Delegated authority under Section 377 of the Local Government Act 1993

Risk Management Issues

As the General Manager has delegated authority to determine the operating hours of all Council facilities, this policy is considered superfluous.

Internal/External Consultation

Council provides appropriate notification to the community of changes to the closure of any facilities during the Christmas/New Year break and/or changes to the availability of Council services.

Attachments

- Closure of Council Facilities Over Christmas/New Year Period Policy (**Attachment No. 4**)

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4. CLOSURE OF COUNCIL FACILITIES OVER CHRISTMAS/NEW YEAR PERIOD POLICY (Cont'd)

RECOMMENDATION

1. That Council's Closure of Council Facilities Over Christmas/New Year Period Policy be revoked.
2. That the General Manager, under delegated authority, maintain the two-week closure period for Council's Offices and Works Depot Facilities to manage staff leave liabilities and support employee work/life balance.

5. FIRST ORDINARY COUNCIL MEETING FOLLOWING DECLARATION OF POLL POLICY

Author	Director Governance
Responsible Officer	General Manager
Link to Strategic Plans	CSP – 4.2.8 Implement best practice governance standards, transparent decision making and a strong ethical culture 3.2.2 Ensure Regulatory compliance with environmental legislation DP – 4.2.8.2 Maintain a framework of relevant policies and procedures.

Executive Summary

This report is presented to Council to consider revoking Council's First Ordinary Council Meeting Following Declaration of Poll Policy.

Report

Council adopted the First Ordinary Council Meeting Following Declaration of Poll Policy in December 2016 via a Notice of Motion (**See Attachment No. 5**)

The policy is now due for review.

Council staff have reviewed the policy and recommend its revocation. The General Manager has delegated authority to vary scheduled meeting dates and times for Ordinary Council Meetings and Committee Meetings, when it is not practical or desirable to hold meetings on a designated date.

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**5. FIRST ORDINARY COUNCIL MEETING FOLLOWING DECLARATION OF POLL
POLICY (Cont'd)**

Since adoption of this policy, the Local Government Act has been amended to include the requirement for each newly elected Councillor to take an oath or affirmation of office as the first item of business for the meeting.

The election of the Mayor and Deputy Mayor must occur within 3 weeks after the ordinary election. This therefore occurs at the first Ordinary Meeting of Council following declaration of poll.

The 2021 Local Government election will be held on 4 September 2021, and results are declared progressively as the count is finalised by the election manager from 7 September onwards.

Council's September Meeting would ordinarily be held 15 September 2021, however is likely to be rescheduled to either 22 September or 29 September, depending on declaration of the poll. The General Manager is delegated authority to determine a suitable date.

Financial Implications

There are no financial implications associated with the retention or revocation of this policy.

Legal and Regulatory Compliance

Section 290 of the Local Government Act 1993

Delegated authority under Section 377 of the Local Government Act 1993

Section 233A of the Local Government Act 1993 – Oath and Affirmation for Councillors

Risk Management Issues

As the General Manager has delegated authority to vary scheduled meeting dates it is considered that the policy is no longer necessary. The General Manager will vary the meeting date in accordance with Section 290 of the Local Government Act 1993 and will take into consideration any specific requirements of newly elected Councillors.

Internal/External Consultation

Nil

Attachments

- First Ordinary Council Meeting Following Declaration of Poll Policy (***Attachment No. 5***)

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5. FIRST ORDINARY COUNCIL MEETING FOLLOWING DECLARATION OF POLL POLICY (Cont'd)

RECOMMENDATION

That Council's First Ordinary Council Meeting Following Declaration of Poll Policy be revoked.

6. LEASE PART NARROMINE AVIATION MUSEUM CLUB BUILDING

Author	Director Governance
Responsible Officer	General Manager
Link to Strategic Plans	CSP – 4.3.4 Ensure Council's property assets are monitored and well managed.

Executive Summary

This report is presented to Council to consider the lease fee for the option to renew the lease with the Narromine Aero Club.

Report

In December 2015, Council resolved to approve the lease to the Narromine Aero Club Inc for part of the Aviation Museum Club/Complex Building as follows: -

- i) Lease to be for 5 x 5 x 5 years with an Option to renew for a further period to be negotiated at the conclusion of that period.
- ii) Commencing rental to be \$6,423.96 pa or \$535.33 per month plus GST with annual CPI increases for the first five years of the Lease (\$7066.32 pa or \$588.86 pm including GST).
- iii) The Lessee to be responsible for all internal maintenance excluding fair wear and tear of the portion of the building they lease.
- iv) Approval be given for the Common Seal to be attached to the Lease document.

The current lease with the Narromine Aero Club expires 31 January 2021. The club has now advised that they wish to exercise the first 5-year option.

The above resolution specified that the annual CPI increases were to be applied for the first 5 years. Council will therefore need to determine the new rental for the option to renew.

6. LEASE PART NARROMINE AVIATION MUSEUM CLUB BUILDING (Cont'd)

Financial Implications

Current rental is \$7,598.45 per annum (including GST). It is recommended that Council applies the annual CPI rate for the first 5-year renewal option as well as the second five-year renewal option. The recommended commencing rental therefore would be \$7,656.85 per annum.

Legal and Regulatory Compliance

Council under section 377 of the Local Government Act 1993 will need to determine the commencing rental for the first five-year option.

Current rental agreement allows for the exercise of two x 5-year options to renew.

Risk Management Issues

The Narromine Aero Club has leased the building for many years. The building is maintained by the Lessee in terms of the normal conditions under a lease which excludes wear and tear which would be Council's responsibility.

Internal/External Communication

Consultation with Lessee

Attachments

- Nil

RECOMMENDATION

That the commencing rental for the renewal of the agreement between Council and the Narromine Aero Club Inc be set at \$7,656.85 per annum (including GST) with annual CPI increments to be applied thereafter, and further that should the second five- year option be exercised, annual CPI increments also be applied.

Jane Redden
General Manager



Narromine

SHIRE COUNCIL



Delivery Program Progress Report 1 July 2020 – 31 December 2020

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Narromine Shire Vision

The Narromine Shire is a friendly place to live with a strong sense of community that values our services, facilities and our natural rural environment.

We are a community that values the diversity of people, ideas, perspectives and experiences.

We work together to strive towards a vibrant, safe and engaged community that provides opportunities for all its members.

Our Council is a leader for our community, sharing the responsibility for growth, development and provision of services.



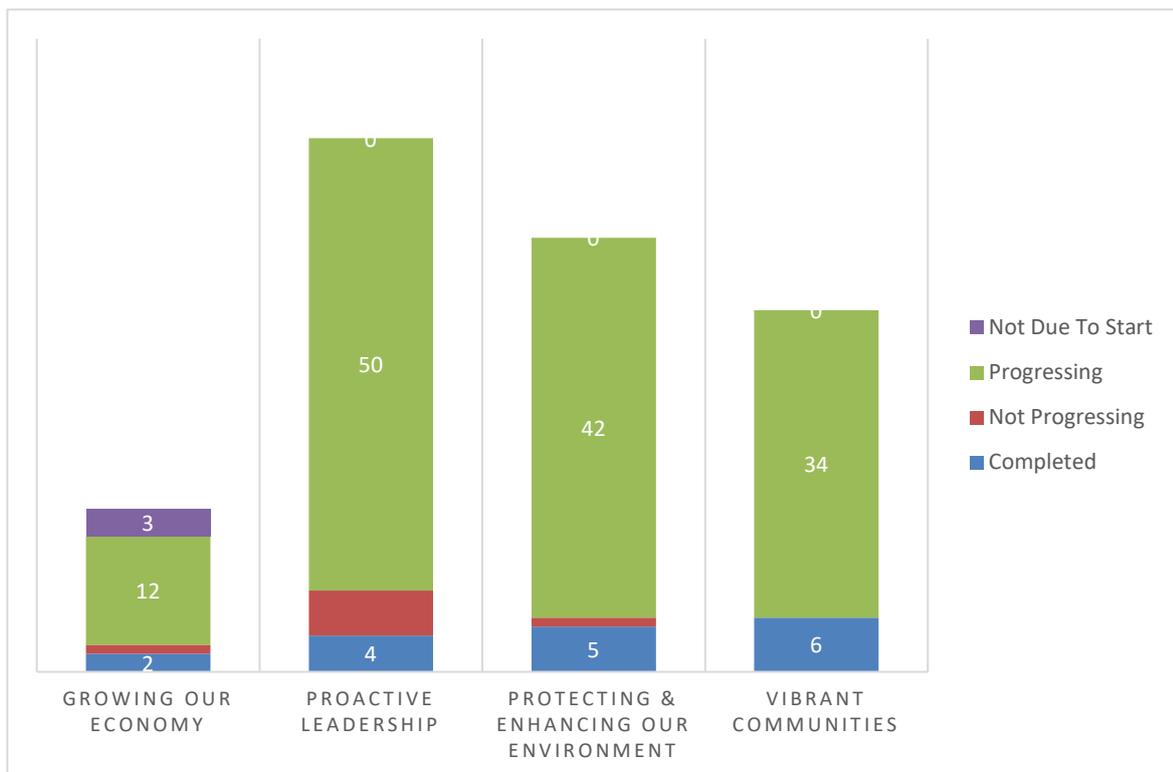
Delivery Program

This is the plan where the community's strategic goals are translated into actions. These are the principal activities to be undertaken by Council to implement the objectives established by the Community Strategic Plan within the resources available under the Resourcing Strategy.

The Delivery Program is a statement of commitment to the community from each newly elected Council. It is designed as the single point of reference for all principle activities undertaken by Council during its term. All plans, projects, activities and funding allocations must be directly linked to this Program.

As Local Government is a division of State Government, it is appropriate that Council's goals are linked to the 32 goals developed by the State Government in their 2021 plan. These are referenced as 'SP number' for each Delivery Program goal.

Below is the summary of Council's overall performance for 1 July 2020 – 30 December 2020.





VIBRANT COMMUNITIES

Our Goal:

We want to create a safe, healthy and connected region that encourages participating and creates a strong sense of pride in our community and each other's well-being.

Financial Snapshot	2017/18	2018/19	2019/20	2020/21
Community & Cultural Services	\$450,900	477,568	487,092	484,200
Recreational Facilities	\$1,693,824	1,816,262	1,737,136	1,782,328

A SAFE, ACTIVE AND HEALTHY COMMUNITY – SP Nos. 16, 23, 27

Action Code	Action	Performance Measure	Action Progress	Comments
1.1.1.01	Liaise with Police and other community groups.	Meet Quarterly with police	50%	Six Monthly meetings are held with NSW Police representatives.
1.1.1.2	Review Alcohol Free Zones within the shire	Adoption of alcohol free zones by Council every three years	100%	Alcohol Free Zones reviewed for a further four year period.
1.1.1.3	Develop a Crime Minimisation Strategy.	Strategy complete by 31 December 2018	25%	Development of this plan is underway.
1.1.02.02	Coordinate annual inspection of Council streetlights to ensure adequate operation.	Audit conducted annually.	50%	Inspections have been done and report being compiled
1.1.03.01	Participate in Interagency Meetings and provide Council assistance where appropriate.	90% attendance at Interagency meetings.	50%	Participate as required and when time allows. Staff continue to enjoy a good working relationship with agencies.
1.1.4.01	Develop and publicise a brochure on the facilities available in the Shire.	Update brochure annually	100%	Completed mid 2020 with latest edition. Has been circulated.
1.1.04.02	Promote recreational opportunities for all ages through website, social media and other available networks.	Update information on a monthly basis.	50%	Recreational facilities promoted on website and through social media. Most recent projects added to website section for upcoming works.
1.1.05.05	Oversee implementation of the Master Plan.	Implement key deliverables as per the Master Plan.	50%	As funds become available actions are coordinated

Attachment No 1

Action Code	Action	Performance Measure	Action Progress	Comments
1.1.06.01	Collaborate with government and other health service providers to ensure high quality health care facilities and services are available to Shire residents.	Meet quarterly with State and Federal Local Members ensuring the provision of Shire health facilities a key agenda item.	50%	Meetings with State and Federal Members held with the provision of health care services on the standard agenda. Proactive and positive relationships maintained with Narromine Shire Family Health Care services.
1.1.07.02	Strengthen relationships with key medical agencies within the Shire.	Meet six monthly with Western NSW LHD Narromine and Trangie health care providers.	100%	Meetings with State and Federal Members held with the provision of health care services on the standard agenda. Proactive and positive relationships maintained with Narromine Shire Family Health Care services.
1.1.08.03	Review operational costs of Narromine and Trangie pools and determine fees and charges annually.	Fees and charges reviewed and adopted by 30 June annually.	100%	Fees remained static for 2020/21 year with discussions to be had with contractors regarding next financial year pricing.
1.1.10.01	Support programs for the aged in the community with a healthy lifestyle focus.	Consult with Health Services and advertise programs monthly through Council's website and Facebook page.	50%	Consult with Health Services and advertise programs monthly through Council's website and Facebook page. During the COVID 19 period over the past year there have been fewer activities in general.
1.1.10.03	Provide opportunity for reduced gym membership fee on receipt of Seniors Card.	Advertise reduced Seniors' gym membership monthly.	100%	Fees and charges reflect seniors pricing.
1.1.11.05	Ensure adequate resources are allocated to the Sports Centre to maintain facilities in accordance with community usage.	Review fees and charges annually by 30 June.	50%	Centre has returned to 24-hour access. Maintenance continues with plans to recommence indoor sporting activities in 2021 if public health restrictions allow.
1.1.12.01	Convene and support bi-annual sports user group workshops in winter and summer.	100% meetings held with sports user groups.	50%	Meeting to be scheduled for the end of the summer season pending public health restrictions.
1.1.12.02	Prepare Leases/Licenses or User Agreements for all Sporting Groups using Council's sporting fields.	Agreements prepared for all user groups.	50%	Leases renewed and entered into as required.

A VIBRANT AND DIVERSE COMMUNITY THAT HAS A STRONG SENSE OF BELONGING AND WELLBEING – SP Nos. 13, 14, 24, 26, 27

Action Code	Action	Performance Measure	Action Progress	Comments
1.2.01.01	Ensure facilities meet accessibility standards.	Review facilities annually to determine and address compliance issues.	50%	Buildings have been inspected and as funds become available work is scheduled, scope has been developed
1.2.02.01	In partnership with the community, continue to facilitate events that celebrate community values including all groups within the community and provide financial and in-kind assistance for community and private events, e.g. Ausfly, Oz-Kosh.	Two major events annually.	50%	Events continue to be a focus for the Community and Economic Development Department. Limited events held this quarter due to COVID-19 restrictions.
1.2.03.01	Provide grants through the Donations, Sponsorships and Waiver of Fees & Charges Policy process to community groups, with an emphasis on sports, recreation, arts, cultural, leadership and development activities.	Submissions advertised and received by 30 September, and applicants advised by 30 November each year.	100%	Invitation for Donations and Waivers as advertised in August 2020. Recommendations were approved by Council at its September meeting.
1.2.03.02	Continue to support the Local History Groups in Narromine and Trangie with a financial contribution to assist with their work.	Donation to both Local History Groups in the Annual Budget.	50%	Support provided to both Trangie and Narromine. Budget available to assist.
1.2.03.03	Undertake an annual volunteer audit of the number of volunteers available to Council activities and the number of hours volunteered.	Audit to be complete by 31 December each year.	50%	Thank you to volunteers each year. Encourage volunteerism across the community. Limited opportunities throughout the past 12 months.
1.2.03.04	Give public recognition of volunteer service.	Hold annual volunteers recognition morning tea.	50%	Continue to recognise contributions. Volunteers thank you to be held in 2021, subject to COVID-19 restrictions.
1.2.04.01	Distribute information to all new residents and provide information on Council's website.	Review information six monthly.	50%	New residents evening planned for the 11th of February 2021.

Attachment No 1

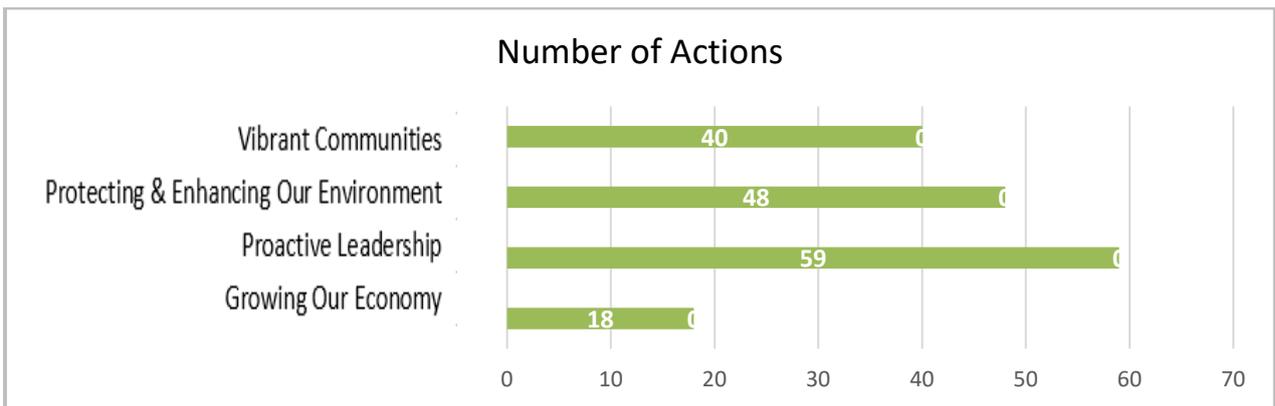
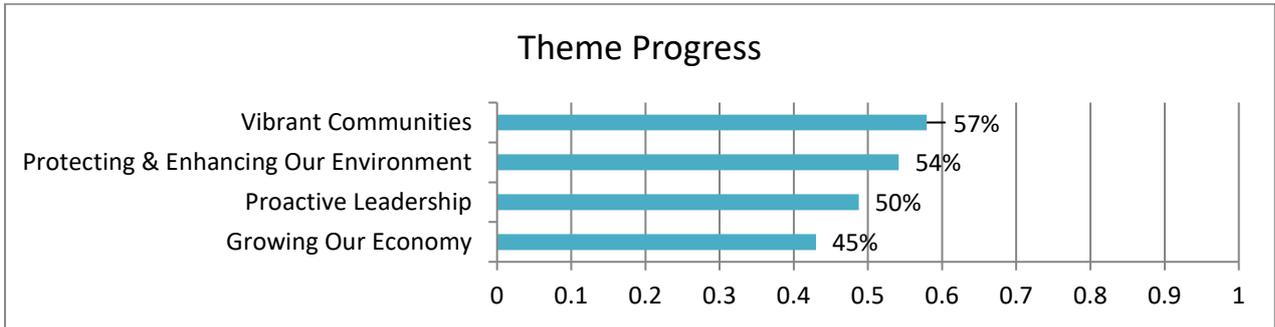
Action Code	Action	Performance Measure	Action Progress	Comments
1.2.04.02	Host welcome functions for new residents, community group representatives, business owners and local agency representatives to enable new residents to establish contact with others in the community.	Advertise and promote welcome function to the broader community annually in March.	50%	Welcome function to be held on the 11th February 2021.
1.2.04.03	Host Citizenship ceremonies upon receipt of relevant information from Department Immigration and Border Control.	Citizenship ceremonies held.	50%	Citizenship ceremonies held as required
1.2.05.01	Liaise with Local Aboriginal Land Councils to enhance the opportunities for the Indigenous community.	Two meetings per year.	50%	Continue to liaise. Undertake actions within the MOU.
1.2.05.02	Assist with NAIDOC Week, Reconciliation Day and other events of importance to the Aboriginal community.	Involvement at these events on an annual basis.	50%	Assist as community events arise. Work with community on MOU. COVID-19 restrictions have cancelled recent events.
1.2.05.04	Implement Targets in the MOU Action Plan	Meet twice annually to discuss targets in Action Plan.	50%	Progress with those organisations on the MOU committee.
1.2.06.02	Implement deliverables identified in the urban branding strategy.	Full implementation as per the plan.	100%	Developed through Visitor Guide and corporate branding. The Visitor Guide was reprinted in 2020. Shop local campaign completed prior to Christmas.
1.2.07.01	All new applicable applications for development comply with the National Construction Code.	100% compliance with National Construction Code.	50%	Continually carrying out revision of all construction codes, modifying Development Consent conditions to reflect legal requirements of the Building Codes
1.2.08.01	Support youth activities within the Shire.	Partner with other agencies to deliver annual youth week activities.	50%	Due to COVID-19 many planned activities for youth week have been cancelled. Activities will commence as allowed by public health restrictions.

A COMMUNITY THAT CAN ACCESS A RANGE OF FORMAL AND INFORMAL EDUCATION, INFORMATION AND OTHER SERVICES AND OPPORTUNITIES TO ENHANCE THEIR LIVES - SP No. 15

Action Code	Action	Performance Measure	Action Progress	Comments
1.3.01.01	Advocate where possible for the increased provision of educational opportunities for our youth within the shire.	Meet quarterly with State and Federal Local Members ensuring the provision of educational opportunities for youth in our Shire a key agenda item.	50%	Quarterly meetings with State and Federal Members held with education as a standard agenda item. Council provide financial and administrative support to the Girls Academy program at Narromine High School in 2020. Council also supports Clontarf program at Narromine High School.
1.3.03.01	Lobby the government to continue to fund child care services in Narromine Shire.	Affordable provision of child care services within the Shire.	50%	Council is supportive of pre-school and child care centres in the Shire. Advocacy is undertaken as required.
1.3.05.01	Continue to lobby Federal and State Local Members and relevant Ministers for service delivery and presence of TAFE within our Shire.	Meet quarterly with State and Federal Local Members ensuring the delivery of TAFE services within the Shire.	50%	Quarterly meetings held with State and Federal Members with the delivery of TAFE services a standard agenda item.
1.3.06.01	Assist in providing industry specific reports to vocational sector.	Make representations to vocational sector.	50%	Representations provided as requested. Ongoing discussions with School and TAFE around opportunities for youth.
1.3.07.01	Provision of E resources, IT training workshops and advisory services to Libraries.	IT training workshops held.	50%	Council continues to provide ongoing support to its libraries.
	Free Wi-Fi and microfiche printer facility available for researching.			
	Public computers provided.			

ACCESSIBLE FACILITIES AND SERVICES ARE AVAILABLE FOR PEOPLE WITH LIMITED MOBILITY.

Action Code	Action	Performance Measure	Action Progress	Comments
1.4.01.01	Implement actions identified in Council's Disability Action Improvement Plan (DIAP).	100% DIAP targets met.	50%	Work has been identified and will be scheduled once funds are available
1.4.01.02	Implement actions identified in Council's Disability Action Improvement Plan (DIAP) in relation to community services.	100% DIAP targets met.	50%	Work via Economic Development committee and working group to deliver actions in social plan including improvements to disability access.
1.4.02.02	Undertake accessibility audit on all community / Council facilities.	Review facilities annually by 31 March to determine compliance issues.	50%	Buildings have been inspected and as funds become available work is scheduled
1.4.03.01	Work with Government agencies to lobby for community transport access within the Shire and to Dubbo and on a regular basis.	Access to community transport locally and to Dubbo is maintained.	50%	Representations provided as requested.





GROWING OUR ECONOMY

Our Goal: We have a diverse economy with thriving businesses that offer a range of employment opportunities supported by skill development options.

Financial Snapshot	2017/18	2018/19	2019/20	2020/21
Planning & Development	\$89,960	89,386	91,618	93,912
Economic Development	\$410,549	393,954	401,559	409,346

TO SUSTAIN AND GROW OUR LOCAL POPULATION - SP No. 3

Action Code	Action	Performance Measure	Action Progress	Comments
2.1.01.01	Prepare and implement an Economic Development Strategy.	Implementation of Action Plan deliverables.	50%	Strategy finalised in 2017. Continue to implement strategies.
2.1.02.02	Continue association with 'Love the Life we Live' website and marketing campaign through the Economic Development network.	Monitor hits to Narromine component of 'Love the Life we Live' website and referrals.	50%	Continue to work with surrounding Shires to deliver cross network promotions. Note that Love the Life is no longer supported across the region.
2.1.03.01	Develop and implement a Shire wide Marketing Strategy.	Implement the actions from the Strategy.	50%	Continue with publications such as the visitors guide, shop local campaign and web site upgrades.
2.1.03.02	Continue participation with Greater Western Plains Promotions Group.	Number of campaigns undertaken annually.	50%	Continue to meet with Group with regard to tourism initiatives. Support for Visitor magazine.
2.1.04.02	Seek grant funding and determine loan funding requirements for the flood levee construction project.	Obtain grant funding by 30 June 2019.	0%	Floodplain risk management plan then Levee Design to be completed and costed before application for a grant can be made.
2.1.04.03	Finalise funding proposal, project plan and tender documents developed.	Finalise tender by 30 June 2020.	0%	Floodplain Risk Management Plan needs to be completed first. Tender Documentation and costing can form part of the detailed design of the Levee.
2.1.04.04	Construct flood levee.	Commence construction by 30 December 2020.	0%	Floodplain Risk Management Plan needs to be completed first. Detailed design of the levee will follow and levee constructed after Award of Contract
2.1.06.02	Assist community with applications for grant funding by providing statistical data.	Update available information and promote as per communications strategy.	50%	Updated information available on website. Grow Narromine workshops held in 2020. Specific grants information sent to community groups.

THE ONGOING DEVELOPMENT DIVERSIFICATION AND SUSTAINABILITY OF THE LOCAL BUSINESS AND INDUSTRY BASE - SP No. 4

Action Code	Action	Performance Measure	Action Progress	Comments
2.2.01.01	Hold a biennial industry event specifically targeting agriculture value add opportunities.	Industry event held.	50%	Grow Narromine Event held for industry. Liaison with industry around capital projects such as Inland Rail. Liaison with industry over Economic Development opportunities.
2.2.03.01	Implement strategies contained in Aerodrome Strategic Master Plan.	Targets are met	50%	Strategic plan has been updated and actions are being implemented
2.2.03.03	Continue with the hangar light industrial precinct development for aviation related businesses in accordance with the Aerodrome Strategic and Master Plan.	First stage available for sale by 30 June 2020.	100%	Development has been completed and ready for sale
2.2.04.01	Work with State Government agencies to appropriately identify high value land resources, where Government priorities are identified.	Provide input to new State Legislation within advertised time frames for consultation.	50%	Prioritized within the Agricultural Lands Strategy and Employment Lands Strategy. Both strategies supported.
2.2.05.01	Provide improved information services to highlight tourism events and points of interest in the Shire.	Increased online engagement by 10%.	50%	Visitor services website updated. Guide updated. Online engagement continues to improve through the various websites and social media sites.
2.2.05.02	In conjunction with other OROC councils undertake joint regional promotions such as through the 'Love the Life we Live' brand.	Annual promotion.	50%	Love the Life branding is no longer in existence. Continue to work with regional opportunities.
2.2.06.01	Develop action plan for expenditure of water and sewer head works charges and Section 94A levies.	Minimum 10% funds expended each financial year in accordance with growth area priorities. Commence design / construction of Narromine Water Treatment Plant by 30 June 2021.	100%	Developer Servicing Plan was workshopped and presented to Council. DSP adopted at December 2020 Council meeting after consideration of public submissions.
2.2.07.01	Work with existing tourist operators and community groups to promote Narromine Shire.	Undertake annual promotions.	50%	Continue to liaise with all tourism businesses and bodies to enhance visitor opportunities.

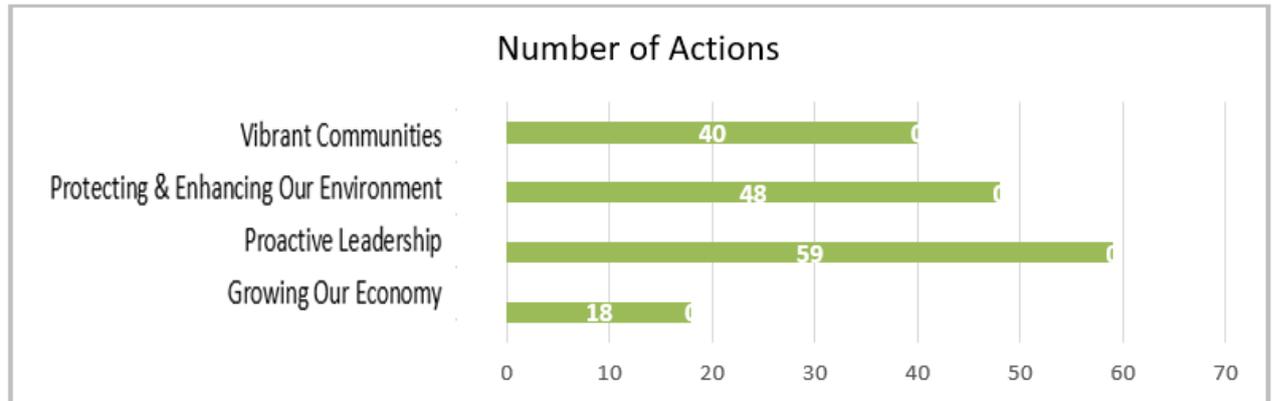
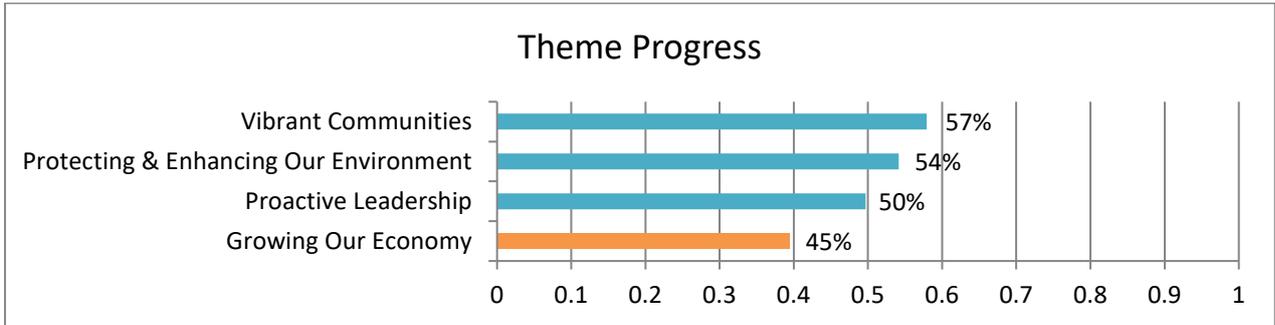
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Action Code	Action	Performance Measure	Action Progress	Comments
2.2.08.01	Encourage businesses to work with Council to support a business culture within our shire.	One business forum per year held by Council.	50%	This is an ongoing action of the Economic Development Group Committee. This target is met through the Growing Narromine series of workshops amongst other engagement.



TO ENCOURAGE EMPLOYMENT AND SKILLS DEVELOPMENT TO ADDRESS INDUSTRY NEEDS AND GROW THE REGION'S KNOWLEDGE BASE - SP No.6

Action Code	Action	Performance Measure	Action Progress	Comments
2.3.03.01	Upgrade truck wash facilities in Narromine and Trangie.	Upgrade of Trangie Truck Wash completed by 30 June 2020.	10%	Awaiting land acquisition





PROTECTING & ENHANCING OUR ENVIRONMENT

Our Goal: We value our natural and built environment, our resources for the enjoyment of the community and visitors to our Shire.

Financial Snapshot	2017/18	2018/19	2019/20	2020/21
Public Order & Safety	\$299,509	306,994	314,667	322,533
Environment & Health	\$358,318	349,362	358,490	367,876

MANAGE OUR NATURAL ENVIRONMENTS FOR CURRENT AND FUTURE GENERATIONS - SP No. 22

Action Code	Action	Performance Measure	Action Progress	Comments
3.1.01.03	Construct Narromine wetlands redevelopment.	Construction completed by 30 June 2020.	25%	Work has commenced on car park area and new ponds are being prepared
3.1.02.01	Maintain involvement with the Macquarie and LLS Weeds Group.	Representation and 90% attendance at Macquarie Regional Weeds Advisory Group meetings.	55%	Council staff continue to represent Council at meetings and engage in webinar discussions when available
3.1.02.02	Continue the annual fingerling release into the Macquarie River and into Goan Waterhole in conjunction with Macquarie Cotton Growers.	Funding application lodged each year and fingerlings released into River and Goan Waterhole - January annually.	100%	Fingerling release occurred on the 11/01/2021 into the Macquarie river as per the approved permit, 3400 Murray Cod and 4500 Golden Perch were released.
3.1.03.01	Install solar panels on suitable Council buildings.	Installation of solar panels by 30 June 2019.	55%	Council's Customer Service and Payments building has been fitted with panels and Council's Administration building is to be fitted, when budget allows.
3.1.04.01	Encourage owners of heritage items to contact Council regarding funding available for maintenance of their buildings and sites from State and Local Government.	Quarterly articles in Council's newsletter.	50%	This action is ongoing. Considered with Development Applications.
3.1.04.02	Contact owners of sites where building is not maintained and negotiate action plan of maintenance.	Annual review undertaken and action plan complete.	50%	Active discussions with owners of several derelict buildings to seek to improve amenity.
3.1.04.03	Manage heritage-related enquiries at Council.	Record number of enquiries taken and advice given.	50%	Managed as per existing State and Local policies and laws. Enquiries are recorded.
3.1.05.01	Undertake commitments within the WAP1520 Weeds Action Plan.	Ensure that 90% of private property inspections are undertaken in accordance with commitments within WAP1520.	50%	Ongoing inspections during road side spray tasks and acting on complaints received.
3.1.06.01	Ensure compliance with relevant building codes and regulations.	Development applications and construction certificates are accompanied by relevant Basix certificates or Part J relevant reports where required.	50%	Conditions of development consent updated as required, compliance checked at final inspection. Ensuring all new dwelling houses comply with BASIX certification.

Action Code	Action	Performance Measure	Action Progress	Comments
3.1.07.01	Review Narromine Shire Waste Management Strategy.	Update Narromine Shire Waste Management Strategy by 30 June 2018.	100%	To be adopted by Council at it's February Ordinary Meeting
3.1.07.04	Investigate alternative management options for the Narromine Waste Depot.	Determine suitable management options prior to 30 June 2018.	100%	To be adopted at February council meeting
3.1.07.05	Continue to be a member council of Net Waste, attending regional forums to address waste management issues at a regional level.	90% attendance at NetWaste meetings.	50%	Meetings are attended subject to COVID-19 restrictions

WE ARE A SUSTAINABLE, ENVIRONMENTAL COMMUNITY WITH A GREAT APPRECIATION OF OUR NATURAL ASSETS - SP No. 22

Action Code	Action	Performance Measure	Action Progress	Comments
3.2.01.01	Support natural resource initiative of Local Land Services (LLS).	80% attendance Local Government Reference Group meetings.	50%	Attendance to meetings, continuing online programs, liaising with external stakeholders and promoting awareness on Council web page. Councils Manager of Utilities is Councils representative
3.2.01.02	Engage with schools and local community groups to utilise the Narromine Wetlands as a learning resource.	Four school groups per year utilise the Narromine wetlands as a learning resource.	50%	Work with the schools and local youth on a number of environmental initiatives. Eg wetlands, fish release.
3.2.01.03	Continue to conduct community education campaigns through Net Waste in accordance with the Waste Education Plan promoting the benefits of recycling and educating the community regarding which items can be recycled.	Carried out by Envirocon annually at each school. At least one community education program conducted annually.	50%	Council contributes to Net Waste Program
3.2.01.04	Continue involvement in the Waste Education Plan.	Education by Envirocon at schools in accordance with the Waste Education Plan.	50%	Webpage updates as required and TV advertisements encouraging recycling. School programs will start once COVID-19 restrictions allow.
3.2.01.05	Promote environmental awareness.	Quarterly newsletter article.	50%	Use of Council webpage and Facebook to educate and encourage the planting of natural species and bush regeneration on developments

Attachment No 1

Action Code	Action	Performance Measure	Action Progress	Comments
3.2.02.01	Conduct public education campaigns aimed at reducing littering, stray dogs/cats, and promoting the desexing of domestic animals, dog and cat registration, and micro-chipping.	Annual promotion in newsletter.	50%	Promoted on Council web page and Facebook. Ensuring animals are registered prior to release from animal shelter.
3.2.02.02	Investigate concerns or complaints in relation to overgrown allotments and buildings in a state of disrepair.	90% of complaints to have investigations commenced within 2 working days.	50%	All issues are dealt with in accordance with Council policies to ensure consistency
3.2.03.01	Identify local environmental groups within the Narromine Shire	Contact local environmental groups annually by June 30.	50%	Landcare Officer liaises with local work groups and Local land councils and helps organise funding.
3.2.03.03	Develop a working relationship with identified local environmental groups.	Arrange to meet six monthly.	50%	Council continues to support and assist local groups with their programs
3.2.03.04	Identify any funding sources that can assist both the local environmental groups and/or Council.	Promote relevant grant funding sources throughout the year.	50%	Council has completed the River repair bus scheme this year, and is now organising works program for several Council controlled reserves.
3.2.04.02	Promote and encourage environmental sustainable practices to local business.	Annual promotional material to local businesses.	10%	Manager of Health Building and Environmental Services is undertaking the develop of a promotional handout flyer.
3.2.05.01	Promote initiatives using Smart WaterMark.	Promotion materials sent out with rates notice.	50%	Third quarter bills will include inserts not done on 2nd quarter due to missing e file for e accounts
		Participate in summer time television campaign through Smart WaterMark annually.		
3.2.05.02	Maintain membership of Smart WaterMark through the LMWUA.	Renew membership annually.	100%	This membership is automatically renewed each year
3.2.05.03	Promote benefits of recycling using NetWaste resources.	Include statistics for recycling in Council's newsletter.	50%	State of Environment Report has been finalised, results to be published on Council's Web page.
3.2.05.04	Promote the benefits of recycling and water conservation.	Publish recycling statistics at least monthly.	30%	Publication of statistics will be placed on Council's webpage and placed in newsletter during 3rd quarter.

A COMMUNITY THAT VALUES THE EFFICIENT USE OF UTILITIES, NATURAL RESOURCES AND ENERGY - SP. No. 33

Action Code	Action	Performance Measure	Action Progress	Comments
3.3.02.01	Ensure all development approvals consider existing utilities infrastructure in their determination.	100% of approvals have had adequacy of existing utilities determined.	50%	Ongoing consideration.
3.3.02.02	Utilities performance audited annually through Triple Bottom Line (TBL) reporting.	Report submitted by 15 September.	75%	Report submitted 18/10/2020 according to modified deadline. Variance checking completed. Awaiting display on BOM E portal
		Achieve 100% compliance with TBL reporting.		
3.3.03.01	Advocate for reliable and affordable access to internet and communications technology.	Continue to lobby for the increase in the coverage area for mobile technology throughout the Shire.	50%	Ongoing discussions with Schools and TAFE. Council actively working with telcos in the sector to obtain funding for increased mobile coverage. This is included through State Digital Hub Funding and Federal Blackspot Program.



ENSURE A RANGE OF HOUSING OPTIONS FOR THE COMMUNITY – SP No.20

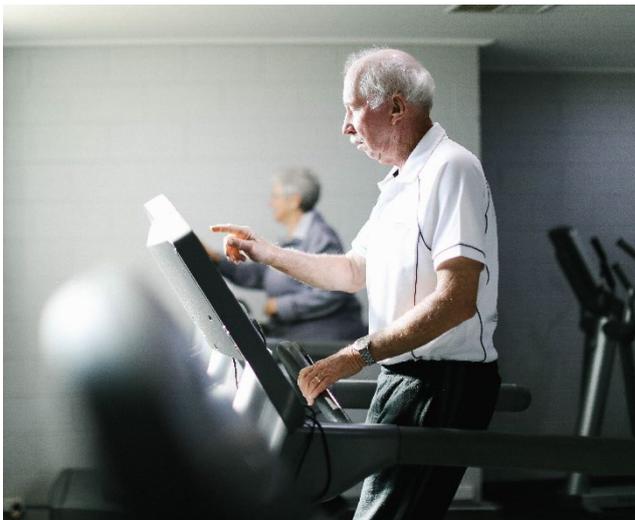
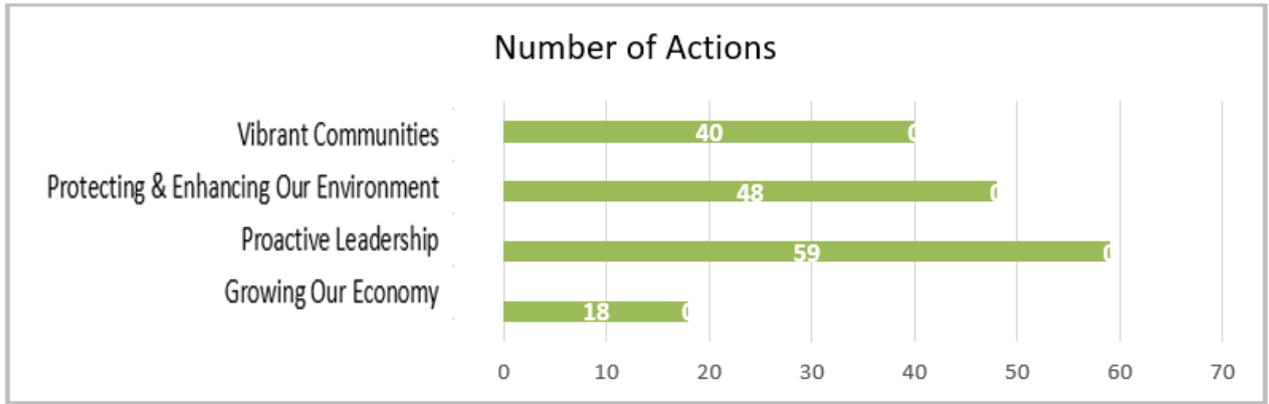
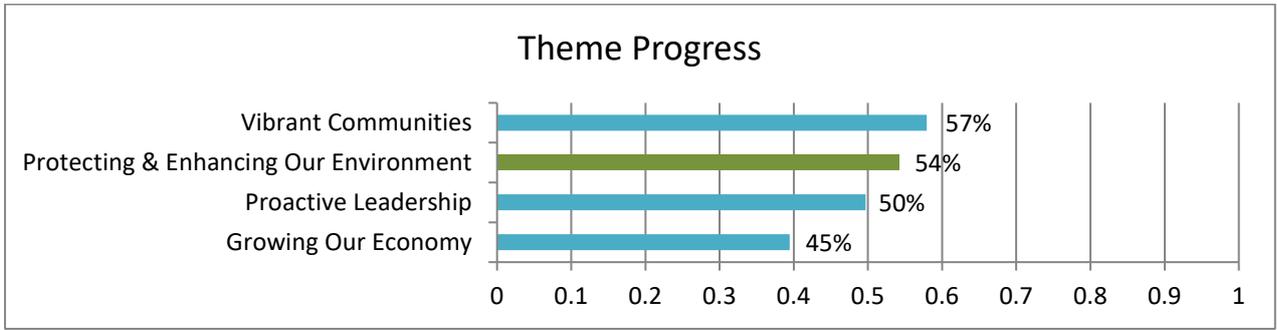
Action Code	Action	Performance Measure	Action Progress	Comments
3.4.01.01	Work with relevant parties to identify aged care accommodation needs.	Attendance at relevant meetings in an advisory role.	50%	Continue to work with Timbrebongie House and other existing opportunities. Timbrebongie House development assessment due to be completed. Funding received for enabling infrastructure.
3.4.02.01	Monitor take-up of all land use zones vacant land. Identify short falls.	Review supply of vacant land six monthly.	50%	Continue to monitor.
3.4.03.01	Review DCP in accordance with legislative changes.	Review / update biennially.	50%	Ongoing updates as required.
3.4.04.01	Liaise with local real estate agents to ascertain changes in rental demand.	Discuss changes to local demand and supply with local real estate agents.	50%	Continue to discuss with real estate agents and the community generally.

OUR COMMUNITY IS WELL CONNECTED THROUGH OUR CYCLEWAYS, FOOTPATHS AND PUBLIC TRANSPORT SYSTEMS - SP No. 9

Action Code	Action	Performance Measure	Action Progress	Comments
3.5.01.01	Liaise with transport providers to ensure that full suite of transport options are available.	Discuss with providers and at local interagency forums.	50%	Monthly attendance at interagency meetings, when available, which advocate for continued and increased transport options for residents of the Shire.
3.5.02.01	Provide support as required to the Dubbo Regional Council for the expansion of services at the Dubbo Regional Airport.	100% commitment to support Dubbo Regional Council.	50%	Council continues to provide ongoing support to Dubbo Regional Council for the expansion of services at the Dubbo Regional Airport.
3.5.03.01	Liaise with rail service providers to ensure rail service is maintained.	Discuss potential expansion and service contraction with local providers and stakeholders.	50%	Work being undertaken on commercial opportunities with rail operators, not passenger rail providers. Country rail buses continue to have a daily service from Narromine and Trangie.
3.5.04.01	Survey community biennially to ensure that transport issues of our residents are adequately addressed.	Survey question as part of residential survey.	50%	Community transport options continue.
3.5.05.02	Maintain the Narromine Aerodrome facility to meet reasonable user expectations and CASA requirements within the allocated budget.	Complete Obstacle Limitation Surface (OLS) annually by 30 November.	50%	Inspections and maintenance carried out as per requirements, program has been set
3.5.05.03	Undertake inspections on operational areas.	Minimum 52 inspections per year.	50%	Inspections and maintenance carried out as per requirements
3.5.05.04	Maintenance of glider grassed runways.	Slashing undertaken minimum 26 times per year.	50%	Inspections and maintenance carried out as per requirements
3.5.06.01	Ensure priority measures implemented from the PAMP.	Annual inspections of footpaths and cycleways prior to finalising works program.	50%	Annual works program identified by inspections and PAMP priorities and adopted annually.
		Annual works program identified by inspections and PAMP priorities, and adopted annually.		

OUR ROAD NETWORK IS SAFE, WELL MAINTAINED AND APPROPRIATELY FUNDED - SP No. 10

Action Code	Action	Performance Measure	Action Progress	Comments
3.6.01.01.1	Review and implement Council's ten year roads Capital Works Program.	Works Program updated annually and adopted by 30 June.	50%	Capital works are programmed as per adopted budget and asset requirements.
3.6.01.01.2	Review and implement Council's ten year roads Capital Works Program.	Ten Year Capital Works Program updated annually and adopted by 30 June.	50%	Works programme is reviewed and updated based on asset data and industry standards
3.6.01.02	Continue to maintain roadside slashing when grass impedes visibility.	Undertake slashing program annually.	50%	Stage 1 of the slashing complete
3.6.01.03	Apply for hazard reduction funding through Rural Fire Fighting Fund.	Apply for funding prior to 31 March annually.	100%	Applied for Hazard Reduction Funding via online portal. Await outcome of grant. Regular follow up with RFS regarding the Hazard Reduction Grant is occurring.
3.6.02.01	Convene Local Traffic Committee meetings.	Convene 6 meetings per year of the Local Traffic Committee.	50%	Local Traffic Committee meetings are held and attended by members. As required.
3.6.03.01	Meet with State and Federal Members and the Roads Minister on rural road funding issues.	Quarterly meeting with State and Federal Members, and annually with Roads Minister.	50%	Quarterly meetings held with State and Federal Members. Significant funding submissions for local road improvements submitted.





PROACTIVE LEADERSHIP

Our Goal: We are an open and accountable local government that involves our community in the decision making process, effectively manages our public resources through sound financial management and well informed strategic planning for our Shire's future.

Financial Snapshot	2017/18	2018/19	2019/20	2020/21
Organisational Services	\$-9,919,855	-10,026,497	-10,169,787	-10,267,216
Infrastructure	\$6,228,951	6,168,836	6,387,281	6,379,324
Loans/Financing	\$387,844	404,135	1,156,001	1,141,79

PROVISION OF AN ACCOUNTABLE AND TRANSPARENT LEADERSHIP – SP Nos. 30, 31, 32

Action Code	Action	Performance Measure	Action Progress	Comments
4.1.01.01	Continue to gather feedback regarding community engagement strategies	Annual review of community engagement strategy to Council by 30 November each year	100%	Strategy updated in 2018. To update again as per Integrated Planning and Reporting requirements and in line with next Community Strategic Plan. Subject of independent audit review (now completed, some minor improvements made).
4.1.01.02	Promote the positive aspects of Narromine Shire Council. Provide important information to the community.	Provide updates to the community on Council activities through all means available within the communications strategy.	50%	An invitation was extended to the Local Government Grants Commission for a meeting. They had advised they would be conducting sessions in Narromine, however due to COVID-19 restrictions this has not yet occurred.
4.1.01.03	Prepare council columns and media releases for local media.	Weekly column provided to print media.	50%	Extensive communications in the form of 17 media releases and social media campaigns.
		A minimum of 12 media releases per annum.		
4.1.01.04	Information available on Council's website.	Website updated as required.	50%	Website updated as required. Updated throughout 2020/2021 to improve the function of the website.
4.1.02.01	Councillors maintain strategic community focus.	Positive media around Council's strategic approach.	50%	Councillors work to satisfy the targets and initiatives in the Community Strategic Plan
4.1.03.02	Provide an opportunity for the public to address Council on relevant issues through the Public Forum Policy at Council Meetings.	Advise the public of the availability of the public forum in the column and newsletter at least quarterly.	50%	Public Forum held prior to Council Meetings if required.
4.1.03.03	Continue to facilitate S355 Advisory Committees.	Annual review of Section 355 Committee Charters and annual appointment of delegates (September).	100%	Review undertaken at September Council Meeting. Delegates and representatives of Council appointed accordingly.
4.1.04.01	Respond to requests for access to public information as per legislative requirements.	100% compliance with GIPA Act 2009.	50%	Government Information Public Access Requests processed in accordance with legislative requirements.
		Annual review of Council's Information Guide.		

Action Code	Action	Performance Measure	Action Progress	Comments
4.1.05.01	Present a positive image of Council to the community.	Provide weekly communications via various means per the communication strategy.	50%	Media releases on Council's projects openly linked to the priorities in the Community Strategic Plan.

EFFECTIVE COUNCIL ORGANISATIONAL CAPABILITY AND CAPACITY - SP No. 30

Action Code	Action	Performance Measure	Action Progress	Comments
4.2.01.01	Encourage and reward innovative practices within Council's workforce.	One innovation introduced per directorate each year.	50%	Council has a reward and recognition program which rewards staff for innovative practices.
4.2.01.02	Foster a culture of continuous improvement.	Cultural change program progressively implemented across the organisation. Organisational values and behaviours developed and implemented.	50%	Cultural change program ongoing, incorporating employee awards that are based on recognising employees that espouse Council's values and behaviours.
4.2.02.01	Provide policies, programs and initiatives that support employee work/life balance.	Create, update and implement policies for a flexible workplace on an ongoing basis.	50%	All policies up to date. Half price swim/gym memberships also available to help staff with health and wellbeing. Leave balances monitored and staff directed to use excess leave.
4.2.02.02	Provide access to innovative leadership training programs.	Research and identify appropriate leadership training for Managers annually.	50%	Training plans created for the year and training programs organised within the public health restrictions.
4.2.02.03	Promote and maintain coaching and mentoring programs across the organisation to support leadership growth.	Programs used to assist staff with leadership growth.	50%	Succession planning mentoring in place.
4.2.02.05	Implementation of Councillor Training and Professional Development Program.	95% attendance by Councillors at scheduled training events.	50%	Notification provided to Councillors of available training.
4.2.03.01	Integrated Planning and Reporting documents reflect best practice.	Positive feedback from Office of Local Government.	50%	Draft plans only at this stage.

Attachment No 1

Action Code	Action	Performance Measure	Action Progress	Comments
4.2.04.02	Customer services standards.	Annual satisfaction survey.	25%	Not progressed yet due to public health restrictions.
4.2.04.03	Customer Requests responded to within time frames agreed in Customer Service Policy.	100% compliance with Customer Service Policy.	50%	Customer Requests compliance against the Customer Service Policy was monitored weekly for the year to date.
4.2.05.01	Promote future workforce development with options such as traineeships, apprenticeships and cadetships within each department.	Increase the number of apprenticeships over the next 4 years.	50%	1 x water and sewer trainee, 1 x IT trainee, 1 x store person trainee, 2 x school based trainees in mechanics and parks and gardens.
4.2.05.02	Develop and implement initiatives to support / promote workforce diversity.	Ensure the Disability Inclusion Action Plan is considered in all workforce activity.	50%	ATSI people and people with a disability encouraged to apply on all recruitment. EEO Management plan encourages diversity and the Memorandum of understanding with the Local Lands council in place to assist any new ATSI employees needing mentoring.
4.2.05.04	Update HR policies and procedures to ensure they are competitive in the market to support the recruitment and retention of a quality workforce.	Policies updated every four years.	50%	Internal audit of Workforce Planning, Recruitment and Retention to be conducted in 2020/2021.
4.2.06.01	Councillors to act positively at all times in the public eye.	No negative feedback received.	50%	No instances of negative impact reported.
4.2.07.01	Continue to implement and improve the employee performance assessment system.	All Departments' performance assessments completed by 1 September annually.	25%	Employee performance assessments scheduled for March/April 2021.
4.2.07.02	Review and implement the Work Health Safety Management System.	WHS Management System in place and functioning by December 2018 and on an ongoing basis.	50%	System improved on an ongoing basis
4.2.07.03	Promote and support continuous improvement activities across council.	Review and document one area of Council operations each year per directorate.	50%	Council promotes continuous improvement through employee recognition.
4.2.07.05	Establish an Internal Audit and Risk Management Committee in accordance with the OLG's proposed new legislation and based on a resource sharing model.	Committee to meet six monthly and provide report to Council.	50%	Internal Audit Committee Meeting held 9 November 2020. Reviews for 2020/2021 include Workforce Planning, Recruitment and Retention; and Community Safety.

Attachment No 1

Action Code	Action	Performance Measure	Action Progress	Comments
4.2.07.06	Maintain a database of legislative compliance obligations.	Distributed monthly to MANEX for 100% compliance with statutory obligations.	50%	Legislative Compliance Checklist provided monthly to Executive Leadership Team for action.
4.2.08.01	Prepare Agenda, Business Papers and Minutes of Council Meetings.	Agenda and Business Papers to be distributed to Councillors 5 days prior to meeting.	50%	Meeting notices, agenda, business papers and minutes prepared and distributed in accordance with Council's Code of Meeting Practice.
		Minutes to be distributed to Councillors 7 days after meeting.		
4.2.08.04	Manage Council's Records System.	No breaches of State Records Act.	50%	No known breaches of the State Records Act.

A FINANCIALLY SOUND COUNCIL THAT IS RESPONSIBLE AND SUSTAINABLE - SP No. 30

Action Code	Action	Performance Measure	Action Progress	Comments
4.3.01.01	Implementation of the Delivery Program and Operational Plan including Budget and Asset Management Plan on an annual basis.	Plans and Budget documentation endorsed by Council by 30 June each year.	20%	The budgets and plans for 2021/22 are in early stages of review only.
4.3.01.02	Continue to prepare financially sustainable budgets for consideration by Council.	Council prepares annual balanced budget for adoption by Council.	20%	The 2021/22 Operational Plan and Budget are in early stages only.
4.3.01.03	Continue to develop revenue strategies that are equitable and contribute to a financially sustainable future.	Sustainable Statement of Revenue Policy endorsed by Council by 30 June each year.	20%	The 2021/22 Statement of Revenue Policy is in early stages of preparation.
4.3.01.04	Levy and collect rates and charges in accordance with statutory requirements and Council policies.	No known breaches of policy.	50%	Rates levies and charges were raised during the year in accordance with policy and the Local Government Act (1993). Collections were carried out in accordance with Council policy and NSW OLG guidelines.
4.3.01.05	Provide monthly cash balances and detailed quarterly financial reports to Council.	Reports prepared and accepted by Councillors and management.	50%	All required reports were prepared and accepted by Council at its ordinary meetings held during the year.
4.3.01.06	Prepare Council's Annual Financial Accounts in accordance with relevant Acts and Regulations.	Unmodified audit report issued by 31 October each year.	100%	The 2019/20 Financial Statements are complete and were submitted to OLG on 29 October 2020.
4.3.01.07	Ensure Council has adequate cash flow to meet their needs.	Maintain level of outstanding rates and charges at below 10% at year end.	50%	Regular cashflows prepared to ensure liquidity. Overdue receivables were monitored monthly and corrective action taken where required.
4.3.01.08	Ensure Council's ongoing financial viability.	Maintain a debt service ratio below 10%.	50%	Operating profit and debt levels were maintained during the year so as to keep a high level of debt serviceability.

Attachment No 1

Action Code	Action	Performance Measure	Action Progress	Comments
4.3.01.09	Ensure accounting data is recorded accurately and returns are filed in accordance with legislative requirements.	Positive audit findings.	50%	All financial data was accurately recorded during the year and in a timely manner.
		Reduction in issues raised in management letter of medium consequence or higher.		
4.3.02.01	Ensure Council's Operational Plan is well publicised with ample opportunity for community input.	Operational Plan on public exhibition for a period of 28 days.	20%	Council's 2021/22 Operational Plan is in early stages of development.
		Comment invited on a variety of media platforms.		
4.3.03.01	Maximise opportunities for utilising grants to supplement and support identified Council priorities and projects.	At least two successful grants received each year for projects within Council priority areas.	50%	Recent success with grants for Crown Reserves and Resources for Regions.
4.3.03.02	Identify projects suitable for grant applications.	At least five identified projects per year in the operational plan, subject to grant funds.	50%	Undertaken as required. Building Better Regions Funding confirmed. Resources for Regions Funding approved recently. Crown Reserves Grant recently approved.
4.3.04.03	Review Asset Management Plans annually.	Asset Management Plans updated annually by 30 June.	70%	Commenced update of whole of life costing, maintenance requirements, LOS and contractual requirements
4.3.04.04	Update Long Term Financial Plans annually.	100% Long Term Financial Plans updated and adopted by 30 June annually.	50%	As per Asset Management Plan update, reviewing long term financial plans
4.3.04.05	Undertake monthly inspections of Regional Roads.	12 inspections of each Regional Road per year.	50%	Inspections in progress
4.3.04.06	Undertake annual inspections of Local Roads.	100% Local Roads inspected minimum of once per year.	50%	Inspections in progress.
4.3.04.07	Develop and implement plant and fleet strategy.	Strategy developed by 30 June 2018 and implemented thereafter.	30%	In progress on track, skeleton document created, parts 1 to 4 draft, replacement model complete and under implementation

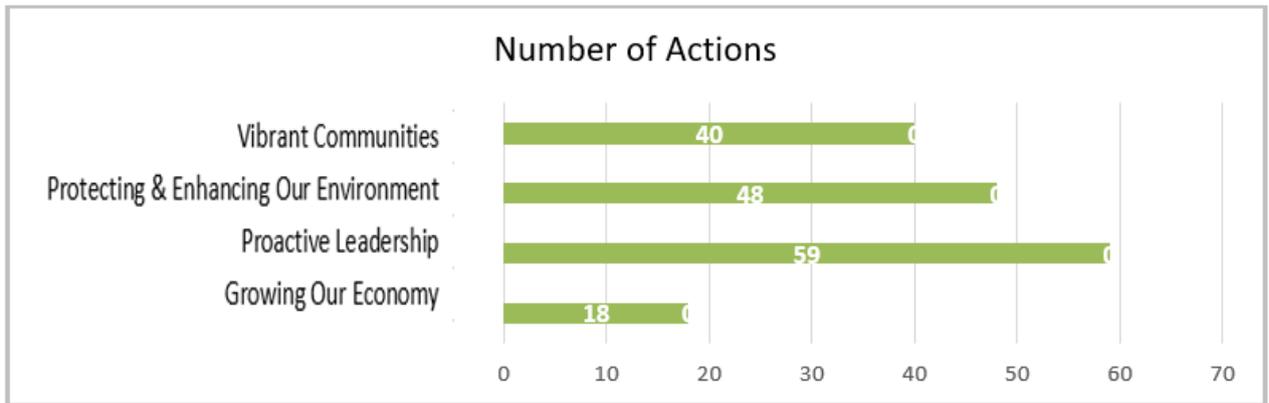
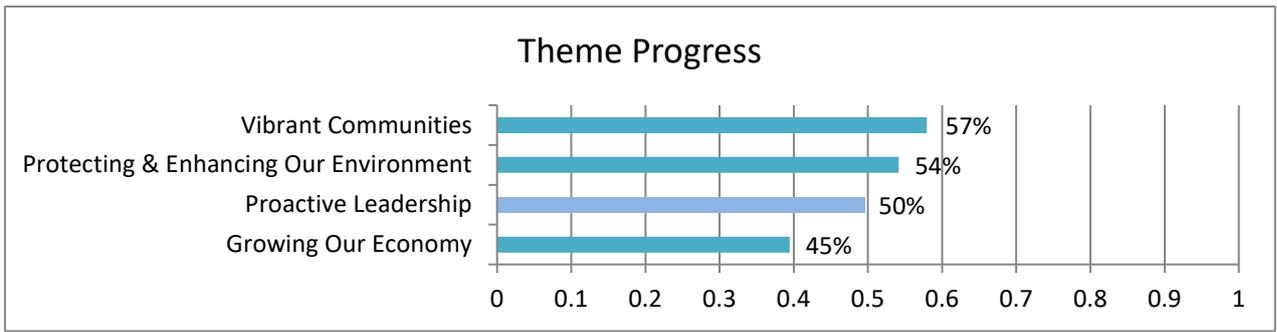
Action Code	Action	Performance Measure	Action Progress	Comments
4.3.05.01	Maintain sustainability ratios as per fit for the future improvement proposal.	Sustainability ratios calculated and reported to Council six monthly.	100%	Sustainability ratios are calculated each year end. The Council's Fit for the Future Improvement Plan is no longer required to be resubmitted as Council deemed Fit for the Future by Minister Upton 27 November 2017.

SOUND PARTNERSHIPS ARE ENCOURAGED AND FOSTERED - SP No. 32

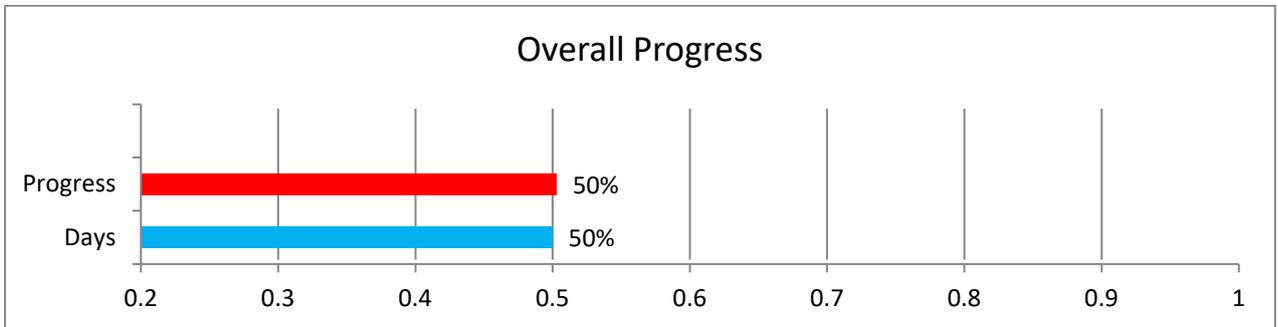
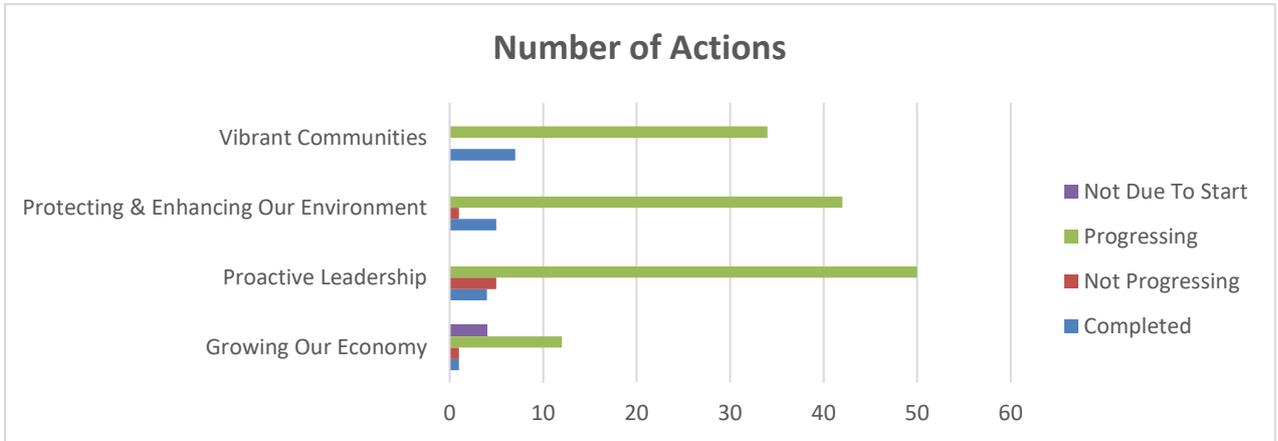
Action Code	Action	Performance Measure	Action Progress	Comments
4.4.01.01	Active membership and representation on government, regional and other bodies.	Maintain membership of relevant government, regional and area bodies.	50%	Proactive member of the Orana Joint Organisation, member of Country Mayors Association.
4.4.01.02	Prepare submissions as required.	One submission prepared per year.	50%	These are prepared as required.
4.4.01.03	Continue to participate in shared opportunities through OROC.	Utilise internal audit and procurement shared services.	50%	Council utilises Regional procurement to procure goods and services. Active participation in HR and payroll user groups and forums
		Utilise panel tenders for fuels, reseals and bitumen emulsion.		
		Participate in user groups for finance, HR, payroll, risk management and WHS.		
4.4.02.01	Represent the community's interests and lobbying topics of significant impact to the Shire.	One submission per quarter.	50%	Submissions prepared to the Regional Infrastructure coordination unit, Local and Federal Members
4.4.02.02	Prepare submissions and lobby for community interests as required, e.g. funding for rural roads, infrastructure and services.	One submission per quarter.	50%	Submissions prepared as required.
4.4.02.03	Advocate to other tiers of government for a better allocation of funding to support the delivery of services for which other levels of government have primary responsibility.	Meet with State and Regional Local Members, six monthly.	50%	Quarterly meetings held with State and Federal Members.
4.4.03.01	Nurture relationship with key external organisations and individuals.	90% attendance at OROC and GMAC meetings.	50%	100% attendance at Orana Joint Organisation meetings and JOLT (Joint Organisation Leadership Team) for the Orana and Far West JO's.

Attachment No 1

Action Code	Action	Performance Measure	Action Progress	Comments
4.4.03.02	Maintain partnerships with like-minded councils and other organisations to create stronger and more effective lobby groups.	Maintain active membership and representation on LMWUA, Local Government Procurement, Water Directorate, NetWaste, IPWEA.	50%	Active Memberships maintained.
4.4.04.01	Build stronger relationships with State and Federal members, NSW Police, Interagency Group, Regional Development Australia.	Meet quarterly with State and Federal Members, NSW Police and Regional Development Australia.	50%	Quarterly meetings with State and Federal Members held, NSW Police and Regional Development Australia. Council representatives attend interagency meetings.
4.4.04.03	Work with community groups and services to deliver actions in the Social Plan.	Implement actions in Social Plan.	50%	Social plan completed in 2019. Working to deliver outcomes through Economic Development Group Committees.
4.4.05.01	Work collaboratively with community groups through greater representation at the Interagency Group.	Increase the representation of community groups within the Interagency Group by 30 June 2018.	50%	Continue to work with all community groups to improve socio and economic outcomes and achieve community strategic plan items.
4.4.05.02	Work collaboratively with the community through greater representation at the Trangie Action Group.	90% attendance by Councillor Representative.	50%	Councillor representation on Trangie Action Group. Good communication with Trangie Action Group Executive.



Overall Progress





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Narromine, NSW 2821

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Overgrown and Unsightly Property Policy

2020

Responsible Department	Prepared By	Date First Created	Approved	Review Date	Review period
Governance	Manager Health Building and Environmental Services	October 2020		October 2024	4 years

1. INTRODUCTION

An overgrown or unsightly property can be both a nuisance and a danger to neighbours and the community. All residents have a responsibility to keep their properties neat and tidy to improve the appearance of our Community, remove places for vermin to breed, and reduce health risks.

The aim of this policy is to meet the community's expectations and how Council will respond to customer requests in relation to overgrown and untidy premises in the Narromine Shire Council Local Government area.

The policy describes:

- What properties are covered by this policy
- What regulatory functions Council will follow for compliance with this policy
- How the community can access this policy
- How future reviews of the policy will be conducted
- Contact details for anyone wishing to discuss this policy with Narromine Shire Council

How to complain or report and overgrown or unsightly property

You can report the problem to Council with the address or the location of the property by phoning (02) 68899999 and our rangers will begin their investigation.

Note 1:

Council will take action in relation to untidy properties where it is a public health or safety risk (i.e. attraction of rats and mice or dilapidated buildings).

Ideas about whether a property appears untidy can vastly differ from person to person. A property that is considered unsightly or untidy to some may not be a health or safety risk.

A hoarding situation is particularly challenging and complex issue that Council is not resourced to intervene and can only take action in relation to public health or safety risks.

Note 2:

Council will not respond to customer requests in relation to potential fire risk of overgrown vegetation in rural areas, these requests should be directed to [NSW Rural Fire Service](#)

2. LAND COVERED BY THIS POLICY

1. Public land owned or controlled by the Narromine Shire Council
2. Residential land zoned R1, General Residential and R5 Large Lot Residential as defined in the Narromine Local Environmental Plan 2011
3. Land zoned B2 Local centre and IN1 General industrial as defined in the Narromine Local Environmental Plan 2011
4. Land zoned RU5 Village as defined in the Narromine Local Environmental Plan 2011

5. Other zones being E3 Environmental Management, RE1 Public Recreation, RE2 Private Recreation, SP1 Special Activities, SP2 Infrastructure as defined in the Narromine Local Environmental Plan 2011

3. DEFINITION OF OVERGROWN OR UNSIGHTLY ALLOTMENTS

1. Narromine Shire Council defines "overgrown" as vegetation (grass/weeds excluding plants/trees) that affects the visual amenity of the allotment, and is likely to attract reptiles or vermin, or is deemed a fire hazard.
2. Narromine Shire Council defines "unsightly" as objects or materials that are brought on to, or allowed to accumulate on, an allotment causing its visual amenity to be seriously affected. "Unsightly" objects or materials are those such as discarded or disused machinery, second-hand material and similar objects. They also include derelict vehicles, old white goods, building materials and household waste.

4. ASSESSMENT CRITERIA FOR OVERGROWN LAND (VEGEGATION)

1. Residential land zoned R1 General Residential, RU5 Village and R5 Large Lot Residential as defined in the Narromine Local Environmental Plan 2011, shall be assessed as overgrown once the vegetation (grass/weeds) have reached an average height of 0.3 metres and is deemed to be a potential fire hazard or a vermin habitat.
2. Land zoned B2 Local centre and IN1 General industrial as defined in the Narromine Local Environmental Plan 2011 shall be assessed as overgrown once the vegetation (grass/weeds) have reached an average height of 0.3 metres and is deemed to be a potential fire hazard or a vermin habitat.
3. Land zoned E3 Environmental management, RE1 Public recreation, RE2 Private Recreation SP1 Special Activities SP2 Infrastructure as defined in the Narromine Local Environmental Plan 2011, shall be assessed against the use of the land and management plans for the land use of the allotment.

5. ASSESSMENT CRITERIA FOR UNSIGHTLY LAND (HOARDING)

1. Residential land zoned R1 General Residential, RU5 Village and R5 Large Lot Residential as defined in the Narromine Local Environmental Plan 2011, shall be assessed against the following criteria for being unsightly: -
 - Size of allotment
 - Zoning use of the allotment (Local Environmental Plan 2011)
 - Location of allotment
 - Articles/objects/materials being stored and how they are stored
 - Hazard or potential hazard being caused
 - Visual impact
2. Land zoned B2 Local centre and IN1 General industrial as defined in the Narromine Local Environmental Plan 2011 shall be assessed against the following criteria for being unsightly: -

- Size of allotment
- Zoning use of the allotment (Local Environmental Plan 2011)
- Location of allotment
- Articles/objects/materials being stored and how they are stored
- Hazard or potential hazard being caused
- Visual impact

3. Land zoned E3 Environmental management, RE1 Public recreation, RE2 Private Recreation SP1 Special Activities SP2 Infrastructure as defined in the Narromine Local Environmental Plan 2011

- This activity is prohibited in any form on the above land zones

5. NOTIFICATION ARRANGEMENTS

This section of the plan describes how and when Narromine Shire Council will inspect properties and deal with complaints and or customer requests from the public.

1. Council officers will inspect the property to ascertain whether it poses an unsafe or unhealthy condition.
2. Notice of intention to issue order is sent to land owner (not tenant) giving 14 days for compliance or to make representation to Council.
3. If 2 above not complied with,
 - Council will or may issue the appropriate order for works to be carried out as outlined in the order giving further 14 days for compliance.
4. If 3 above not complied with, Council will proceed with the following:
 - Court action, on the spot fine (penalty infringement notice) and/or
 - Enter land and carry out works and debtor the land owner

6. PREVENTION IF I AM THE OWNER OF AN ALLOTMENT COVERED IN THIS POLICY

Keeping our yards free from overgrown vegetation makes our residential streets more visually appealing and protects the community from vermin and reptiles. Here are a few tips on how to take pride in the appearance of your home:

- Store goods out of sight in your garage or shed
- Put your rubbish out on time. Take advantage of Council's kerbside collection service for general waste, green waste and recycling
- Store objects or materials out of view and neatly stacked but ensure they do not harbour vermin
- Dispose of old vehicles and machinery – some metal recyclers may collect and remove them free of charge
- Mow or slash your overgrown vegetation regularly (whether dead or alive) and dispose of it responsibly.

7. FUTURE REVIEWS OF THE PLAN

The notification plan will be reviewed every 4 years or when circumstances require a review of the plan. The review will include:

- A report on progress of implementing the policy
- Placing the policy on public exhibition, with any proposed changes and calling for public submissions

8. LEGISLATION COUNCIL WILL USE FOR COMPLIANCE WITH THIS POLICY

- Local Government Act 1993 and associated Regulation
- Environmental Planning and Assessment Act 1979 and associated Regulation
- Protection of the Environment Operations Act 1997 and associated Regulations
- Rural Fires Act 1997 and associated Regulations
- Public Health Act 2010 and associated Regulations

9. CONTACT DETAILS

Anyone wishing to contact Narromine Shire Council to discuss the policy details should contact Council's Manager Health Building and Environmental Services, during normal business hours on 6889 9999.

~~Narromine Shire Council~~

Asbestos Policy

Adopted by Council – 11 September 2013,
Resolution No 2013/348

Amended by Council – 9 October 2013,
Resolution No 2013/392, revised June 2016.

Reviewed July 2018. Adopted by Council 11
July 2018, Resolution No. 2018/151

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Contact person for further information	Director, Planning & Environmental Services Manager Health Building, & Environmental Services ; or WHS Coordinator

Council disclaimer

This policy was formulated to be consistent with council's legislative obligations and within the scope of council's powers. This policy should be read in conjunction with relevant legislation, guidelines and codes of practice. In the case of any discrepancies, the most recent legislation should prevail.

This policy is based upon the *Model Asbestos Policy for NSW Councils* developed by the Heads of Asbestos Coordination Authorities to promote a consistent Local Government approach to asbestos management across NSW.

This policy does not constitute legal advice. Legal advice should be sought in relation to particular circumstances and liability will not be accepted for losses incurred as a result of reliance on this policy.

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1. Introduction

Narromine Shire Council acknowledges the serious health hazard of exposure to asbestos.

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. In the Narromine local government area, many buildings contain asbestos particularly in the form of bonded fibro sheeting used to line walls, ceilings, eave soffits, roof sheeting gutters and downpipes. The presence of these materials can create health issues where renovations and demolition works are carried out with Council's approval. Fires in buildings are also particularly dangerous where asbestos products are present as the fire breaks down the bonding holding the asbestos fibre in place and releases it into the air. Loose fibre asbestos including bonded asbestos sheeting impacted by fire is known as friable asbestos and must be handled very carefully and only by contractors licensed to remove this type of asbestos.

Additionally, 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.

It is often difficult to identify the presence of asbestos by sight. Where a material cannot be identified or is suspected to be asbestos, it is best to assume that the material is asbestos and take appropriate precautions. Further information about asbestos and the health impacts of asbestos can be found in Appendix A and website links to additional information are provided in Appendix B.

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

- residents and the public within the Local Government Area (LGA)
- workers (employees and other persons) in council workplaces.

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.

1.1 Purpose

This policy aims to outline:

- the role of council and other organisations in managing asbestos
- council's relevant regulatory powers

- council's approach to dealing with naturally occurring asbestos, 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 and conditions of consent
- waste management and regulation procedures for asbestos waste in the LGA
- council's approach to managing asbestos containing materials in council workplaces
- sources of further information.

1.2 Scope

This policy applies to the whole of the Narromine Local Government Area LGA within council's jurisdiction.

The policy provides information for council workers, the local community and wider public. Part 1 of the policy includes the sections that are likely to be of most interest to the local community and wider public. Part 2 is information that applies to workers associated with council including employees, contractors, consultants, and volunteers (as defined by the NSW *Work Health and Safety Regulation 2017*⁽⁴⁾). Definitions for key terms used in the policy are provided in Appendix C and acronyms are listed in Appendix D.

The policy applies to friable, non-friable (bonded) and naturally occurring asbestos (where applicable) within the LGA.

The policy outlines Council's commitment and responsibilities in relation to safely managing asbestos and contains general advice. For specific advice, individuals are encouraged to contact Council or the appropriate organisation (contact details are listed in Appendix E).

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* (~~catalogue no. WC03560~~) published by ~~WorkCover safe work australia~~NSW.
- *Code of practice on how to safely remove asbestos* published by ~~WorkCover NSW~~ (~~catalogue no. WC03561~~) published by ~~WorkCover safe work australia~~NSW.
- Additional guidance material listed in Appendix B.

Detailed information on council's procedures and plans may be found in other documents, which are referenced in part 2 under section 18.1.

2. Definitions

Definitions are provided in Appendix C.

3. Roles and responsibilities of Council

3.1 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.

Education information and website links for education materials can be found in Appendices A and B.

3.2 Managing land

Council is responsible for managing public land. This may include land with naturally occurring asbestos as described in section 5 and land contaminated with asbestos as outlined in section 6.

3.3 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 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*).
- 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 ~~10.7.4.49~~ certificates) where on-site disposal is permitted.
- Receiving bonded asbestos only at the Narromine and Trangie waste depots in accordance with Council's operating licence for the Narromine landfill and LEMP for the Trangie waste facility.

Waste facilities that are licensed to accept asbestos waste are listed in Appendix F.

3.4 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:

- *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.*

Additional legislation, policies and standards relating to the safe management of asbestos are listed in Appendix G.

The situations in which council has a regulatory role in the safe management of asbestos are listed in Table 1.

Table 1: Situations in which council has a regulatory role in managing asbestos

Issue	Council's role	Section of policy
Contaminated land	<ul style="list-style-type: none"> Record known asbestos site contamination on section 10.7.149 certificates where practicable and for council workplaces, record on council's asbestos register. Notify stakeholders of land use planning policy requirements relating to contamination. Manage residential asbestos contaminated land that is not declared 'significantly contaminated' under the <i>Contaminated Land Management Act 1997</i> (excluding oversight of removal or remediation work which is the role of SafeWorkWorkCover). 	Sections 5 and 6
Development assessment	<ul style="list-style-type: none"> Assess development applications for approval under the <i>Environmental Planning and Assessment Act 1979</i>. Set conditions of consent for renovations, alterations, additions, demolitions or other developments requiring consent and which may involve disturbance of asbestos containing materials. Ensure compliance with development conditions. Apply conditions relating to development involving friable and non-friable asbestos material under the relevant legislation and planning codes and as outlined in section 9. 	Section 9
Demolition	<ul style="list-style-type: none"> Approve demolition under the <i>Environmental Planning and Assessment Act 1979</i>. Council certifiers approve development as complying development under the <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>. 	Section 9
Emergencies and incidents	<ul style="list-style-type: none"> Regulate the clean-up/clean-up of asbestos waste following emergencies where sites are handed over to the council or a local resident by an emergency service organisation (excluding oversight of licensed removal or remediation work which is the role of SafeWorkWorkCover). Council may consider the need to issue a clean-up/clean-up notice, prevention notice or cost compliance notice under the <i>Protection of the Environment Operations Act 1997</i>. 	Section 7
Naturally occurring asbestos	<ul style="list-style-type: none"> Verify compliance with environmental planning and assessment legislation for development applications that could disturb naturally occurring asbestos. Prepare an asbestos management plan for council workplaces or road works which occur on land containing naturally occurring asbestos. 	Section 5
Residential	<ul style="list-style-type: none"> Respond to any public health risks (risks to council workers and wider public) relating to the removal of asbestos containing 	Section 9

premises	<p>materials or asbestos work at residential properties that does not involve a business or undertaking.</p> <ul style="list-style-type: none"> Respond to complaints about unsafe work at a residential property that is undertaken by a resident (not a worker, which is the role of SafeWorkWorkCover). Respond to public health risks posed by derelict properties or asbestos materials in residential settings. 	
Waste	<ul style="list-style-type: none"> Manage waste facilities in accordance with environmental protection legislation. Respond to illegal storage, illegal dumping and orphan waste. Regulate non-complying transport of asbestos containing materials. 	Section 10

3.5 Responsibilities to workers

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.

These responsibilities are outlined in part 2.

4. Other stakeholders involved in managing asbestos

Council is committed to working collaboratively with other government agencies and where appropriate, other stakeholders as needed to respond to asbestos issues.

Appendix E notes useful contacts and Appendix H notes agencies involved in managing asbestos. Various asbestos scenarios requiring stakeholders to work together are outlined in Appendix I.

Part 1 – Asbestos in the Local Government Area: Information for the community

5. Naturally occurring asbestos

- Council is not aware of any naturally occurring asbestos in the LGA.*

Naturally occurring asbestos only poses a health risk when elevated levels of fibres are released into the air, either by human activities or by natural weathering and these fibres are breathed in by people. Information on naturally occurring asbestos, work processes that have the potential to release naturally occurring asbestos fibres into the air and known locations of naturally occurring asbestos in NSW is provided in Appendix A under section 2.1. This information is indicative, and not a complete picture of all naturally occurring asbestos in NSW.

5.1 Responsibilities for naturally occurring asbestos

For naturally occurring asbestos that will remain undisturbed by any work practice, Council is the lead regulator.

Where development applications propose activities that may disturb areas of naturally occurring asbestos (such as excavation), any consent or approval should contain conditions requiring: testing to determine if asbestos is present, and the development of an asbestos management plan if the testing reveals naturally occurring asbestos is present. Council will verify compliance with environmental planning and assessment legislation and together with the EPA and ~~SafeWork WorkCover~~ will coordinate enforcement where non-compliance is suspected.

Where naturally occurring asbestos will be disturbed due to a work process, including roadwork, excavation and remediation work, ~~WorkCover SafeWork NSW~~ is the lead regulator. Requirements for workplaces are summarised in the *Naturally-occurring asbestos fact sheet* ~~(catalogue no. WC03728)~~ published by ~~WorkCover SafeWork~~. Where naturally occurring asbestos is part of a mineral extraction process, Department of Trade and Investment, Regional Infrastructure is the lead regulator.

5.2 Managing naturally occurring asbestos

Where naturally occurring asbestos is encountered or suspected, the risk from disturbance of the naturally occurring asbestos should be assessed by an occupational hygienist.

The management of naturally occurring asbestos that stays in its natural state is not prohibited if managed in accordance with an asbestos management plan. Requirements for risk management, asbestos management plans and provisions for workers are outlined in the *Naturally-occurring asbestos fact sheet* ~~(catalogue no. WC03728)~~ published by ~~SafeWork WorkCover~~.

5.2.1 Management of naturally occurring asbestos by council

Council will aim to prevent the exposure of workers and the public to any naturally occurring asbestos that is known or discovered in the council workplace.

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

6. Contamination of land with asbestos

Background information on contamination of land with asbestos and potential disturbance of asbestos contaminated sites can be found in Appendix A under sections 2 and 3. 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.

6.1 Responsibilities for contaminated land

Responsibility for cleaning up contaminated land lies with the person responsible for contaminating the land or the relevant landowner.

Council may issue a ~~clean-up~~clean-up notice to the occupier of premises at or from which council reasonably suspects that a pollution incident has occurred, or is occurring, requiring asbestos waste to be removed (under part 4.2 of the *Protection of the Environment Operations Act 1997*).

Council may also issue prevention notices (under part 4.3 of the *Protection of the Environment Operations Act 1997*) to ensure good environmental practice. If a person does not comply with a

prevention notice given to the person, council employees, agents or contractors may take action to cause compliance with the notice.

Any reasonable costs incurred by Council in monitoring or enforcing clean up and prevention notices may be recovered through a compliance cost notice (under part 4.5 of the *Protection of the Environment Operations Act 1997*). Council shall keep records of: tasks undertaken; the hours Council employees have spent undertaking those tasks; and expenses incurred.

During site redevelopment Council will consider contamination with asbestos containing materials in the same way as other forms of contamination as stipulated by the *Environmental Planning and Assessment Act 1979*. That is, council will apply the general requirements of *State Environmental Planning Policy (SEPP) No. 55 – Remediation of Land* and the *Managing Land Contamination: Planning Guidelines SEPP 55 – Remediation of Land*.

Council provides information about land contamination on planning certificates (issued under section [10.7449](#) of the *Environmental Planning and Assessment Act 1979*) as outlined in section 6.2.

For sites that are 'significantly contaminated' and require a major remediation program independent of any rezoning or development applications, the EPA and [SafeWork WorkCover](#) are the lead regulatory authorities as outlined in Appendix A under section 2.4.2.

The management of council workplaces contaminated with asbestos is outlined in section 14.4.

6.2 Finding out if land is contaminated

A person may request from council a planning certificate containing advice on matters including whether Council has a policy to restrict the use of land due to risks from contamination. Certificates are issued under section [10.7449\(2\)](#) of the *Environmental Planning and Assessment Act 1979*.

Factual information relating to past land use and other matters relevant to contamination may also be provided, even when land use is not restricted. When Council receives a request for a certificate under section [10.7449\(2\)](#), it may also inform applicants of any further information available under section [10.7449\(5\)](#). Council may also use section [10.7449\(5\)](#) certificates to record other information, particularly anything else of a factual nature about contamination which council deems appropriate (such as details of land history, assessment, testing and remediation).

Council records can only indicate known contaminated sites. Any site may potentially be contaminated.

6.3 Duty to report contaminated land

A person whose activities have contaminated land or a landowner whose land has been contaminated is required to notify the EPA when they become aware of the contamination (under section 60 of the *Contaminated Land Management Act 1997*). Situations where this is required are explained in the document: *Guidelines on the duty to report contamination under the Contaminated Land Management Act 1997*.

The EPA will inform council of contaminated land matters relating to the LGA as required under section 59 of the *Contaminated Land Management Act 1997*.

6.4 Derelict buildings

Concerns regarding potential health risks from derelict properties may be directed to Council. Derelict properties include abandoned buildings, fire damaged buildings and otherwise dilapidated buildings. Where derelict properties contain friable asbestos and asbestos is exposed, either from human activities or weathering, this poses a potential risk to public health.

Council may respond to derelict properties that pose a demonstrable public health risk using a range of regulatory tools according to the particular circumstances.

Council may issue a ~~clean-up~~[clean-up](#) notice or prevention notice and compliance cost notice as noted in section 6.1.

Council may also order a person to demolish or remove a building if the building is so dilapidated as to present harm to its occupants or to persons or property in the neighbourhood (under sections ~~9.34, 9.35, 9.36 and Schedule 5, Parts 1-3~~[1-3](#)~~24B-2(e)~~ of the *Environmental Planning and Assessment Act 1979*). An order may require immediate compliance with its terms in circumstances which the person who gives the order believes constitute a serious risk to health or safety or an emergency (under section 121M of the *Environmental Planning and Assessment Act 1979*). If a person fails to comply with the terms of an order, Council may act under ~~section Schedule 5, clauses 33 and 34~~[121ZJ](#) of the *Environmental Planning and Assessment Act 1979* to give effect to the terms of the order, including the carrying out of any work required by the order.

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If the derelict building is on a site that is a workplace then ~~SafeWork WorkCover~~ is the lead agency responsible for ensuring that asbestos is removed by appropriately licensed removalists.

7. Responding to emergencies and incidents

Emergencies and incidents such as major collapses, cyclones, explosions, fires, storms, or vandalism can cause damage to buildings or land that contain asbestos. This can create site contamination issues and potentially expose emergency service workers and the wider public to asbestos. Emergencies or incidents can arise from natural hazards, or from accidental or deliberate human activities including criminal activity.

7.1 Responsibilities in the clean up after an emergency or incident

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 WorkCover~~ is the lead agency.

Council may issue a ~~clean-up~~[clean-up](#), prevention, cost compliance or penalty infringement notice as outlined in section 3.3 and section 6.1.

Alternatively, council may act under the *Environmental Planning and Assessment Act 1979* as outlined in section 6.4 of this policy.

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

This may include to:

- Seek advice from an occupational hygienist on the likely level of risk and appropriate controls required.
- Liaise with or consult the appropriate agencies.
- Inform emergency personnel of any hazards known to council as soon as practicable.
- Follow the *Code of practice on how to safely remove asbestos* (~~catalogue no. WC03561~~) published by [WorkCover NSW safe work australia](#)
- Ensure that any council workers attending the site have appropriate training and are wearing appropriate personal protective equipment.
- Exclude the public from the site.

- Inform the public of the potential sources of exposure to asbestos, health risks and emergency management response.
- Minimise the risks posed by any remaining structures (see section 6.4).
- Address the risks posed by disturbed asbestos containing materials by engaging a licensed removalist (as outlined in section 14.6.2) or issuing a clean up or prevention notice (as outlined in section 6.4) to ensure asbestos containing materials are removed for disposal.
- Ensure that the site is kept damp, at all times or sprayed with PVA glue, particularly where friable asbestos is present, if considered appropriate (noting that in some instances this may not be appropriate, for example if there are live electrical conductors or if major electrical equipment could be permanently damaged or made dangerous by contact with water).
- Ensure that asbestos containing materials are disposed of at a facility licensed to accept asbestos waste and sight proof of appropriate disposal through weighbridge dockets or similar documentation.

7.2 Advice to the public regarding clean up after an emergency or incident

During a clean up after an emergency or incident, the possibility of neighbours being exposed to asbestos fibres may be very low if precautions are taken to minimise the release and inhalation of asbestos dust and fibres.

As a precautionary measure, where Council is involved in a [clean-up/clean-up](#), Council may consider advising those in neighbouring properties to:

- avoid unnecessary outdoor activity and do not put any laundry outside during the clean up
- close all external doors and windows and stay indoors during the clean up
- consider avoiding using air conditioners that introduce air from outside into the home during the clean up
- dispose of any laundry that may have been contaminated with asbestos as asbestos waste after the clean up (advice on disposing of asbestos waste is provided in section 10)
- use a low pressure hose on a spray configuration to remove visible dust from pathways after the clean up
- wipe dusty surfaces with a damp cloth and bag and dispose of the cloth as asbestos waste after the clean up (advice on disposing of asbestos waste is provided in section 10)
- any other measures recommended by an occupational hygienist following assessment of the situation.

8. Council's process for changing land use

Council recognises the need to exercise care when changing zoning for land uses, approving development or excavating land due to the potential to uncover known or unknown asbestos material from previous land uses (for example, where a site has been previously been used as a landfill or for on-site burial of asbestos waste).

State Environmental Planning Policy No. 55 – Remediation of Land states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed.

Managing sites contaminated with asbestos material is addressed in section 6.

9. Council's process for assessing development

This section applies to development applications assessed under the *Environmental Planning and Assessment Act 1979* and complying development applications assessed under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* or Council's complying codes (see section 9.5.2). This includes alterations and additions to residential development, which may include internal work as well as extensions to the existing main structure, or changes to outbuildings, sheds or garages.

This section also covers renovations that do not require development consent or a complying development certificate. Development consent is not required to maintain an existing structure. For example, the replacement of windows, doors and ceilings may involve the removal of asbestos but does not constitute development under the *Environmental Planning and Assessment Act 1979*. In these instances, council has an educative role in providing owners and occupiers with advice and information about the identification and safe management of asbestos.

9.1 Responsibilities for approving development

Council is the consent authority for the majority of development applications in the LGA. The Joint Regional Planning Panel (JRPP) is also consent authority for certain local or regional development. Council may have representation on the JRPP.

Council or the JRPP may impose conditions of consent and a waste disposal policy to a development consent to ensure the safe removal of asbestos, where asbestos has been identified or may be reasonably assumed to be present.

Either Council or a private certifier may assess a complying development certificate. Where a private certifier is engaged to assess a complying development certificate, the private certifier is responsible for ensuring that the proposed development activities include adequate plans for the safe removal and disposal of asbestos.

This also applies to the demolition of buildings. Certifiers are able to issue a complying development certificate under the Demolition Code of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. Further information on demolition is provided in section 9.4.

When a private certifier issues a complying development certificate and is appointed as the Principal Certifying Authority for the development, it is the certifier's responsibility to follow up to ensure that works including asbestos handling, removal and disposal if present, are carried out appropriately in accordance with the *Environmental Planning and Assessment Regulation 2000* (clause 136E). Compliance is covered in section 9.7.

9.2 Providing advice to home owners, renovators and developers

Council is committed to providing information to minimise the risks from asbestos in the LGA. Information is provided below and in Appendix A. Appendix B lists additional sources of information on how to deal safely with the risks of asbestos and Appendix J lists asbestos containing products that may be found around the home.

The key points are:

- Before any renovation, maintenance or demolition work is carried out, any asbestos or asbestos containing materials should be identified (refer to section 9.3).

- Where a material cannot be identified or it is suspected to be asbestos, it is best to assume that the material is asbestos and take appropriate precautions.
- If asbestos containing materials can be maintained in good condition it is recommended that they be safely contained, left alone and periodically checked to monitor their condition, until demolition or redevelopment. If asbestos materials cannot be safely contained, they should be removed as outlined in section 9.4.
- For demolition or redevelopment, any asbestos containing materials should be safely removed and disposed of prior to the work commencing.

Anyone who is undertaking renovations themselves without a contractor is encouraged to refer to Appendices A and B for more information and contact Council where they require further advice or clarification. Anyone engaging an asbestos removal contractor may contact [WorkCover-SafeWork NSW](#) with any queries as [WorkCover-SafeWork NSW](#) regulates asbestos removal by workers (as explained in section 9.4). Contact details for council and [WorkCover-SafeWork NSW](#) are provided in Appendix E.

9.3 Identifying asbestos

Information on common places where asbestos is likely to be found in residential, commercial and industrial premises with materials from prior to 2004 on the premises is provided in Appendix A.

A person may apply to Council for a planning certificate (called a section ~~10.7449~~ certificate) for the relevant land. Council may provide information on a planning certificate including whether Council has a policy to restrict the use of land due to risks from asbestos contamination, as outlined in section 6.2.

Council aims to ensure that records are, as far as possible, accurate. In some instances, Council may not have up-to-date information about asbestos for a property. Council may be able to provide general advice on the likelihood of asbestos being present on the land based on the age of the buildings or structures on the land. A general guide to the likelihood of asbestos presence based on building age is provided in Appendix A under section 2.2.

The most accurate way to find out if a building or structure contains asbestos is to obtain an asbestos inspection by a person competent in the identification and assessment of asbestos, such as an occupational hygienist (a competent person is defined by the NSW *Work Health and Safety Regulation* ~~2014~~2017). This is highly advisable before undertaking major renovations to buildings constructed, or containing materials from prior to 2004.

Property owners and agents are encouraged to inform any tenants or occupiers of the presence of asbestos and to address any potential asbestos hazards where appropriate.

Property owners who let their properties out are required to identify any asbestos within those properties before any work is carried out (this includes residential properties).

The *Work Health and Safety Regulation* ~~2017~~2014 states that the person conducting a business or undertaking in any building constructed before 31 December 2003 must identify if there is any asbestos in the building.

All commercial properties that contain asbestos must have and maintain a current asbestos register and asbestos management plan.

9.4 Removing asbestos, refurbishments and demolitions

9.4.1 Removing asbestos at domestic premises

If development is undertaken by contractors, as is the case with a lot of home renovations, then the work is considered to be at a workplace and is regulated by ~~WorkCover~~ [SafeWork NSW](#) under the NSW *Work Health and Safety Regulation 2017*. This requires that a person conducting a business or undertaking who is to carry out refurbishment or demolition of residential premises must ensure that all asbestos that is likely to be disturbed by the refurbishment or demolition is identified and, so far as reasonably practicable, is removed before the refurbishment or demolition is commenced.

Depending on the nature and quantity of asbestos to be removed, a licence may be required to remove the asbestos. The requirements for licenses are outlined below and summarised in the table in Appendix K. ~~SafeWork~~ [WorkCover](#) is responsible for issuing asbestos licences.

Friable asbestos must only be removed by a licensed removalist with a friable (Class A) asbestos removal licence. Except in the case of the removal of:

- asbestos containing dust associated with the removal of non-friable asbestos, or
- asbestos containing dust that is not associated with the removal of friable or non-friable asbestos and is only a minor contamination (which is when the asbestos contamination is incidental and can be cleaned up in less than one hour).

The removal of more than 10 square metres of non-friable asbestos or asbestos containing material must be carried out by a licensed non-friable (Class B) or a friable (Class A) asbestos removalist.

The removal of asbestos containing dust associated with the removal of more than 10 square metres of non-friable asbestos or asbestos containing material requires a non-friable (Class B) asbestos removal licence or a friable (Class A) asbestos removal licence.

Removal of 10 square metres or less of non-friable asbestos may be undertaken without a licence. However, given the risks involved, Council encourages residents to consider engaging a licensed asbestos removal contractor. The cost of asbestos removal by a licensed professional is comparable in price to most licensed tradespeople including electricians, plumbers and tilers.

All asbestos removal should be undertaken in accordance with the *Code of practice on how to safely remove asbestos* (~~catalogue no. WC03564~~) [safe work australia](#)

If a residential premise is a workplace, the licensed asbestos removalist must inform the following persons before licensed asbestos removal work is carried out:

- the person who commissioned the work
- a person conducting a business or undertaking at the workplace
- the owner and occupier of the residential premises
- anyone occupying premises in the immediate vicinity of the workplace (as described in section 467 of the NSW *Work Health and Safety Regulation 2017*).

In certain circumstances, a premise may be used for both residential and commercial purposes and is therefore classified as a workplace.

All licensed asbestos removal must be:

- supervised by a supervisor named to ~~SafeWork~~ [WorkCover](#)
- notified to ~~SafeWork~~ [WorkCover](#) at least five days prior to the work commencing.

Requirements for the transport and disposal of asbestos waste are covered in section 10.

9.4.2 Removing asbestos at workplaces

The NSW *Work Health and Safety Regulation 2011-2017* specifies requirements for demolition and refurbishment at a workplace with structures or plants constructed or installed before 31 December 2003. [WorkCover-SafeWork NSW](#) is the lead agency for regulating the safe management of asbestos at workplaces.

9.4.3 Obtaining approval for demolition

Demolition work must comply with *Australian Standard AS 2601 – 2001: The demolition of structures*. In most circumstances demolition of a structure requires development consent or a complying development certificate. Applicants need to enquire to Council as to whether and what type of approval is required. Where a development application is required Council's standard conditions need to be applied to ensure that asbestos is safely managed. Council's conditions for development consent are referred to in section 9.6.

A wide range of development, including residential, industrial and commercial development, can be approved for demolition as complying development under the Demolition Code of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* and the *Environmental Planning and Assessment Regulation 2000* provides mandatory conditions for complying development certificate applications.

The *Code of practice for demolition work* (published by Safe Work Australia in [2012-2016](#)) provides practical guidance to persons conducting a business or undertaking on how to manage the health and safety risks associated with the demolition work. The *Code of practice for demolition work* applies to all types of demolition work.

9.5 Exempt or complying development

9.5.1 Exempt development

Exempt development does not require any planning or construction approval if it meets the requirements of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

This means that there is no ability for Council or a private certifier to impose safeguards for the handling of asbestos through conditions of development consent. However, Council advises that all asbestos removal work should be carried out in accordance with the *Code of practice on how to safely remove asbestos* ([catalogue no. WC03564](#)), [safe work australia](#)

9.5.2 Complying development

The *Environmental Planning and Assessment Regulation 2000* (clause 136E) outlines conditions under which a complying development certificate can be issued for development that involves building work or demolition work and friable or non-friable asbestos.

Applications for complying development certificates must include details of the estimated area (if any) in square metres of friable and/or non-friable asbestos material that will be disturbed, repaired or removed in carrying out the development (under Schedule 1 part 2 of the *Environmental Planning and Assessment Regulation 2000*).

Where more than 10 square metres of non-friable asbestos is to be removed, a contract evidencing the engagement of a licensed asbestos removal contractor is to be provided to the principal certifying authority. The contract must specify the landfill site lawfully able to accept asbestos to which the removed asbestos will be delivered.

If the contract indicates that asbestos will be removed to a specified landfill site, the person having the benefit of the complying development certificate must give the principal certifying authority a copy of a receipt from the operator of the landfill site stating that all the asbestos material referred to in the contract has been received by the operator.

If the work involves less than 10 square metres of non-friable asbestos and is not undertaken by a licensed contractor, it should still be undertaken in a manner that minimises risks as detailed in the *Code of practice on how to safely remove asbestos* (~~catalogue no. WC03561~~)-[safe work australia](#). In instances where asbestos removal is less than 10 square metres of non-friable asbestos and not from a place of work, then ~~SafeWork-WorkCover~~ would not be the agency responsible for regulating this activity. Concerns or complaints may be directed to council as outlined in section 11.

The *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* outlines the requirements for the applicant to notify their neighbours that works may include asbestos removal.

Further requirements to inform other persons of licensed asbestos removal are described in section 467 of the *NSW Work Health and Safety Regulation 2017* as noted in section 9.4.1 of this policy.

9.6 Development applications

If a proposed building does not meet the requirements of exempt or complying development then there is a final planning approval option: a development application (DA). A DA can only be approved by a local council, the JRPP or, for very large, State-significant development proposals, the State Government. A development application needs to be prepared and it will be assessed in accordance with the development standards established by council. Council may undertake a site inspection as part of the DA assessment.

9.6.1 Pre-development application advice regarding asbestos

Council's pre-DA service enables proponents to discuss asbestos-related issues with council prior to lodging a DA, if the issue is raised. Council may inform applicants of this policy, fact sheets or websites. Generally this may be most relevant to structures erected or modified before the 1980s and any other structure that could be reasonably suspected to contain asbestos including those with building materials from prior to 2004.

9.6.2 Conditions of consent

Conditions of consent will be determined on merit on a case by case basis taking into consideration the proposed work to be undertaken as prescribed in the application and the supporting documentation. This policy will form part of the determination where removal of asbestos material is identified as part of the application or through the assessment phase and will be referred to in the conditions of consent.

9.7 Compliance and enforcement

9.7.1 Responsibilities for compliance and enforcement

The controls rely on information being provided and checked by the principal certifying authority which may be either the local council or a private certifier. A private certifier has powers under the *Environmental Planning and Assessment Act 1979* to issue construction certificates, compliance certificates, complying development certificates, occupation certificates and to carry out mandatory inspections. Councils will not always be the principal certifying authority. When a council is not nominated as the principal certifying authority for a complying development certificate or development application, the council may not have any knowledge of the asbestos matter. Accordingly, coordination

of compliance and/or enforcement actions between the council and the private certifier will be required.

Council may take action on any development for which council has issued the development consent, even when not appointed as the principal certifying authority to ensure enforcement. Where Council receives a complaint about a development for which Council is not the principal certifying authority, Council should consider whether Council is the appropriate authority to resolve the matter. Complaints that warrant action by councils because of their greater enforcement powers include:

- urgent matters, for example, a danger to the public or a significant breach of the development consent or legislation
- matters that are not preconditions to the issue of the occupation/subdivision certificate.

In relation to naturally occurring asbestos, Council is to verify compliance with environmental planning and assessment legislation and together with the EPA and [SafeWorkWorkCover](#) is to coordinate enforcement where non-compliance is suspected.

9.7.2 Compliance strategies

Illegal works include:

- works that are undertaken without a required development consent or complying development certificate
- works that are undertaken that do not comply with the conditions of the development consent or complying development certificate.

Where Council becomes aware of illegal work involving asbestos or asbestos containing materials, Council will notify [SafeWorkWorkCover](#) if the site is a workplace.

The *Environmental Planning and Assessment Act 1979* empowers Council to issue orders to direct specific work be undertaken to comply with a development consent.

Council may need to issue an order under the *Local Government Act 1993* (section 124) to direct a person to 'do or refrain from doing such things as are specified in the order to ensure that land is, or premises are, placed or kept in a safe or healthy condition.'

Council may also issue a [clean-up/clean-up](#) notice or prevention notice under the *Protection of the Environment Operations Act 1997* as outlined in section 6.1 of this policy.

Council may audit asbestos-related demolition works which Council has recently approved by using a legal notice under section 192 of the *Protection of the Environment Operations Act 1997* to require developers to provide information and records regarding disposal of their asbestos waste.

Council will apply its regulatory function in accordance with Council's Enforcement Policy where breaches of the regulations are known and where required, prima facie evidence is obtained.

10. Managing asbestos as a waste

It is illegal to dispose of asbestos waste in domestic garbage bins or to recycle, reuse, bury or illegally dump asbestos waste. Asbestos must not be placed in general waste skip bins, yet there have been instances where asbestos has been illegally placed in skip bins by third parties. Members of the public need to be aware of this hazard and may need to secure their skip bins to prevent a third party from illegally disposing of asbestos in the skip bin.

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

10.1 Responsibilities for asbestos waste management

Council's responsibilities for asbestos waste management are outlined in section 3.3.

The handling, and where appropriate, temporary storage of asbestos waste at worksites, is regulated by [WorkCover-SafeWork](#) NSW.

The EPA regulates premises that have or require an environment protection licence in accordance with the *Protection of the Environment Operations Act 1997*. A licence is required where more than 5 tonnes of asbestos waste, brought from off-site, is stored at any time. All other sites where asbestos waste is stored, typically those that are non-work sites, are regulated by local councils.

10.2 Handling asbestos waste for disposal

The *Code of practice on how to safely remove asbestos* ([catalogue no. WC03564](#)) [safe work australia](#) provides details on waste containment and disposal and controls applicable to all types of asbestos removal (in section 4.8 of the Code).

10.3 Transporting asbestos waste

The following requirements apply to the transport of asbestos waste and non-compliance with these requirements is an offence under the *Protection of the Environment Operations (Waste) Regulation 2005* clause 42(3):

- a. non-friable asbestos material must be securely packaged at all times
- b. friable asbestos material must be kept in a sealed container
- c. asbestos-contaminated soils must be wetted down
- d. all asbestos waste must be transported in a covered, leak-proof vehicle.

Asbestos waste that is transported interstate must be tracked in accordance with the *Protection of the Environment Operations (Waste) Regulation 2005*. Asbestos waste transported within New South Wales does not need to be tracked. The waste tracking system is administered by the EPA. An environment protection licence is required to transport asbestos waste interstate where any load contains more than 200 kilograms of asbestos waste.

It is an offence to transport waste to a place that cannot lawfully receive that waste, or cause or permit waste to be so transported (under section 143 of the *Protection of the Environment Operations Act 1997*). Penalty notices may be issued for \$1500 (to individuals) and \$5000 (to corporations).

10.4 Disposing of asbestos waste at waste facilities

Council accepts non-friable asbestos waste at the Narromine and Trangie landfill sites.

Narromine:

- hours of operation – open Mon, Wed, Fri, Sat & Sun 9am to 4pm
- contact details – 6889 9957
- any fees for disposing of asbestos waste – refer to Council's fees & charges
- additional information can be found on Council's website, www.narromine.nsw.gov.au
- any further details provided in the appendices.

Trangie:

- hours of operation – open Wed & Fri 8am to 12pm; Sat & Sun 9am to 4pm

- contact details – 6889 9950
- any fees for disposing of asbestos waste – refer to Council's fees & charges
- additional information can be found on Council's website, www.narromine.nsw.gov.au
- any further details provided in the appendices.

Council does not accept asbestos waste at the Tomingley transfer station.

Persons delivering waste to a landfill site must comply with the following requirements:

- a person delivering waste that contains asbestos to a landfill site must inform the landfill occupier of the presence of asbestos when delivering the waste.
- when unloading and disposing of asbestos waste at a landfill site, the waste must be unloaded and disposed of in such a manner as to prevent the generation of dust or the stirring up of dust.

Non-compliance with these requirements is an offence under the *Protection of the Environment Operations (Waste) Regulation 2005* and these offences attract strong penalties.

10.4.1 Situations in which asbestos waste may be rejected from waste facilities

Asbestos waste may be rejected from a waste facility if the waste is:

- not correctly packaged for delivery and disposal (as per sections 10.2 and 10.3)
- not disclosed by the transporter as being asbestos or asbestos containing materials, or
- taken to a waste facility that does not accept asbestos waste.

Where waste is rejected, the waste facility must inform the transporter of the waste of a waste facility to which the waste may be transported, that is, a waste facility at which the waste can be legally accepted (as required by the *Protection of the Environment Operations (Waste) Regulation 2005*).

Individuals may be fined \$1500 and corporations may be fined \$5000 under the *Protection of the Environment Operations Act 1997* and *Protection of the Environment Operations (Waste) Regulation 2005* for transporting asbestos waste to a facility that cannot lawfully receive asbestos waste.

10.5 Illegal dumping of asbestos waste

Illegal dumping is the unlawful deposit of waste onto land. That is waste materials dumped, tipped or otherwise deposited onto private or public land where no licence or approval exists to accept such waste. Illegal landfilling, which is waste used as fill material with the consent of the owner or occupier of the land but without the necessary council or EPA approvals, is also considered to be illegal dumping and pollution of land.

Illegal dumping of asbestos waste in public places such as parks, streets or nature strips can attract regulatory action including:

- on the spot fines of up to \$5000
- prosecution for pollution of land of up to \$1 million for a corporation and \$120,000 for each day the offence continues (under section 142A of the *Protection of the Environment Operations Act 1997*), or
- up to \$1 million, or seven years imprisonment, or both for an individual (under section 119 of the *Protection of the Environment Operations Act 1997*).

The responsibility for cleaning up illegally dumped waste lies with the person or company that deposited the waste. If they cannot be identified the relevant landowner becomes the responsible party.

Local councils are the appropriate regulatory authority for illegal dumping unless:

- the activity was part of the carrying on of an activity listed in Schedule 1 of the *Protection of the Environment Operations Act 1997*
- the activity was carried out by a public authority or the state, or
- the site is regulated by a different authority such as the Minister for Planning and Infrastructure.

A handbook to assist Aboriginal communities to prevent and arrange the [clean-up/clean-up](#) of illegal dumping (published by the EPA) is noted in Appendix B.

10.6 Asbestos remaining on-site

The disposal of asbestos on site is not encouraged as it requires an effective ongoing system of long term management to ensure the material does not pose unacceptable risks to future site activities and occupants. For on-site burial of asbestos waste, Council will seek advice from the EPA. Council will confirm if on-site disposal is permitted under planning controls whether or not consent is required and will require recording of on-site disposal on the zoning certificate (section [10.7449](#) certificate).

11. Complaints and investigations

Complaints and inquiries may be directed to council about incidents in public places and private properties. Complaints and inquiries regarding a workplace should be directed to [SafeWorkWorkCover](#) NSW. Complaints and inquiries regarding licensed premises under the *Protection of the Environment Operations Act 1997* should be directed to the EPA.

Council will respond to complaints and inquiries regarding:

- Council's requirements in relation to development, land management and waste management
- derelict properties
- general asbestos safety issues
- illegal dumping
- safe removal and disposal of minor quantities of asbestos materials
- unsafe work at a residential property conducted by a homeowner or tenant.

Complaints about Council in relation to asbestos may be directed to the NSW Ombudsman.

Part 2 – Management of asbestos risks within Council

12. Rights and responsibilities of workers at the council workplace

12.1 Duties of council workers at the council workplace

12.1.1 The General Manager

The General Manager has a duty to exercise due diligence to ensure that Council complies with the NSW *Work Health and Safety Act 2011* and the NSW *Work Health and Safety Regulation 2017*. This includes taking reasonable steps to ensure that council has and uses appropriate resources and processes to eliminate or minimise risks associated with asbestos.

12.1.2 Workers

Workers have a duty to take reasonable care for their own health and safety and that they do not adversely affect the health and safety of other persons. ~~Accordingly~~, workers:

- must comply with this policy and any reasonable instruction or procedure relating to health and safety at the workplace
- must use any personal protective equipment provided, in accordance with information, training and reasonable instruction provided so far as the worker is reasonably able
- may cease, or refuse to carry out, work if the worker has a reasonable concern that to carry out the work would expose them, or other persons, to a serious health or safety risk, emanating from an immediate or imminent exposure to a hazard
- should ensure they are using the latest version of all relevant procedures, plans, guidelines and legislation (refer to Appendix G).

Managers are responsible for ensuring workers who report to them have access to this policy and appropriate information, documentation and training.

12.1.3 Prohibited work activities

Council will not permit the use of the following on asbestos or asbestos containing material:

- high pressured water spray (unless for firefighting or fire protection purposes), or
- compressed air.

Council will not permit the following equipment to be used on asbestos or asbestos containing material unless the use of the equipment is controlled in accordance with the NSW *Work Health and Safety Regulation 2017*

- power tools
- brooms (note brooms are allowed for use on vinyl floor tiles), or
- any other implements that cause the release of airborne asbestos into the atmosphere.

Council may have activities council employees will not undertake or be allowed to undertake. For further clarification, refer to Council's Asbestos Policy (Internal Use).

12.2 Responsibilities of council to council workers

12.2.1 Council's general responsibilities

Council has general responsibilities under the NSW *Work Health and Safety Act 2011* and the NSW *Work Health and Safety Regulation 2017*. ~~Accordingly~~, council will:

- not use any asbestos containing materials (unless in accordance with part 8.1 (419) of the NSW *Work Health and Safety Regulation 2017*) and will not cause or permit asbestos waste in any form to be reused or recycled
- ensure that exposure of a person at the workplace to airborne asbestos is eliminated so far as is reasonably practicable

- ensure that the exposure standard for asbestos (defined in Appendix C) is not exceeded in the workplace
- notify ~~SafeWorkWorkCover~~ immediately if persons are likely to be affected by asbestos fibres or if an air monitoring process records respirable asbestos fibre levels above 0.02 fibres/ml of air
- ensure that any contractors engaged to undertake the removal of asbestos for council are appropriately licensed
- consult with workers as required by the *Work Health and Safety Act 2011*.

Council will not import asbestos or asbestos containing material into Australia as prohibited under the *Customs (Prohibited Imports) Regulations 1956*. If plant or other materials are imported from countries where asbestos is not yet prohibited, Council shall ensure the plant or materials do not contain asbestos prior to supply or use in the workplace.

12.2.2 Education, training and information for workers

As required by the NSW *Work Health and Safety Act 2011* and NSW *Work Health and Safety Regulation 2017*, Council will:

- provide any information, training, instruction or supervision that is necessary to protect all persons at the workplace from risks to their health and safety arising from work carried out as part of the conduct of Council business
- ensure workers who Council reasonably believes may be involved in asbestos removal work or the carrying out of asbestos-related work in the workplace are trained in the identification, safe handling and suitable control measures for asbestos and asbestos containing material.

Any workers who are involved in any activity listed in Appendix A under section 3 on behalf of, or for, council shall be provided with access to a copy of this policy and information and training suitable to their role and the activity.

Workers may be required to sign a statement to the effect that they acknowledge they have received, read and understood a copy of council's Asbestos Policy and any relevant procedures, or alternatively workers may note this in council's electronic record keeping system.

Council may also provide information and training to council employees who may need to respond to asbestos issues related to renovations and developments as outlined in section 9.

Topics training are outlined in the *Code of practice on how to safely remove asbestos* (~~catalogue no. WC03561~~) - [Safe work australia](#) Education and training will only be provided by appropriately accredited individuals.

Education and training may include both initial induction and ongoing reinforcement on a regular basis. council may wish to provide examples of how education and training will be delivered and reinforced such as tool box meetings, general in-house training or on council's intranet.

A record of asbestos training undertaken by each worker will be kept until five years after the day the worker ceases to work for council.

12.2.3 Health monitoring for workers

Council will ensure health monitoring is provided to a worker if they are carrying out licensed asbestos removal work, other ongoing asbestos removal work or asbestos-related work at the workplace for council and are at risk of exposure to asbestos when carrying out the work.

The health monitoring will be consistent with the *Code of practice on how to safely remove asbestos* (~~catalogue no. WC03561~~) [safe work australia](#) and meet the requirements of the NSW *Work Health and Safety Regulation 2017* (part 8.5 Division 1).

Health counselling may be appropriate where a heightened sense of concern exists for individuals possibly exposed to elevated levels of airborne asbestos fibres.

Employees who were exposed to asbestos in the past and if there is a risk to the health of the employee as a result of that exposure, are covered by the NSW *Work Health and Safety Regulation 2017* (clauses 435-444). Council will ensure these employees are kept on the health monitoring program.

Council will in accordance with the principles of this policy:

- Carry out risk assessments of Narromine Shire Council worksites to identify asbestos.
- Maintain a register containing the location of Narromine Shire Council worksites which contain or are suspected of containing asbestos (ACM).
- The register will also include identification of potential risks, work carried out on asbestos, implementation of control measures and persons accessing areas where asbestos may present a risk.
- Remove or control identified ACM as far as reasonably practicable in correlation with its level of risk.
- Use established consultation mechanisms with all workers, their health and safety representatives and others when removing ACM from a workplace. Continually monitor and work towards ACM free worksites.
- Conduct air monitoring to ensure the exposure standard is not exceeded at the workplace.
- Ensure all workers are trained in the identification, safe handling of and appropriate controls for, suspected ACM.
- Ensure health surveillance is provided to all workers that have been exposed to ACM.
- Dispose of presumed and identified ACM according to legislative and regulatory requirements at its landfill depot.
- Provide information about asbestos to the community.

Council commits to developing a health monitoring plan/procedures based on the *Code of practice on how to safely remove asbestos* (~~catalogue no. WC03561~~) and part 8.5 Division 1 of the NSW *Work Health and Safety Regulation 2017*.

13. Identifying and recording asbestos hazards in the council workplace

This section outlines how Council will identify and record asbestos hazards in the workplace. This section does not cover naturally occurring asbestos which is addressed in section 5 or illegal dumping which is addressed in section 10.5.

13.1 Identifying asbestos

Council will ensure, so far as is reasonably practicable, that all asbestos or asbestos containing material at the workplace is identified by a competent person (as defined by the NSW *Work Health and Safety Regulation 2017*). If a material cannot be identified or accessed, it will be assumed to be asbestos. This does not apply if Council has reasonable grounds to believe that asbestos or asbestos containing material is not present.

13.1.1 Material sampling

Council may choose to identify asbestos or asbestos containing material by arranging for a sample to be analysed. Where Council arranges sampling of asbestos containing material, this will be undertaken by an appropriately trained and competent Council worker or a competent person will be contracted to undertake this task. Analysis of the sample must only be carried out by a National Association of Testing Authorities (NATA) accredited laboratory (refer to Appendix E) or a laboratory approved or operated by the regulator.

13.2 Indicating the presence and location of asbestos

Council will clearly indicate the presence and location of any asbestos or asbestos containing material identified or assumed at the workplace. Where it is reasonably practicable to do so, Council will indicate the presence and location of the asbestos or asbestos containing material by a label.

13.3 Asbestos register

- Council will prepare an asbestos register and keep it at the workplace.

Council's asbestos register will be maintained to ensure the register lists all identified (or assumed) asbestos in the workplace and information in the register is up to date. The asbestos register will be accessible, reviewed, revised and otherwise managed as mandated by the NSW *Work Health and Safety Regulation 2011-2017* (clauses 425 – 428).

Council will ensure that any worker carrying out or intending to carry out work at a council workplace that involves a risk of exposure to airborne asbestos, is given a copy of the asbestos register.

13.4 Suspected asbestos

If a worker suspects there is asbestos in a Council workplace, they should inform their manager or supervisor. A competent worker should check the asbestos register for existing asbestos locations and control measures and may need to arrange for an inspection and sampling of the material (refer to section 13.1.1). If it is likely that asbestos or suspected asbestos is present, the asbestos register will be updated and workers will be notified of any newly identified asbestos locations.

Council may need to manage the suspected asbestos as outlined in section 14. If the suspected asbestos has been disturbed and has, or could, become airborne, council may need to respond immediately as outlined in section 15.

14. Managing asbestos-related risks in the council workplace

14.1 Asbestos management plan

Council will prepare an asbestos management plan. The asbestos management plan will be accessible, reviewed, revised and otherwise managed as mandated by the NSW *Work Health and Safety Regulation 2011-2017* clause 429.

14.2 Asbestos management plan for naturally occurring asbestos

Council is not aware of any naturally occurring asbestos in the workplace. If naturally occurring asbestos is discovered, council will prepare an asbestos management plan in relation to the naturally occurring asbestos in accordance with the NSW *Work Health and Safety Regulation 2011-2017* part 8.4 (Management of naturally occurring asbestos).

14.3 Management options for asbestos-related risks in the council workplace

Council's asbestos management plan when developed, will include decisions and reasons for decisions about the management of asbestos at the workplace.

Options for managing asbestos-related risks include:

- removal of asbestos or asbestos containing materials (preferred wherever reasonably practicable)
- interim control measures: enclosure (only for non-friable asbestos), encapsulation (when the original asbestos bond is still intact) or sealing (where the sealed material is unlikely to be subject to mechanical damage) asbestos containing material, to be implemented along with regular inspections by a competent person
- leaving asbestos containing material in situ (deferring action).

Council may undertake an asbestos risk assessment, in consultation with workers and/or their representatives, in order to inform decision-making. Only competent persons will perform risk assessments or any subsequent reviews or revisions of risk assessments.

For all asbestos work or asbestos-related work, safe work practices will be in place and suitable personal protective equipment will be used.

14.4 Sites contaminated with asbestos that are council workplaces

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

Council may need to ensure that an exposure assessment is undertaken and that appropriate risk management options are determined and implemented.

For asbestos in soil or aggregate, a suitably qualified occupational hygienist must carry out an assessment if the material in the soil and aggregate is unknown or classified as friable.

Council should engage specialists, who may include asbestos removalists, for all cases except in the case of minor, non-friable contaminations.

Further details on managing land contaminated with asbestos may be found in section 6.

14.5 Demolition or refurbishment of council buildings and assets

Council will ensure that before any demolition or refurbishment of a Council structure or plant constructed or installed before 31 December 2003 is undertaken, the asbestos register is reviewed and a copy provided to the business undertaking the demolition or refurbishment. Council will ensure that any asbestos that is likely to be disturbed is identified and, so far as is reasonably practicable removed.

14.6 Removal of asbestos in the council workplace

Removal of asbestos or asbestos containing materials in the council workplace will be undertaken in accordance with the:

- NSW *Work Health and Safety Act 2011*
- NSW *Work Health and Safety Regulation 2011-2017*

Council may also refer to the *Code of practice on how to safely remove asbestos* ([catalogue no. WC03564](#)), [safe work australia](#)

For licensed asbestos removal work, a licensed asbestos removalist must meet the requirements of the NSW *Work Health and Safety Regulation 2011-2017* including the requirements to:

- notify [WorkCover-SafeWork NSW](#) at least five days prior to the asbestos removal work commencing. However, in the case of emergency work, such as burst pipes, fires and illegally dumped asbestos, Council may request to [SafeWork/WorkCover](#) that this five days period be waived
- prepare, supply and keep an asbestos removal control plan
- obtain a copy of the asbestos register before carrying out asbestos removal work
- inform the person with management or control of the workplace that the licensed asbestos removal work is to be carried out at the workplace
- erect signs and barricades

- limit access to the asbestos removal area
- properly dispose of asbestos waste and dispose of, or treat, contaminated personal protective equipment
- arrange a clearance inspection and clearance certificate.

Where Council is informed that asbestos removal work is to be carried out at the workplace, Council will inform workers and those in the immediate vicinity of the workplace and limit access to the asbestos removal area as per the NSW *Work Health and Safety Regulation 2014-2017*.

14.6.1 Removal by Council employees

A list of employees trained and nominated to remove asbestos as well as the nominated supervisors should be listed in council's asbestos management plan.

Council will ensure that before any Council employee undertakes asbestos (or suspected asbestos) removal work they are:

- appropriately trained
- adequately supervised
- provided with appropriate personal protective equipment and clothing
- provided access to this policy
- provided with information about the health risks and health effects associated with exposure to asbestos and the need for, and details of, health monitoring.

14.6.2 Removal by contractors

Where Council commissions the removal of asbestos at the workplace, Council will ensure asbestos removal work is carried out only by a licensed asbestos removalist who is appropriately licensed to carry out the work, unless specified in the NSW *Work Health and Safety Regulation 2014-2017* that a licence is not required.

Where Council requires the services of asbestos removalists, Council will require the licence details of asbestos removalists prior to engaging their services and will verify the licence details with [WorkCover's SafeWork's](#) Certification Unit prior to entering a contract or agreement with the licensed asbestos removalists.

Council is required to ensure that the work is carried out by a competent person who has been trained in the identification and safe handling of, and suitable control measures for, asbestos and asbestos containing material. Council will therefore require a statement in a written contract or agreement with the licensed asbestos removalist that the licensed asbestos removalist who will undertake the work has been adequately trained.

Council will provide a copy of the asbestos register to the licensed asbestos removalist.

Where council becomes aware of any breaches by licensed asbestos removalists, council will report this to [WorkCover SafeWork NSW](#).

14.6.3 Clearance inspections and certificates

Where Council commissions any licensed asbestos removal work, Council will ensure that once the licensed asbestos removal work has been completed, a clearance inspection is carried out and a clearance certificate is issued by an independent licensed asbestos assessor (for Class A asbestos removal work) or an independent competent person (in any other case) before the asbestos removal area is re-occupied.

The friable asbestos clearance certificate will require visual inspection as well as air monitoring of the asbestos removal site. Air monitoring is mandatory for all friable asbestos removal. The air monitoring must be conducted before and during Class A asbestos removal work by an independent licensed asbestos assessor.

The friable asbestos clearance certificate is to state that there was no visible asbestos residue in the area or vicinity of the area where the work was carried out and that the airborne asbestos fibre level was less than 0.01 asbestos fibres/ml.

15. Accidental disturbance of asbestos by workers

In situations where asbestos is accidentally disturbed by Council work and has, or could, become airborne, Council will act to minimise exposure of workers and the wider public to airborne asbestos.

It may be appropriate that council:

- *stop works in the vicinity of the asbestos immediately*
- *inform the site supervisor immediately, inform necessary workers and record the incident*
- *evacuate the area*
- *provide personal protective equipment and briefing to appropriately trained workers who will respond to the incident*
- *restrict access to the area and ensure only appropriately trained and equipped council workers attend the site*
- *exclude the public from the site and provide information to the public if in a public area*
- *wet surfaces to reduce the dust levels*
- *prevent the spread of contamination by using wash down facilities*
- *provide information, training and supervision to all workers potentially at risk*
- *contact [WorkCover-SafeWork NSW](#) to report the disturbance. [WorkCover-SafeWork NSW](#) must be immediately notified if persons are likely to be ~~effected~~affected by asbestos fibres or if an air monitoring process records a level above 0.02 fibres/ml of air*
- *implement an air monitoring program to assess asbestos exposure levels and specific risk control measures.*
- *liaise with or consult the appropriate agencies*
- *seek advice from an occupational hygienist*
- *follow the Code of practice on how to safely remove asbestos (~~catalogue no. WC03561~~)[safe work australia](#)*
- *ensure that asbestos materials are disposed of at a facility licensed to accept asbestos materials, and where contractors have been engaged to dispose of asbestos waste, sight proof of appropriate disposal through weighbridge dockets or similar documentation*
- *update the asbestos register and notify workers of any newly identified asbestos locations.*

16. Council's role in the disposal of asbestos waste

16.1 Responding to illegal dumping

Removal of illegally dumped asbestos material or suspected asbestos material by council employees will be undertaken in accordance with section 14.6.1 or section 14.6.2.

Where council commissions the removal of illegally dumped asbestos material or suspected asbestos material, council will ensure this is undertaken in accordance with section 14.6.2.

Where Council becomes aware of illegally dumped asbestos material outside of Council's jurisdiction, Council will promptly notify the relevant authority.

16.2 Transporting and disposing of asbestos waste

Council will transport and dispose of waste in accordance with the legislation and as outlined in section 10.

16.3 Operating council's waste facilities licensed to accept asbestos waste

Waste management facilities must be managed in accordance with the *Protection of the Environment Operations (Waste) Regulation 2005* including section 42 which specifies that:

- asbestos waste in any form must be disposed of only at a landfill site that may lawfully receive the waste
- when asbestos waste is delivered to a landfill site, the occupier of the landfill site must be informed by the person delivering the waste that the waste contains asbestos
- when unloading and disposing of asbestos waste at a landfill site, the waste must be unloaded and disposed of in such a manner as to prevent the generation of dust or the stirring up of dust, and
- asbestos waste disposed of at a landfill site must be covered with virgin excavated natural material or other material as approved in the facility's environment protection licence as detailed in the *Protection of the Environment Operations (Waste) Regulation 2005*.

Council has developed a charging policy for receiving asbestos waste, which reflects the actual cost of managing the asbestos waste, plus any applicable levies.

When council is receiving construction, renovation and demolition waste, council may screen and inspect incoming loads to minimise asbestos contamination risk as this waste may be high risk for asbestos materials. Council has developed procedures to avoid asbestos contamination in material intended for resource recovery.

Council may issue a receipt for asbestos waste received at a licensed landfill facility. The receipt provided may note the time, date and location of disposal, weight of asbestos containing material disposed, method of disposal (note on handling) and a receipt number. This information must be recorded by the facility, regardless of whether a receipt is issued. Council to note how receipts relate to any conditions of consent.

16.3.1 Asbestos waste incorrectly presented to council's waste facilities

This section applies to situations where asbestos waste is taken to a Council waste facility and the waste is:

- not correctly packaged for delivery and disposal (as per sections 9.2 and 9.3)

- not disclosed by the transporter as being asbestos or asbestos containing materials
- taken to a waste facility that does not accept asbestos waste.

In these situations, Council may record relevant details such as the:

- contact details of the transporter
- origin of the asbestos or asbestos containing material
- amount and type of asbestos or asbestos containing material
- reasons why the asbestos waste was not properly packaged, disclosed or transported to a waste facility licensed to receive asbestos waste
- development consent details (if applicable).

Where asbestos waste is not correctly packaged for delivery and disposal, or is not disclosed by the transporter as being asbestos or asbestos containing materials, Council may:

- reject the asbestos waste from the facility
- suggest the transporter re-package the load correctly at the facility
- provide a bay for wetting and/or wrapping the asbestos and protective equipment for the transporter eg the option to purchase an asbestos waste handling kit (for non-commercial operators with less than 10 square metres of non-friable asbestos)
- provide the transporter with educational material such as [SafeWork WorkCover](#) fact sheets on correct methods for packaging, delivery and disposal of asbestos
- question the transporter about the source of asbestos waste
- issue a ~~clean-up~~[clean-up](#) notice or prevention notice under the *Protection of the Environment Operations Act 1997*
- issue a compliance cost notice under the *Protection of the Environment Operations Act 1997*
- issue a penalty infringement notice for improper transport of asbestos (under the *Protection of the Environment Operations Act 1997*).

Where asbestos waste is taken to a waste facility that does not accept asbestos waste, Council will reject the waste. Where waste is rejected, Council should complete a rejected loads register (a **template is available from [WorkCoverSafeWork NSW](#)**). **Council will also inform the transporter of a waste facility to** which the waste may be transported, that is, a waste facility at which the waste can be legally accepted (as required by the *Protection of the Environment Operations (Waste) Regulation 2005*). If Council suspects that there is a risk of illegal dumping of the rejected waste, Council will inform Council's rangers or Council's compliance officers. Suitable disposal for loads that are refused entry will remain the responsibility of the transporter and at a later date the transporter will need to demonstrate to Council that the waste has been appropriately disposed.

16.4 Recycling facilities

Council should screen and inspect incoming loads at recycling facilities for the presence of asbestos or asbestos containing materials to minimise asbestos contamination risk.

To prevent contamination of recycled products and to manage situations where contamination has occurred, Council should adhere to the guide: *Management of asbestos in recycled construction and demolition waste*.

16.5 Re-excavation of landfill sites

The re-excavation of a Council landfill site where significant quantities of asbestos waste are deposited should only be considered with reference to any available records on the nature, distribution and quantities of asbestos waste required under the relevant legislation, and consultation with the Environment Protection Authority (as the appropriate regulatory authority under the *Protection of the Environment Operations Act 1997*).

17. Advice to tenants and prospective buyers of Council owned property

Council may provide advisory notes to tenants and prospective buyers of Council owned property that is likely to contain asbestos.

Council may request that tenants in Council property:

- advise Council of any hazards relating to asbestos
- minimise damage to asbestos containing material
- co-operate with Council in facilitating any risk management work arranged by Council
- act on advice from Council to minimise risks from asbestos.

18. Implementing Council's asbestos policy

18.1 Supporting documents

The implementation of this policy is supported by Council's:

- *conditions of consent*
- *guidelines for disposing of asbestos waste.*

Council also has several internal documents that support this policy.

- *asbestos management plan*
- *asbestos register*
- *complaints handling procedures*
- *Council's existing risk assessment matrices and a risk controls checklist for asbestos*
- *employee health monitoring plans*
- *incident report form*
- *maintenance and inspection schedules for council owned assets*
- *risk register (eg RiskMAP)*
- *safe work method statements/ procedures for asbestos handling and removal for council employees*
- *site maps and GPS coordinates for asbestos in landfill*
- *site specific safety management plans*
- *training registers/ records (relevant to identifying, handling and removing of asbestos materials).*

- *asbestos inquiries and complaints response flowchart and checklist*
- *conditions of consent*
- *community education strategy.*

18.2 Communicating the policy

This is a publicly available policy. The policy is to be made available via:

- Council's main administration building/s front counter
- Council's website

All employees shall receive information about the policy at induction from Council's HR Officer.

Any workers (including employees, contractors, consultants and, where relevant, volunteers and members of the public) who are involved in any activity or activities listed in Appendix A under section 3 on behalf of, or for Council shall be provided with access to a copy of this policy and relevant supporting documents. This includes any workers involved in commencing, arranging, undertaking, regulating, inspecting or supervising a potentially hazardous activity or activities. Managers are responsible for ensuring workers who report to them have access to the policy and appropriate information, documentation and training in asbestos awareness (as per the NSW *Work Health and Safety Regulation 2017*) prior to planning the activity or activities. Further information about training is noted in section 12.2.2 of this policy.

Council shall incorporate a statement regarding compliance with this policy in all relevant contracts and agreements with workers (including employees, contractors, consultants and, where relevant, volunteers and members of the public).

In the case of any substantive revisions to the policy, the revisions will be approved by the General Manager and the General Manager will notify all persons who may have cause to undertake, arrange or supervise any activities listed in Appendix A under section 3 on behalf of, or for, council.

18.3 Non-compliance with the policy

Failure by workers to adhere to the policy and failure by managers to adequately inform relevant workers of this policy shall be considered non-compliant with this policy in which case Council's disciplinary procedures shall be followed.

The appropriate supervisor, manager, director, or the General Manager, shall take action in the case of non-compliance with the policy and this may include providing education and training, issuing a verbal or written warning, altering the worker's duties, or in the case of serious breaches, terminating the worker's services. Each case shall be assessed on its merits with the aim of achieving a satisfactory outcome for all parties.

Workers should approach their supervisor or manager if they are experiencing difficulties in understanding or implementing the policy or if they are concerned that other workers are not complying with the policy.

19. Variations to this policy

Council reserves the right to review, vary or revoke this policy. The General Manager may allow variations to the policy for minor issues in individual cases.

Appendices

Appendix A – General information and guidance

1. What is asbestos?

Asbestos is the generic term for a number of naturally occurring, fibrous silicate materials. If asbestos is disturbed it can release dangerous fine particles of dust containing asbestos fibres. Breathing in dust containing elevated levels of asbestos fibres can cause asbestosis, lung cancer and mesothelioma.

There are two major groups of asbestos:

- the serpentine group contains chrysotile, commonly known as white asbestos
- the amphibole group contains amosite (brown asbestos) and crocidolite (blue asbestos) as well as some other less common types (such as tremolite, actinolite and anthophyllite).

Further information about the different types of asbestos can be found in enHealth, 2005, Management of asbestos in the non-occupational environment. [http://www.health.gov.au/internet/main/publishing.nsf/content/FB262D7C35664103CA257420001F2D74/\\$File/asbestos.pdf](http://www.health.gov.au/internet/main/publishing.nsf/content/FB262D7C35664103CA257420001F2D74/$File/asbestos.pdf)

In Australia, in the past asbestos was mined and widely used in the manufacture of a variety of materials. Asbestos was gradually phased out of building materials in the 1980s and the supply and installation of asbestos containing goods has been prohibited in Australia since 31 December 2003.

Asbestos legacy materials still exist in many homes, buildings and other assets. It is estimated that 1 in 3 Australian homes contains building materials with asbestos. Where the material containing asbestos is in a non-friable form (or bonded), undisturbed, and painted or otherwise sealed, it may remain safely in place. However, where the asbestos containing material is broken, damaged or mishandled, fibres can become loose and airborne posing a risk to health. Disturbing or removing asbestos unsafely can create a health hazard.

It is often difficult to identify the presence of asbestos by sight. If you are in doubt, it is best to assume that you are dealing with asbestos and take every precaution. The most accurate way to find out whether a material contains asbestos is to obtain an asbestos inspection by a person competent in the identification and assessment of asbestos such as an occupational hygienist. It can be unsafe for an unqualified person to take a sample of asbestos. Licensed asbestos removalists can be found by using the telephone directory. Council encourages residents to ask the contractor for a copy of their licence prior to engaging them. Residents can then check with [SafeWorkWorkCover](#) NSW (phone 13 10 50) to confirm the contractor has the appropriate class of licence for the asbestos removal job.

2. Where is asbestos found?

Asbestos can be found where it occurs naturally and in a variety of materials (from prior to 2004) in residential, commercial and industrial premises and on public and private land.

2.1 Naturally occurring asbestos

Naturally occurring asbestos refers to the natural geological occurrence of asbestos minerals found in association with geological deposits including rock, sediment or soil.

Asbestos is found as a naturally occurring mineral in many areas of NSW. Asbestos may occur in veins within rock formations. [The map provided in Appendix L](#) gives an indication of areas in NSW

known to have naturally occurring asbestos. Note whether council is aware of areas of naturally occurring asbestos within the LGA and if so the general location and information on situation eg the asbestos is underground and does not present a high risk to public health. Naturally occurring asbestos may be known of from previous mining operations or from being uncovered during road construction and other civil works.

Work processes that have the potential to inadvertently release naturally occurring asbestos into the air include:

- agriculture
- forestry
- landscaping
- mining
- other excavation or construction activities
- pipe works and telecommunications works
- road construction and road works.

Further information can be found in this policy under section 5 and in the *Naturally-occurring asbestos fact sheet* (~~catalogue no. WC03728~~) published by [WorkCoverSafeWork NSW](#), which provides a photograph of naturally occurring asbestos.

2.2 Residential premises

As a general rule, a house built:

- Before the mid 1980s – is highly likely to contain asbestos containing products.
- Between the mid 1980s and 1990 – is likely to contain asbestos containing products.
- After 1990 – is unlikely to contain asbestos containing products. However, some houses built in the 1990s and early 2000s may have still used asbestos cement materials until the total ban on any activity involving asbestos products became effective from December 2003.

Pipelines installed prior to 1992, particularly black surface coated and grey surface pipes, may contain asbestos.

It is important to note, the most accurate way to find out whether a material contains asbestos is by engaging a licensed asbestos removalist or occupational hygienist to inspect and arrange testing where necessary.

Fibre cement sheeting, commonly known as 'fibro', 'asbestos sheeting' or 'AC sheeting' (asbestos containing sheeting) is the most commonly found legacy asbestos material in residential premises. Other asbestos containing materials were used in 'fibro' houses but also found in brick and timber housing stock from that period. Asbestos materials were sold under a range of commercial names. Some asbestos containing materials found in New South Wales domestic settings are listed in Appendix J.

Common places where asbestos is likely to be found in and around homes include:

Outside

- backyard garden sheds, carports, garages and dog kennels
- electrical meter boards
- imitation brick cladding

- lining under eaves
- wall and roof materials (flat, patterned or corrugated asbestos sheeting).

Inside

- insulation materials in heaters and stoves
- interior walls and sheeting
- sheet materials in wet areas (bathroom, toilet and laundry walls, ceilings and floors)
- vinyl floor tiles, the backing to cushion vinyl flooring and underlay sheeting for ceramic tiles including kitchen splashback.

Asbestos can also be found in:

- angle mouldings (internal and external)
- board around windows and fireplaces
- brake pads and clutch pads to vehicles
- buried and dumped waste materials
- carpet underlay
- ceilings (ceiling tiles or sprayed coatings or loose in the ceiling cavity)
- cement flooring
- external toilets
- fencing
- guttering, downpipes and vent pipes
- inside appliances eg irons, whitegoods
- gable ends
- outbuildings
- ridge capping
- swimming pools – reinforcing marble swimming pools
- ventilators – internal and external.

Other places asbestos can be found are listed in Appendix J.

2.3 Commercial and industrial premises

In commercial and industrial premises, asbestos may be found in the abovementioned places and also:

- asbestos rope or fabric in expansion joints (for example exhaust flues) and insulation
- bituminous waterproof membrane on flat roofs
- brake disc pads and brake linings
- cloth, tapes, ropes and gaskets for packing
- electrical switchboards and duct heater units
- fillers and filters

- fire doors
- lagging on pipes such as heater flues
- lift motor rooms
- pipes, casing for water and electrical/ telecommunication services
- rubber, plastics, thermosetting resins, adhesives, paints, coatings, caulking compounds and sealants for thermal, electrical and insulation applications
- structural beams of buildings
- yarns and textiles eg fire blankets.

Other places asbestos can be found are listed in Appendix J.

2.4 Sites contaminated with asbestos

Contamination of soils from asbestos or asbestos containing materials can present a risk in urban and rural environments if the asbestos can give rise to elevated levels of airborne fibres that people can breathe. Whilst buried material may not give rise to airborne asbestos fibres if securely contained, inappropriate disturbance of this waste could give rise to harmful levels of asbestos fibres in air. Activities such as those listed in section 3 of this Appendix have the potential to encounter and disturb asbestos waste or contamination, particularly where the contamination is not known to be present at the site or has not been appropriately considered.

2.4.1 Situations where asbestos contamination may occur

Situations where asbestos contamination may occur include:

- industrial land, eg, asbestos-cement manufacturing facilities, former power stations, and rail and ship yards, especially workshops and depots
- waste disposal or dumping sites, including sites of illegal dumping eg, building waste
- sites with infill or burial of asbestos waste from former asbestos mining or manufacture processes
- buildings or structures damaged by fire or storm (particularly likely for those with pre-1980s building materials but also possible for those with materials from prior to 2004)
- land with fill or foundation material of unknown composition
- sites where buildings or structures have been constructed from asbestos containing material or where asbestos may have been used as insulation material, eg, asbestos roofing, sheds, garages, reservoir roofs, water tanks, boilers and demolition waste has been buried onsite
- sites where buildings or structures have been improperly demolished or renovated, or where relevant documentation is lacking (particularly likely for those with pre-1980s building materials but also those with materials from prior to 2004)
- disused services with asbestos containing piping such as water pipes (including sewage systems, water services and irrigation systems), underground electrical and telephone wires and telecommunications trenches or pits (usually within 1 metre of the surface).

2.4.2 Significantly contaminated land

For sites that are significantly contaminated, the EPA and [SafeWorkWorkCover](#) are the lead regulatory authorities. The *Contaminated Land Management Act 1997* applies to significantly contaminated land. In general, significant contamination is usually associated with former asbestos processing facilities or

where large quantities of buried friable asbestos waste has been uncovered and is giving rise to measureable levels of asbestos fibres in air. Such sites require regulatory intervention to protect community health where the source of the contamination is not being addressed by the responsible person. The Environment Protection Authority has details of sites that have been nominated as significantly contaminated on its Public Register at: www.environment.nsw.gov.au/clm/publiclist.htm

If land is contaminated but not determined to be 'significant enough to warrant regulation' then the *Contaminated Land Management Act 1997* does not apply. In such cases the provisions within the planning legislation and/or the *Protection of the Environment Operations Act 1997* may be the appropriate mechanism for management of such contamination.

Guidance on assessing land can be found in the document: *Guidelines on the duty to report contamination under the Contaminated Land Management Act 1997*.

3. Potentially hazardous activities

A number of activities could cause asbestos to be inadvertently disturbed and consequently create a health risk.

Before undertaking any of the activities listed below, it should be considered whether asbestos containing materials may be present. If asbestos is present, these activities may be illegal or certain precautions may be required, or an appropriately licensed person may be required to undertake the activity.

Members of the public could inadvertently disturb asbestos through activities including:

- renovations, refurbishments or repairs particularly those involving power tools, boring, breaking, cutting, drilling, grinding, sanding or smashing asbestos containing materials
- sealing, painting, brushing and cleaning asbestos cement products
- demolitions of homes or other structures (dismantling or destruction)
- relocating a house, building or structure
- using compressed air on asbestos containing materials
- water blasting asbestos containing materials
- cleaning gutters on asbestos cement roofs
- handling asbestos cement conduits or boxes
- maintenance work such as plumbing and electrical work on or adjacent to asbestos containing materials such as working on electrical mounting boards
- maintenance or servicing of materials from vehicles, plant or equipment.

Council could inadvertently disturb asbestos through activities such as:

- abovementioned activities
- asset and building maintenance
- certifying
- inspections of sites and premises
- transport and disposal of illegally dumped materials
- collection, transport and disposal of incorrectly disposed of materials.

Naturally occurring asbestos and contaminated sites could be inadvertently disturbed during:

- road building
- site and construction work
- other excavation activities
- vehicle movements.

Natural processes can create a risk of exposure to asbestos including:

- extensive fire or storm damage to asbestos cement roofs or building materials
- extensive weathering and etching of unsealed asbestos cement roofs.

In addition, work that intentionally disturbs asbestos, such as sampling or removal, should be conducted by a competent person and in accordance with the relevant codes of practice and legislation.

4. Health hazards

Asbestos fibres can pose a risk to health if airborne, as inhalation is the main way that asbestos enters the body. The World Health Organisation has stated that concentrations of asbestos in drinking water from asbestos cement pipes do not present a hazard to human health.

Breathing in asbestos fibres can cause asbestosis, lung cancer and mesothelioma. The risk of contracting these diseases increases with the number of fibres inhaled and the risk of lung cancer from inhaling asbestos fibres is greatly increased if you smoke. Small fibres are the most dangerous and they are invisible to the naked eye. People who are at most risk are those who have been exposed to high levels of asbestos for a long time. The symptoms of these diseases do not usually appear for some time (about 20 to 30 years) after the first exposure to asbestos.

Asbestosis is the irreversible scarring of lung tissue that can result from the inhalation of substantial amounts of asbestos over a period of years. It results in breathlessness that may lead to disability and, in some cases, death.

Lung cancer can be caused by asbestos. Lung cancer is related to the amount of fibre that is breathed in and the risk of lung cancer is greatly increased in those who also smoke tobacco.

Mesothelioma is a cancer of the pleura (outer lung lining) or the peritoneum (the lining of the abdominal cavity). Mesothelioma rarely occurs less than 15 years from first exposure, and most cases occur over 30 years after first exposure. Accordingly, the rates of malignant mesothelioma (an incurable cancer) are expected to rise from the year 2012 to 2020 and are expected to peak in this time.

If asbestos fibres are in a stable material, for example bonded in asbestos-cement sheeting (such as fibro), and these materials are in good condition they pose little health risk. However, where fibro or other non-friable asbestos sheeting is broken, damaged or mishandled, fibres can become loose and airborne posing a risk to health. Disturbing or removing asbestos containing materials unsafely can create a hazard.

The occupational standard for asbestos is 0.1fibre/ml of air and the environmental standard is 0.01fibre/ml in air.

When someone has potentially been exposed to asbestos, or receives or expects they may receive a diagnosis of an asbestos-related disease, they may experience psychological distress, including anxiety and may be in need of support. Their family and those around them may also be vulnerable to psychological distress.

Appendix B – Further information

Aboriginal communities

Illegal dumping prevention and clean-up. Handbook for Aboriginal communities, 2008 (EPA)
www.environment.nsw.gov.au/waste/illdumpabcommshandbook.htm

Asbestos contractors

Choosing an asbestos consultant fact sheet (catalogue no. WC04547) (SafeWorkWorkCover NSW)
www.safeworkworkcover.nsw.gov.au/formspublications/publications/Pages/Choosinganasbestosconsultant.aspx

For a listing of asbestos removal contractors in your area, refer to your local telephone directory or the Yellow Pages www.yellowpages.com.au or by contacting the Asbestos Removal Contractors Association NSW (ARCA) www.arca.asn.au Phone: (02) 8586 3521.

An asbestos removal contractor's licence can be verified by contacting the [SafeWorkWorkCover](#) NSW's Certification Unit on 13 10 50.

Demolition & Contractors Association (DCA) NSW
<http://demolitioncontractorsassociation.com.au>

Asbestos waste

Crackdown on Illegal Dumping: A Handbook for Local Government, 2007 (EPA)
www.environment.nsw.gov.au/resources/warr/200845IllegalDumping.pdf

Management of asbestos in recycled construction and demolition waste, 2010 (SafeWorkWorkCover NSW)
<http://www.workcoversafework.nsw.gov.au/formspublications/publications/Pages/asbestoswaste.aspx>

Safely disposing of asbestos waste from your home, 2009 (EPA and SafeWorkWorkCover NSW)
www.environment.nsw.gov.au/resources/waste/asbestos/09235Asbestos.pdf

For information on illegal dumping and safely disposing of asbestos waste visit the EPA website:
www.environment.nsw.gov.au

Contaminated land

Guidelines on the duty to report contamination under the Contaminated Land Management Act 1997, 2009 (EPA).
www.environment.nsw.gov.au/resources/clm/09438gldutycontclma.pdf

Managing land contamination: Planning guidelines SEPP 55 – Remediation of land, 1998 (Department of Planning and Infrastructure and EPA)
www.planning.nsw.gov.au/assessingdev/pdf/gu_contam.pdf

Environmental risk assessment

Environmental health risk assessment: Guidelines for assessing human health risks from environmental hazards, 2002 (Commonwealth of Australia)
<http://www.nphp.gov.au/enhealth/council/pubs/pdf/envhazards.pdf>

Health

Asbestos and health risks fact sheet, 2007 (Ministry of Health)
http://www.health.nsw.gov.au/factsheets/environmental/asbestos_fs.html

Further advice concerning the health risks of asbestos can be obtained from your local public health unit. Contact details for public health units may be found at:
www.health.nsw.gov.au/publichealth/infectious/phus.asp

Renovation and development

Asbestos: A guide for householders and the general public, 2013² (Commonwealth of Australia/enhealth)
[https://www1.health.gov.au/internet/publications/publishing.nsf/Content/asbestos-toc/\\$FILE/asbestos-feb13.pdf](https://www1.health.gov.au/internet/publications/publishing.nsf/Content/asbestos-toc/$FILE/asbestos-feb13.pdf)
[http://www.health.gov.au/internet/main/publishing.nsf/Content/7383C46948F649B7CA2579FA001AA20E/\\$File/asbestos-02-web-\(8may12\).pdf](http://www.health.gov.au/internet/main/publishing.nsf/Content/7383C46948F649B7CA2579FA001AA20E/$File/asbestos-02-web-(8may12).pdf)

Finding and appointing a Certifier – NSW Fair Trading
<https://www.fairtrading.nsw.gov.au/housing-and-property/building-and-renovating/preparing-to-build-and-renovate/finding-and-appointing-a-certifier>
Choosing and working with a principal certifying authority: A guide for anyone planning to build or subdivide, 2011 (Building Professionals Board)
<http://www.bpb.nsw.gov.au/resources/683/final%20PCA%20brochure.pdf>

Think asbestos website, 2011 (Asbestos Education Committee) (and Printable Website Handbook)
<http://www.asbestosawareness.com.au>

Code of Practice – Demolition Work (2018) published by SafeWork Australia Working with asbestos guide, 2008 (WorkCover NSW)
<http://www.workcover.nsw.gov.au/formspublications/publications/Pages/Workingwithasbestosguide.aspx>

<https://www.safeworkaustralia.gov.au/system/files/documents/1810/model-cop-demolition-work.pdf>

Code of Practice – How To Safely Remove Asbestos (2020) published by SafeWork Australia
https://www.safeworkaustralia.gov.au/sites/default/files/2020-07/model_code_of_practice_how_to_safely_remove_asbestos.pdf

Asbestos awareness website
<https://asbestosawareness.com.au/index.php?runonce=1>

Practical guidance

Code of practice on how to manage and control asbestos in the workplace (catalogue no. WC03560) published by WorkCover NSW published by safe-work-australia SafeWork Australia
https://www.safeworkaustralia.gov.au/sites/default/files/2020-07/model_code_of_practice_how_to_manage_and_control_asbestos_in_the_workplace_1.pdf
<https://www.safeworkaustralia.gov.au/doc/model-code-practice-how-manage-and-control-asbestos-workplace>
<http://www.workcover.nsw.gov.au/formspublications/publications/Documents/how-to-manage-control-asbestos-workplace-code-of-practice-3560.pdf>

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Code of practice on how to safely remove asbestos (catalogue no. WC03561) published by [WorkCover NSW safe work australia SafeWork Australia](http://www.safeworkaustralia.gov.au/sites/default/files/2020-07/model_code_of_practice_how_to_safely_remove_asbestos.pdf)
https://www.safeworkaustralia.gov.au/sites/default/files/2020-07/model_code_of_practice_how_to_safely_remove_asbestos.pdf
<https://www.safeworkaustralia.gov.au/doc/model-code-practice-how-safely-remove-asbestos>
<http://www.workcover.nsw.gov.au/formspublications/publications/Documents/how-to-safely-remove-asbestos-code-of-practice-3561.pdf>

Tenants

Tenants [Rights Fact Sheet 26 Asbestos and Lead, 2020](https://files.tenants.org.au/factsheets/fs26.pdf) (Tenants' Union NSW)
<https://files.tenants.org.au/factsheets/fs26.pdf>
<http://www.tenants.org.au/publish/factsheet-26-asbestos-lead/index.php>

Tenants – Housing NSW tenants

Asbestos fact sheet, 2010 (Housing NSW)
<http://www.housing.nsw.gov.au/NR/rdonlyres/F4E1131F-2764-4CB1-BC07-99EB6C594085/0/Asbestos.pdf>

Appendix C – Definitions

The terms used in the policy are defined as below, consistent with the definitions in the:

- Code of practice on how to manage and control asbestos in the workplace (catalogue no. WC03560) published by [WorkCover NSW safe work SafeWork Australia](http://www.safeworkaustralia.gov.au/sites/default/files/2020-07/model_code_of_practice_how_to_manage_and_control_asbestos_in_the_workplace.pdf)
- Code of practice on how to safely remove asbestos (catalogue no. WC03561) published by [WorkCover NSW SafeWork safe work australia Australia](http://www.safeworkaustralia.gov.au/doc/model-code-practice-how-safely-remove-asbestos)
- Contaminated Land Management Act 1997
- Environmental Planning and Assessment Act 1979
- Emergency Pollution and Orphan Waste Clean-Up Program Guidelines 2008
- Protection of the Environment Operations Act 1997
- Waste classification guidelines part 1 classifying waste 2008
- NSW Work Health and Safety Act 2011
- NSW Work Health and Safety Regulation 2011-2017

~~accredited certifier~~ in relation to matters of a particular kind, means the holder of a certificate of accreditation as an accredited certifier under the *Building Professionals Act 2005* in relation to those matters.

airborne asbestos means any fibres of asbestos small enough to be made airborne. For the purposes of monitoring airborne asbestos fibres, only respirable fibres are counted.

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.

asbestos-related work means work involving asbestos that is permitted under the *Work Health and Safety Regulation 2017*, other than asbestos removal work.

asbestos removal licence means a Class A asbestos removal licence or a Class B asbestos removal licence.

asbestos removal work means:

- 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 means a person conducting a business or undertaking who carries out asbestos removal work.

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.

certifying authority means a person who is authorised by or under section 4.2885A of the *Environmental Planning and Assessment Act 1979* to issue complying development certificates, or is authorised by or under section 6.17499D of the *Environmental Planning and Assessment Act 1979* to issue part 4A certificates.

Class A asbestos removal licence means a licence that authorises the carrying out of Class A asbestos removal work and Class B asbestos removal work by or on behalf of the licence holder.

Class A asbestos removal work means the removal of friable asbestos which must be licensed under clause 485 of the *Work Health and Safety Regulation 2017*. This does not include: the removal of ACD that is associated with the removal of non-friable asbestos, or ACD that is not associated with the removal of friable or non-friable asbestos and is only a minor contamination.

Class B asbestos removal licence means a licence that authorises the carrying out of Class B asbestos removal work by or on behalf of the licence holder.

Class B asbestos removal work means the removal of more than 10 square metres of non-friable asbestos or asbestos containing material work that is required to be licensed under clause 487, but does not include Class A asbestos removal work.

competent person means: a person who has acquired through training or experience the knowledge and skills of relevant asbestos removal industry practice and holds:

- a. a certification in relation to the specified VET course for asbestos assessor work, or

- b. a tertiary qualification in occupational health and safety, occupational hygiene, science, building, construction or environmental health.

complying development is a fast track, ~~40 day~~10-day approval process where a building meets all of the predetermined standards established in either a state or local council planning document. A complying development certificate can be issued by either a local council or a ~~registered~~accredited certifier.

complying development certificate

contaminant means any substance that may be harmful to health or safety.

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

control measure, in relation to a risk to health and safety, means a measure to eliminate or minimise the risk.

demolition work means work to demolish or dismantle a structure, or part of a structure that is loadbearing or otherwise related to the physical integrity of the structure, but does not include:

- a. the dismantling of formwork, falsework, or other structures designed or used to provide support, access or containment during construction work, or
- b. the removal of power, light or telecommunication poles.

development means:

- a. the use of land
- b. the subdivision of land
- c. the erection of a building
- d. the carrying out of a work
- e. the demolition of a building or work
- f. any other act, matter or thing referred to in section 3.1426 of the *Environmental Planning and Assessment Act 1979* that is controlled by an environmental planning instrument.

development application means an application for consent under part 4 of the *Environmental Planning and Assessment Act 1979* to carry out development but does not include an application for a complying development certificate.

emergency service organisation includes any of the following:

- a. the Ambulance Service of NSW
- b. Fire and Rescue NSW
- c. the NSW Rural Fire Service
- d. the NSW Police Force
- e. the State Emergency Service
- f. the NSW Volunteer Rescue Association Inc
- g. the NSW Mines Rescue Brigade established under the *Coal Industry Act 2001*
- h. an accredited rescue unit within the meaning of the *State Emergency and Rescue Management Act 1989*.

exempt development means minor development that does not require any planning or construction approval because it is exempt from planning approval.

exposure standard for asbestos is a respirable fibre level of 0.1 fibres/ml of air measured in a person's breathing zone and expressed as a time weighted average fibre concentration calculated over an eight-hour working day and measured over a minimum period of four hours in accordance with the Membrane Filter Method or a method determined by the relevant regulator.

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.

health means physical and psychological health.

health monitoring, of a person, means monitoring the person to identify changes in the person's health status because of exposure to certain substances.

independent, in relation to clearance inspections and air monitoring means:

- a. not involved in the removal of the asbestos
- b. not involved in a business or undertaking involved in the removal of the asbestos, in relation to which the inspection or monitoring is conducted.

in situ asbestos means asbestos or asbestos containing material fixed or installed in a structure, equipment or plant, but does not include naturally occurring asbestos.

licence holder means: in the case of an asbestos assessor licence – the person who is licensed:

- a. to carry out air monitoring during Class A asbestos removal work
- b. to carry out clearance inspections of Class A asbestos removal work
- c. to issue clearance certificates in relation to Class A asbestos removal work, or
 - in the case of an asbestos removal licence – the person conducting the business or undertaking to whom the licence is granted, or

- in the case of a major hazard facility licence – the operator of the major hazard facility to whom the licence is granted or transferred.

licensed asbestos assessor means a person who holds an asbestos assessor licence.

licensed asbestos removalist means a person conducting a business or undertaking who is licensed under the *Work Health and Safety Regulation 2017* to carry out Class A asbestos removal work or Class B asbestos removal work.

licensed asbestos removal work means asbestos removal work for which a Class A asbestos removal licence or Class B asbestos removal licence is required.

NATA means the National Association of Testing Authorities, Australia.

NATA-accredited laboratory means a testing laboratory accredited by NATA, or recognised by NATA either solely or with someone else.

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.

Note. Non-friable asbestos may become friable asbestos through deterioration (see definition of friable asbestos).

occupational hygienist means a person with relevant qualifications and experience in asbestos management who is a full member of the Australian Institute of Occupational Hygienists (AIOH).

occupier includes a tenant or other lawful occupant of premises, not being the owner.

officer means an officer as defined in the NSW *Work Health and Safety Act 2011*

orphan waste means materials that have been placed or disposed of on a premises unlawfully that may have the potential to pose a risk to the environment or public health.

person conducting a business or undertaking a 'person' is defined in laws dealing with interpretation of legislation to include a body corporate (company), unincorporated body or association and a partnership.

personal protective equipment means anything used or worn by a person to minimise risk to the person's health and safety, including air supplied respiratory equipment.

registered certifier in relation to matters of a particular kind, means the holder of a certificate of accreditation as a registered certifier under the *Building and Development Certifiers Act 2018* in relation to those matters.

respirable asbestos fibre means an asbestos fibre that:

- a. is less than three micrometres wide
- b. more than five micrometres long
- c. has a length to width ratio of more than 3:1

specified VET course means:

- a. in relation to Class A asbestos removal work – the following VET courses:
 - remove non-friable asbestos
 - remove friable asbestos, or

- b. in relation to Class B asbestos removal work – the VET course Remove non-friable asbestos, or
- c. in relation to the supervision of asbestos removal work – the VET course Supervise asbestos removal, or
- d. in relation to asbestos assessor work – the VET course Conduct asbestos assessment associated with removal.

structure means anything that is constructed, whether fixed or moveable, temporary or permanent, and includes:

- a. buildings, masts, towers, framework, pipelines, transport infrastructure and underground works (shafts or tunnels)
- b. any component of a structure
- c. part of a structure
- d. volunteer means a person who is acting on a voluntary basis (irrespective of whether the person receives out-of-pocket expenses).

waste includes:

- 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 *Protection of the Environment Operations Act 1997* to be waste.

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 is a worker if the person carries out work in any capacity for a person conducting a business or undertaking, including work as:

- a. an employee, or
- b. a contractor or subcontractor, or
- c. an employee of a contractor or subcontractor, or
- d. an employee of a labour hire company who has been assigned to work in the person's business or undertaking, or
- e. an outworker, or
- f. an apprentice or trainee, or
- g. a student gaining work experience, or
- h. a volunteer, or
- i. a person of a prescribed class.

workplace 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.

Appendix D – Acronyms

ACD	Asbestos Containing Dust (an acronym used in the legislation)
ACM	Asbestos Containing Material (an acronym used in the legislation)
ARA	Appropriate Regulatory Authority (an acronym used in the legislation)
DA	Development Application
EPA	Environment Protection Authority
JRPP	Joint Regional Planning Panel
LGA	Local Government Area
NATA	National Association of Testing Authorities
NSW	New South Wales
SEPP	State Environmental Planning Policy
VET	Vocational Education and Training

Appendix E – Relevant contacts

Asbestos-related disease organisations (non-exhaustive)

Asbestos Diseases Foundation Australia Inc

Phone: (02) 9637 8759
Helpline: 1800 006 196
Email: info@adfa.org.au
Website: www.adfa.org.au

Asbestos Diseases Research Institute

Phone: (02) 9767 9800
Email: info@adri.org.au
Website: www.adri.org.au

Australian Institute of Occupational Hygienists Inc.

Phone: (03) 9336 2290
Email: admin@aioh.org.au
Website: www.aioh.org.au

Dust Diseases Authority Board

Phone: (02) 8223 6600
Toll Free: 1800 550 027
Email: enquiries@ddb.nsw.gov.au
Website: www.icare.nsw.gov.auddb.nsw.gov.au

Environment Protection Authority (EPA)

Phone: (02) 9995 5000
Environment line: 13 15 55
Email: info@environment.nsw.gov.au
Website: www.environment.nsw.gov.au/epa

Licensed Asbestos Contractors

For a listing of asbestos removal contractors in your area, refer to your local telephone directory or the Yellow Pages website: www.yellowpages.com.au or contact:

Asbestos Removal Contractors Association NSW (ARCA)

Phone: (02) 9642 0011
Email: info@arca.net.au
Website: www.arca.asn.au

Verification of an asbestos removal contractor's licence can be checked by contacting ~~SafeWorkWorkCover~~ NSW's Certification Unit Phone: 13 10 50

Civil Contractors Federation (CCF)

Phone: (02) 9009 4000
Email: mtearle@civilcontractors.com
Website: www.civilcontractors.com

Demolition & Contractors Association (DCA) NSW

Phone: (02) 8586 3555
Email: demolitionassn@bigpond.com
Website: <http://demolitioncontractorsassociation.com.au>

~~Local Government NSW~~ Local Government and Shires Associations of NSW (LGSA)

Phone: (02) 9242 4000
Email: lgnsw@lgnsw.org.au/lgsa@lgsa.org.au
Website: www.lgsa.lgnsw.org.au

NSW Ombudsman

Phone: (02) 9286 1000
Toll free (outside Sydney metro): 1800 451 524
Email: nswombo@ombo.nsw.gov.au
Website: www.ombo.nsw.gov.au

Training providers (non-exhaustive)

TAFE NSW

Phone: 1300 131 499
Website: www.tafensw.edu.au

Housing Industry Association (HIA)

Phone: (02) 9978 3333
Website: <http://hia.com.au/>

Local Government Training Institute

Phone: (02) 4922 2333
Website: www.lgti.com.au

Comet Training

Phone: (02) 9649 5000
Website: www.comet-training.com.au/site

Masters Builders Association (MBA)

Phone: (02) 8586 3521
Website: www.masterbuilders.com.au

Asbestos Removal Contractors Association NSW (ARCA)

Phone: (02) 9642 0011
Website: www.arca.asn.au

WorkCover-SafeWork NSW

WorkCover-SafeWork Information Centre Phone: 13 10 50
WorkCover-SafeWork NSW – Asbestos/Demolition Hotline Phone: [\(02\) 8260 5885 1800672718](tel:(02)826058851800672718)
Website: www.safeworkworkcover.nsw.gov.au

Appendix F – Waste management facilities that accept asbestos wastes

Waste management facilities that can accept asbestos waste may be operated by council, the State Government or private enterprise. The fees charged by the facility operators for waste received are determined by the facility.

Not all waste management centres accept asbestos waste from the public. Management of asbestos waste requires special precautions such as a separate disposal location away from other general waste and controls to prevent the liberation of asbestos fibres, such as the immediate covering of such waste.

Waste management facilities in other areas that accept asbestos wastes

A list of licensed landfills that may accept asbestos waste from the public is available on the EPA website at: <http://www.environment.nsw.gov.au/waste/asbestos/index.htm>

Some of the landfills may accept non-friable asbestos waste but not friable asbestos waste. Some landfills may not accept large quantities of asbestos waste.

Always contact the landfill before taking asbestos waste to a landfill to find out whether asbestos is accepted and any requirements for delivering asbestos to the landfill. EPA does not endorse any of the landfills listed on the website or guarantee that they will accept asbestos under all circumstances.

Appendix G – Asbestos-related legislation, policies and standards

- *Australian Standard AS 2601 – 2001: The demolition of structures*
- *Contaminated Land Management Act 1997*
- *Code of practice on how to manage and control asbestos in the workplace* (~~catalogue no. WC03560~~) published by ~~WorkCover NSW~~[safe work australia](http://www.workcover.nsw.gov.au)
- *Code of practice on how to safely remove asbestos* (~~catalogue no. WC03561~~) published by ~~WorkCover NSW~~[safe work australia](http://www.workcover.nsw.gov.au)
- *Code of practice for demolition work* published by Safe Work Australia, 2016²
- *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 2005*
- *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*²⁰¹⁷
- *Workers' Compensation (Dust Diseases) Act 1942.*

Appendix H – Agencies roles and responsibilities

NSW organisations

Department of Planning and Infrastructure (DP&I) and the Building Professionals Board (BPB)

DP&I's primary role in the management of asbestos relates to administration of State Environmental Planning Policies, and the *Environmental Planning and Assessment Act 1979* (and associated Regulation).

Whilst DP&I does not have an operational role in the management of asbestos, it has a regulatory function and provides policy support relating to asbestos and development. In assessing proposals for development under the *Environmental Planning and Assessment Act 1979*, consent authorities are required to consider the suitability of the subject land for the proposed development. This includes consideration of the presence of asbestos and its environmental impact.

Where asbestos represents contamination of the land (ie it is present in excess of naturally occurring levels), *State Environmental Planning Policy No. 55 – Remediation of Land* imposes obligations on developers and consent authorities in relation to remediation of the land and the assessment and monitoring of its effectiveness.

The *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* enables exempt and complying development across the state. While this includes demolition and the removal of asbestos, the *Environmental Planning and Assessment Regulation 2000* specifies particular conditions that must be contained in a complying development certificate in relation to the handling and lawful disposal of both friable and non-friable asbestos material under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

The Building Professionals Board (BPB) which reports to the Minister for Planning and Infrastructure, also has a role in the management of asbestos. The BPB's role involves providing practice advice and educational programs to assist certifying authorities (private and council) in carrying out their role and this includes education in relation to managing asbestos. The BPB certifies and audits both private and council certifiers. Further information about the BPB may be found at: www.bpb.nsw.gov.au

Dust Diseases Board (DDB)

The DDB provides a system of no fault compensation to people who have developed a dust disease from occupational exposure to dust as a worker in New South Wales and to their dependants. The DDB's statutory function is to administer the *Workers' Compensation (Dust Diseases) Act 1942*. Services include:

- payment of compensation benefits to eligible workers and dependants
- co-ordination and payment of medical and related health care expenses of affected
- medical examination of workers exposed to dust in the workplace
- information and education.

Environment Protection Authority (EPA)

EPA's role is to regulate the classification, storage, transport and disposal of waste in NSW, including asbestos waste. The waste regulatory framework includes the *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Operations (Waste) Regulation 2005*. Clause 42 of the *Protection of the Environment Operations (Waste) Regulation 2005* sets out the special requirements relating to the transportation and disposal of asbestos waste.

EPA is the appropriate regulatory authority for activities that require an environment protection licence or are carried out by public authorities such as local councils, the Roads and Traffic Authority and Sydney Water. Local councils are the appropriate regulatory authority for activities that are not regulated by the EPA, which typically include building demolition, construction sites, residential properties, commercial sites and small to medium sized industrial facilities.

EPA is responsible for assisting councils in fulfilling their regulatory responsibilities. EPA has developed resources to assist Local Government to regulate asbestos waste incidents and prevent illegal dumping. Website links to these resources are provided in Appendix B.

The EPA maintains the regulatory framework for the remediation of contaminated land (the *Contaminated Land Management Act 1997*) and actively regulates land that is declared to be 'significantly contaminated' under the *Contaminated Land Management Act 1997*.

Heads of Asbestos Coordination Authorities (HACA)

The HACA is chaired by the Chief Executive Officer of [WorkCover-SafeWork](#) NSW with senior officials from:

- Department of Planning and Infrastructure
- Department of Trade and Investment, Regional Infrastructure and Services
- Division of Local Government
- Dust Diseases Board
- Environment Protection Authority
- Local Government and Shires Association of NSW
- Ministry for Police and Emergency Services
- Ministry of Health.

The HACA group will improve the management, monitoring and response to asbestos issues in NSW by developing coordinated prevention programs. These programs include a comprehensive public awareness campaign to promote the safe handling of asbestos and help prevent the risk of exposure to asbestos-related diseases in the NSW community. Further information about the HACA can be found on the [SafeWorkWorkCover](#) website: www.safeworkworkcover.nsw.gov.au.

Local ~~Government NSW~~Government and Shires Associations of NSW (LGSA)

~~Local Government NSW~~ The Local Government Association of NSW and the Shires Association of NSW represents ~~152 general purpose councils, 12 special purpose councils and the NSW Aboriginal Land Council.~~

~~the interests of NSW general and special purpose councils by:~~The Associations represent the views of these councils by:

- ~~Representing councils views to governments~~
- ~~promoting Local Government to the community~~
- ~~providing specialist advice and services.~~
- ~~the views of local governments to both the State and Federal governments~~
- ~~Providing policy advice, management support and grants application assistance to members~~
- ~~Empowering members to deliver quality services to meet the needs of their local community~~

- Providing effective, responsive and accountable leadership on policy issues
- Enhancing community awareness and perception of local government

— ~~The Associations hold annual conferences where members are able to vote on issues affecting Local Government. The Annual Conferences are the supreme policy-making events.~~

In 2012, the former Local Government and Shires Associations of NSW (LGSA) –Associations commenced a project funded by SafeWorkWorkCover NSW to assist councils to adopt and implement a model asbestos policy. ~~The project is outlined at: www.lgsa.org.au/key-initiatives/asbestos~~

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NSW Ministry of Health

The NSW Ministry of Health does not have express statutory responsibilities for managing asbestos-related risks and incidents in NSW. The Ministry provides an expert advisory service to other governmental agencies on public health issues. This service may include technical information or assistance to prepare public health information bulletins.

NSW Ombudsman

The NSW Ombudsman is an independent and impartial watchdog body. The NSW Ombudsman is responsible for ensuring that public and private sector agencies and employees within its jurisdiction fulfil their functions appropriately. The NSW Ombudsman assists those agencies and their employees to be aware of their responsibilities to the public, to act reasonably and to comply with the law and best administrative practice.

~~WorkCover~~ ~~SafeWork~~ NSW

~~WorkCover~~ ~~SafeWork~~ is responsible for the issuing and control of licences that are issued to all asbestos removal and demolition contractors. ~~SafeWork~~ ~~WorkCover~~ works with the employers, workers and community of NSW to achieve safer and more productive workplaces, and effective recovery, return to work and security for injured workers.

~~WorkCover~~ ~~SafeWork~~ administers work health and safety, injury management, return to work and workers compensation laws, and manage the workers compensation system. ~~SafeWork~~ ~~WorkCover~~'s activities include: health and safety, injuries and claims, licensing for some types of plant operators, registration of some types of plant and factories, training and assessment, medical and healthcare, law and policy.

The ~~WorkCover~~ ~~SafeWork~~ website provides a wide range of asbestos resources, support networks and links at: <https://www.safework.nsw.gov.au/hazards-a-z/asbestos/asbestos-resources-and-networks> www.workcover.nsw.gov.au/newlegislation2012/health-and-safety-topics/asbestos/Pages/default.aspx

National organisations

National Association of Testing Authorities (NATA)

This body has the role of providing accreditation to firms licensed to remove asbestos.

NSW (Head Office) and ACT
Phone: (02) 9736 8222
National Toll Free: 1800 621 666
Website: www.nata.asn.au

Environmental Health Committee (enHealth)

The Environmental Health Committee (enHealth) is a subcommittee of the Australian Health Protection Committee (AHPC). enHealth provides health policy advice, implementation of the National Environmental Health Strategy 2007-2012, consultation with key players, and the development and coordination of research, information and practical resources on environmental health matters at a national level.

Website: www.health.gov.au/internet/main/publishing.nsf/content/ohp-enviro-enhealth-committee.htm

Safe Work Australia

Safe Work Australia is an Australian Government statutory agency established in 2009, with the primary responsibility of improving work health and safety and workers' compensation arrangements across Australia.

Phone: [\(02\) 6121 5317131050](tel:02-6121-5317131050)

Email: info@safeworkaustralia.gov.au

Website: www.safeworkaustralia.gov.au

Appendix I – Scenarios illustrating which agencies lead a response in NSW

The tables show which agencies are responsible for regulating the following scenarios in NSW:

- emergency management
- naturally occurring asbestos
- residential settings
- site contamination
- waste
- workplaces.

Further details are provided in the *Asbestos Blueprint: A guide to roles and responsibilities for operational staff of state and local government*, 2011 (NSW Government).

Emergency management

Scenario	Lead organisation	Other regulators
Emergency response	Emergency services	Fire and Rescue (Hazmat) SafeWorkWorkCover NSW
Handover to Local council, owner of property or NSW Police – crime scene following a minor incident	Local NSW Police council	
Handover to State Emergency Recovery Controller	State Emergency Recovery Controller	Recovery Committee Local council EPA SafeWorkWorkCover NSW
Handover to Recovery Committee following a significant incident	Recovery Committee (formed by State Emergency Recovery Controller)	Local council EPA SafeWorkWorkCover NSW
Remediation not requiring a licensed removalist	Local council	Principal Certifying Authority SafeWorkWorkCover NSW (workers)
Remediation requiring licensed removal work	SafeWorkWorkCover NSW	Local council Principal Certifying Authority
Clearance Certificate issued by an Asbestos Assessor	SafeWorkWorkCover NSW	Principal Certifying Authority

Naturally occurring asbestos

Scenario	Lead organisation	Other regulators
Naturally occurring but will be disturbed due to a work process including remediation work	SafeWorkWorkCover NSW	Local council EPA (<i>Protection of the Environment Operations Act 1997</i> Scheduled Activities Public Authorities)

Naturally occurring asbestos part of a mineral extraction process	Department of Trade and Investment, Regional Infrastructure and Services SafeWork WorkCover NSW	Local council EPA (<i>Protection of the Environment Operations Act 1997</i> Scheduled Activities Public Authorities)
Naturally occurring but will remain undisturbed by any work practice	Local council	EPA (<i>Protection of the Environment Operations Act 1997</i> Scheduled Activities Public Authorities) SafeWork WorkCover NSW (workers)
Soil contaminated with asbestos waste and going to be disturbed by a work practice	WorkCover SafeWork NSW	EPA (<i>Protection of the Environment Operations Act 1997</i> Scheduled Activities Public Authorities, declared contaminated land sites)
Soil contaminated with asbestos waste but will remain undisturbed by any work practice	Local council	EPA (<i>Protection of the Environment Operations Act 1997</i> Scheduled Activities Public Authorities, declared contaminated land sites) SafeWork WorkCover NSW (workers on site)
Potential for exposure on public land	EPA (<i>Protection of the Environment Operations Act 1997</i> Scheduled Activities Public Authorities)	Local council SafeWork WorkCover NSW (workers on site)
Soil contaminated with asbestos waste but at a mine site	Department of Trade and Investment, Regional Infrastructure and Services EPA (<i>Protection of the Environment Operations Act 1997</i> Scheduled Activities Public Authorities)	Local council

Residential settings

Scenario	Lead organisation	Other regulators
Safe Management of asbestos including: <ul style="list-style-type: none"> • identification • in situ management • removal requirements • disposal requirements. 	Local council Private Certifiers	WorkCover SafeWork NSW EPA
Site contaminated due to past uses	Local council	WorkCover SafeWork NSW EPA
Licensed removal work required	WorkCover SafeWork NSW	Local council Private Certifiers
Removal does not require a licensed removalist	Local council Private Certifiers	WorkCover SafeWork NSW (workers)

Transport or waste disposal issues	Local council	EPA
Derelict property with fibro debris	Local council or Multi- agency	Multi- agency

Site contamination

Scenario	Lead organisation	Other regulators
Asbestos illegally dumped	Local council	EPA WorkCover-SafeWork NSW
Site contamination at commercial premises	See Workplaces	
Site contamination at residential premises	See Residential settings	

Waste

Scenario	Lead organisation	Other regulators
Waste temporarily stored on-site	WorkCover SafeWork NSW (worksites) EPA and Local council (non-worksites)	
Waste transported by vehicle	EPA	WorkCover SafeWork NSW
Waste disposed of onsite	Council or EPA as illegal dumping or pollution of land if no valid council development consent	Local council (consent required to dispose onsite) (section 10.7.4.49 property certificate and development assessment process)
Waste going to landfill site	EPA (advice)	Local council (if managing licensed landfill)
Waste to be transported interstate	EPA	
Waste for export	Australian Customs and Border Protection Service	WorkCover SafeWork NSW Department of Education, Employment and Workplace Relations

Workplaces

Scenario	Lead organisation	Other regulators
Asbestos installed/supplied after 2003 (illegally)	WorkCover SafeWork NSW	Australian Customs and Border Protection Service Australian Competition and Consumer Commission (Imported Goods)
Risks to the health of workers	WorkCover NSW SafeWork NSW	

Asbestos management and asbestos going to be removed	WorkCover SafeWork NSW Department of Trade and Investment, Regional Infrastructure and Services (mine sites)	
Risks to the health of the public from worksites	WorkCover SafeWork NSW (Risks to workers) Local council (Risks to the wider public) Department of Planning and Infrastructure (part 3A approvals) EPA (<i>Protection of the Environment Operations Act 1997</i> licensed sites)	
Waste stored temporarily on-site at worksites	WorkCover SafeWork NSW	
Transport or waste disposal issues	EPA	WorkCover SafeWork NSW Local council
Asbestos contaminated clothing going to a laundry	WorkCover SafeWork NSW	EPA Local council
Contaminated land not declared under the <i>Contaminated Land Management Act 1997</i>	Local council	EPA
'Significantly contaminated' land declared under the <i>Contaminated Land Management Act 1997</i>	EPA	Local council

Appendix J – Asbestos containing materials

Some asbestos containing materials found in New South Wales domestic settings (non-exhaustive list)

Asbestos containing materials	Approximate supply dates
Cement sheets	Imported goods supplied from 1903 locally made 'fribrolite' from
Cement roofing / lining slates	Imported goods supplied from 1903 locally made 'fribrolite' from
Mouldings and cover strips	Available by 1920s and 1930s
Super-six (corrugated) roofing	Available by 1920s and 1930s – 1985
'Tilex' decorative wall panels	Available by 1920s and 1930s
Pipes and conduit piping	Available by 1920s and 1930s
Motor vehicle brake linings	Available by 1920s and 1930s
Striated sheeting	Available from 1957
'Asbestolux' insulation boards	Available from 1957
'Shadowline' asbestos sheeting for external walls, gable ends and fences	Available from 1958 – 1985

Vinyl floor tiles impregnated with asbestos	Available up until 1960s
Asbestos containing paper backing for linoleum	Available up until 1960s
'Durasbestos' asbestos cement products	Available up until 1960s
'Tilex' marbled decorative wall panels	Available from early 1960s
'Tilex' weave pattern decorative wall panels	Available from early 1960s
'Hardiflex' sheeting	Available from 1960s – 1981
'Versilux' building board	Available from 1960s – 1982
'Hardiplank' and 'Hardigrain' woodgrain sheeting	Available from mid 1970s – 1981
Loose-fill, fluffy asbestos ceiling insulation	Supplied from 1968 – 1978 by a Canberra contractor and believed to be generally restricted to houses in the Australian Capital Territory with some materials supplied to the Queanbeyan area and some south coast towns
Asbestos rope gaskets for wood heaters. Heater and stove insulation	Dates of supply availability unknown but prior to 31 December 2003
Compressed fibro-cement sheets	Available from 1960s – 1984
Villaboard	Available until 1981
Harditherm	Available until 1984
Highline	Available until 1985
Coverline	Available until 1985
Roofing accessories	Available until 1985
Pressure pipe	Available until 1987

Source: NSW Government, 2011, *Asbestos Blueprint: A guide to roles and responsibilities for operational staff of state and local government*.

Asbestos containing materials that may be found in various settings (non-exhaustive list)

A

Air conditioning duct, in the exterior or interior acoustic and thermal insulation

Arc shields in lift motor rooms or large electrical cabinets

Asbestos-based plastics products as electrical insulates and acid resistant compositions or aircraft seats

Asbestos ceiling tiles

Asbestos cement conduit

Asbestos cement electrical fuse boards

Asbestos cement external roofs and walls

Asbestos cement in the use of form work for pouring concrete

Asbestos cement internal flues and downpipes

Asbestos cement moulded products such as gutters, ridge capping, gas meter covers, cable troughs and covers

Asbestos cement pieces for packing spaces between floor joists and piers

Asbestos cement (underground) pit as used for traffic control wiring, telecommunications cabling etc

Asbestos cement render, plaster, mortar and coursework

Asbestos cement sheet

Asbestos cement sheet behind ceramic tiles

Asbestos cement sheet over exhaust canopies such as ovens and fume cupboards

Asbestos cement sheet internal walls and ceilings

Asbestos cement sheet underlay for vinyl

Asbestos cement storm drain pipes

Asbestos cement water pipes (usually underground)

Asbestos containing laminates, (such as Formica) used where heat resistance is required

Asbestos containing pegboard

Asbestos felts

Asbestos marine board, eg marinate

Asbestos mattresses used for covering hot equipment in power stations

Asbestos paper used variously for insulation, filtering and production of fire resistant laminates

Asbestos roof tiles

Asbestos textiles

Asbestos textile gussets in air conditioning ducting systems

Asbestos yarn

Autoclave/steriliser insulation

B

Bitumen-based water proofing such as malthoid (roofs and floors, also in brickwork)

Bituminous adhesives and sealants

Boiler gaskets

Boiler insulation, slabs and wet mix

Brake disc pads

Brake linings

C

Cable penetration insulation bags (typically Telecom)

Calorifier insulation

Car body filters (uncommon)

Caulking compounds, sealant and adhesives

Cement render

Chrysotile wicks in kerosene heaters

Clutch faces

Compressed asbestos cement panels for flooring, typically verandas, bathrooms and steps for demountable buildings

Compressed asbestos fibres (CAF) used in brakes and gaskets for plant and automobiles

D

Door seals on ovens

E

Electric heat banks – block insulation

Electric hot water services (normally no asbestos, but some millboard could be present)

Electric light fittings, high wattage, insulation around fitting (and bituminised)

Electrical switchboards see Pitch-based

Exhausts on vehicles

F

Filler in acetylene gas cylinders

Filters: beverage wine filtration

Fire blankets

Fire curtains

Fire door insulation

Fire-rated wall rendering containing asbestos with mortar

Fire-resistant plaster board, typically on ships

Fire-retardant material on steel work supporting reactors on columns in refineries in the chemical industry

Flexible hoses

Floor vinyl sheets

Floor vinyl tiles

Fuse blankets and ceramic fuses in switchboards

G

Galbestos™ roofing materials (decorative coating on metal roof for sound proofing)

Gaskets: chemicals, refineries

Gaskets: general

Gauze mats in laboratories/chemical refineries

Gloves: asbestos

H

Hairdryers: insulation around heating elements

Header (manifold) insulation

I

Insulation blocks

Insulation in electric reheat units for air conditioner systems

L

Laboratory bench tops

Laboratory fume cupboard panels

Laboratory ovens: wall insulation

Lagged exhaust pipes on emergency power generators

Lagging in penetrations in fireproof walls

Lift shafts: asbestos cement panels lining the shaft at the opening of each floor and asbestos packing around penetrations

Limpet asbestos spray insulation

Locomotives: steam, lagging on boilers, steam lines, steam dome and gaskets

M

Mastik

Millboard between heating unit and wall

Millboard lining of switchboxes

Mortar

P

Packing materials for gauges, valves, etc can be square packing, rope or loose fibre

Packing material on window anchorage points in high-rise buildings

Paint, typically industrial epoxy paints

Penetrations through concrete slabs in high rise buildings

Pipe insulation including moulded sections, water-mix type, rope braid and sheet

Plaster and plaster cornice adhesives

Pipe insulation: moulded sections, water-mix type, rope braid and sheet

Pitch-based (zelemite, asbestos, lebah) electrical switchboard

R

Refractory linings

Refractory tiles

Rubber articles: extent of usage unknown

S

Sealant between floor slab and wall, usually in boiler rooms, risers or lift shafts

Sealant or mastik on windows

Sealants and mastik in air conditioning ducting joints

Spackle or plasterboard wall jointing compounds

Sprayed insulation: acoustic wall and ceiling

Sprayed insulation: beams and ceiling slabs

Sprayed insulation: fire retardant sprayed on nut internally, for bolts holding external building wall panels

Stoves: old domestic type, wall insulation

T

Tape and rope: lagging and jointing

Tapered ends of pipe lagging, where lagging is not necessarily asbestos

Tilux sheeting in place of ceramic tiles in bathrooms

Trailing cable under lift cabins

Trains: country – guards vans – millboard between heater and wall

Trains – Harris cars – sprayed asbestos between steel shell and laminex

V

Valve and pump insulation

W

Welding rods

Woven asbestos cable sheath

Source: *Environmental health notes number 2 guidelines for local government on asbestos*, 2005 (Victorian Department of Human Services).

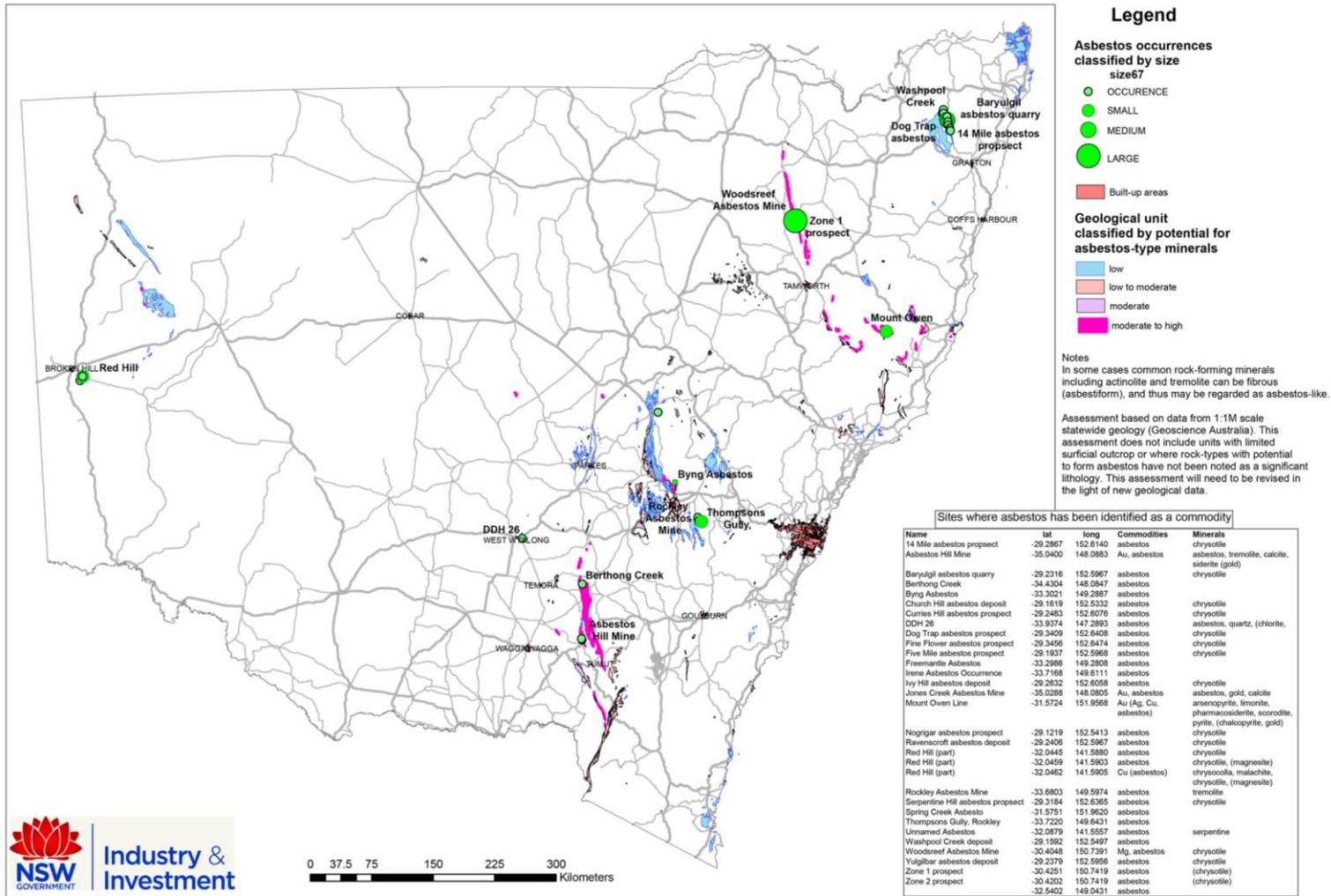
http://www.health.vic.gov.au/environment/downloads/hs523_notes2_web.pdf

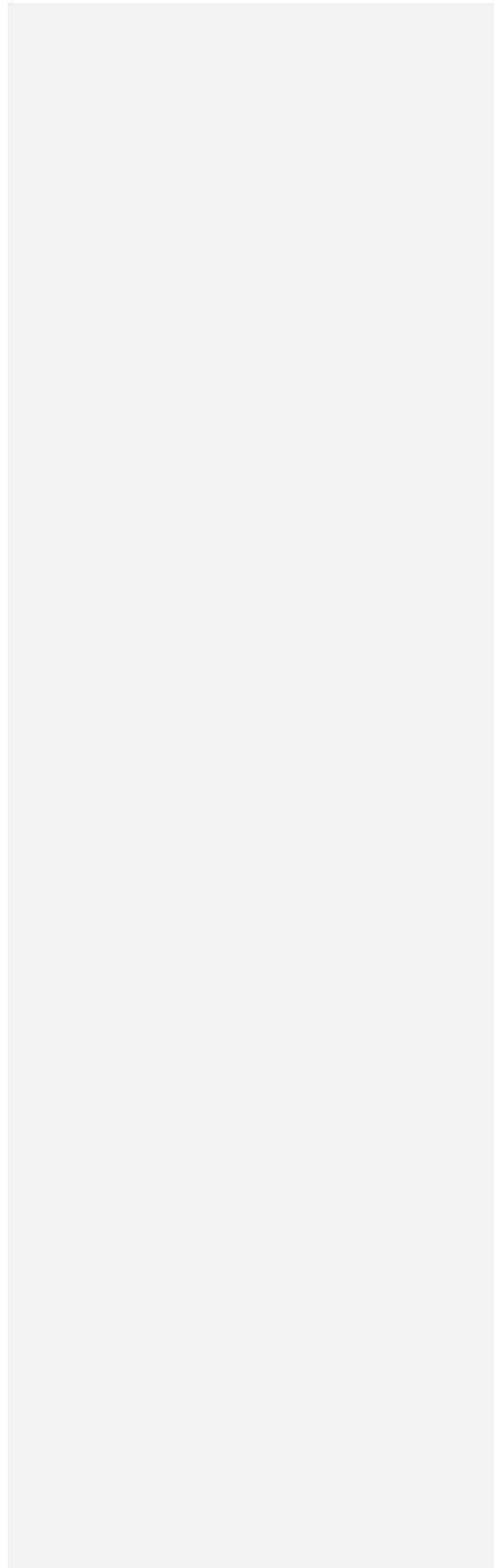
Appendix K – Asbestos licences

Type of licence	What asbestos can be removed?
Class A	<p>Can remove any amount or quantity of asbestos or asbestos containing material, including:</p> <ul style="list-style-type: none"> any amount of friable asbestos or asbestos containing material any amount of asbestos containing dust any amount of non-friable asbestos or asbestos containing material.
Class B	<p>Can remove:</p> <ul style="list-style-type: none"> any amount of non-friable asbestos or asbestos containing material <p>Note: A Class B licence is required for removal of more than 10 m² of non-friable asbestos or asbestos containing material but the licence holder can also remove up to 10 m² of non-friable asbestos or asbestos containing material.</p> <ul style="list-style-type: none"> asbestos containing dust associated with the removal of non-friable asbestos or asbestos containing material. <p>Note: A Class B licence is required for removal of asbestos containing dust associated with the removal of more than 10 m² of non-friable asbestos or asbestos containing material but the licence holder can also remove asbestos containing dust associated with removal of up to 10m² of non-friable asbestos or asbestos containing material.</p>
No licence required	<p>Can remove:</p> <ul style="list-style-type: none"> up to 10 m² of non-friable asbestos or asbestos containing material asbestos containing dust that is: <ul style="list-style-type: none"> associated with the removal of less than 10 m² of non-friable asbestos or asbestos containing material not associated with the removal of friable or non-friable asbestos and is only a minor contamination.

An asbestos removal contractor's licence can be verified by contacting [WorkCover-SafeWork](#) NSW's Certification Unit on 13 10 50.

Appendix L – Known areas of naturally occurring asbestos







CLOSURE OF COUNCIL FACILITIES OVER CHRISTMAS/NEW YEAR PERIOD POLICY

Adopted By Council 14 December 2016

Resolution No 2016/380

Version Number	Created By	First Adopted By Council	Review Period
3.0	Corporate, Community & Regulatory Services	December 14 2016	4 Years

Created By: Corporate, Community & Regulatory Services Department
Date:- December 2016
Version No:- 3.0
Adopted By Council: 14 December 2016
Review Date:- December 2020

Policy Objectives

The objective of this policy is to communicate Council's decision to close non-essential services during the Christmas and New Year period.

Scope

This applies to all Council facilities.

Policy Statement

1. That during the period between Christmas Day and New Year's Day, Council's Chambers, Customer Service and Payments Centre, Depot facilities, Macquarie Valley Family Day Care Centre, and Visitors Information Centre will be closed.
2. All other Council facilities (including Swimming Pools and Waste Depots) will be closed on Christmas Day. These facilities will re-open during the rest of the Christmas and New Year period but may operate with changes to the hours of operation.
3. Council will continue to provide essential services to ensure the health and safety of the community.

Essential services will include:

- Kerbside garbage collection
 - CBD cleaning
 - Cleaning public facilities (e.g. toilets, BBQs)
4. Council will ensure the community is aware of any changes to the availability of Council services and the closure of any facilities during the Christmas and New Year period by placing appropriate advertisements in the print media as well as on Council's website.
 5. Council will still provide appropriate on-call officers to respond to urgent maintenance work or emergency situations. These officers can be contacted by calling Council's customer service number 6889 9999.



POLICY – FIRST ORDINARY COUNCIL MEETING FOLLOWING DECLARATION OF POLL

Adopted by Council 14 December 2016
Resolution No 2016/385

Version Number	Created By	First Adopted By Council	Review Period
1.0	Corporate, Community & Regulatory Services	December 14 2016	4 Years

1. INTRODUCTION

This policy aims to provide a guideline for the timeframe required from the official declaration of candidates elected to position and the first Ordinary Council Meeting following the NSW Local Council Election.

2. BACKGROUND

Council at its Ordinary Council Meeting via Notice of Motion resolved that a policy on the Declaration of Poll be adopted.

3. OBJECTIVE

The timeframe detailed below will allow for the initial induction and training of Councillors elected prior to the first Ordinary Council Meeting in September after each NSW Council Election.

4. POLICY STATEMENT

1. That the first Ordinary Council Meeting following a NSW Local Council Election will be held at least 10 days after the official declaration of candidates elected to position.
2. That the first Ordinary Council Meeting after the official declaration of candidates elected to position will be held within three weeks after the ordinary election to enable the election of a Mayor by Councillors as per Section 290 of the Local Government Act 1993.

5. REVIEW

This policy will be reviewed every four years or subsequent to legislative changes.