

Guide to Asbestos Management

FOR NSW COUNCILS





Contents

Introduction	7
Overview	7
Step by Step Guide	7
How to use this Step by Step Guide	9
What is Asbestos?	10
Health and safety	11
What does an effective Asbestos Management System include?	11
Location of Asbestos in the workplace and broader community	13
Legal requirements for managing Asbestos in the workplace & community	14
Key NSW agencies	15
Commonwealth organisations	16
1 Organisational Asbestos Management Policy	17
1.1 Why is an Asbestos Policy needed?	19
1.2 Not an Asbestos Management Plan	19
1.3 Producing an Asbestos Policy	19
2 Create Asbestos Registers	21
2.1 Determining ownership or management control of a workplace	23
2.1.1 PCBU's responsibility for workplaces	23
2.1.2 Defining workplaces	23
2.2 Identify method for ascertaining ACM in the workplace	23
2.2.1 Who should assess and identify ACM?	23
2.2.2 Prioritising workplaces for inspection	24
2.3 Identify ACM in the Workplace	24
2.3.1 Key considerations in identifying ACM	24
2.4 Taking or arranging samples to identify Asbestos	25

2.5	Asbestos Registers	26
2.5.1	What is an Asbestos Register?	26
2.5.2	Producing an Asbestos Register	27
2.5.3	Marking the presence of Asbestos in the workplace	27
2.5.4	Accessing an Asbestos Register - employees, contractors, public	29
2.5.5	Reviewing and revising an Asbestos Register	29
2.5.6	Transferring an Asbestos Register	30
3	Create Site Asbestos Management Plans	31
3.1	Asbestos Management Plans	32
3.2	Defining how Asbestos risk will be controlled	33
3.2.1	Applying the hierarchy of control measures	34
3.2.2	Deciding on removal or encapsulation of Asbestos	34
3.2.3	Removing Asbestos	34
3.2.4	Asbestos Elimination Program	35
3.2.5	Enclosing Asbestos	36
3.2.6	Encapsulating or sealing Asbestos	36
3.2.7	Administrative control measures and personal protective equipment	36
3.4	Producing an Asbestos Management Plan	37
3.5	Accessing an Asbestos Management Plan	37
3.6	Reviewing and revising an Asbestos Management Plan	38
4	Implementing Asbestos Awareness in the Workforce	39
4.1	Asbestos management consultation	40
4.2	Training workers about Asbestos	41
4.3	Ensuring competency of workers and contractors	42
4.3.1	Who can be a competent person?	42
4.4	Develop Safe Operating Procedures for minor maintenance works	43

4.5	Unexpected finds procedure	43
4.6	Asbestos incident reporting	44
4.7	Health monitoring	44
4.7.1	When health monitoring should occur	45
4.7.2	Who can carry out health monitoring?	45
4.7.3	Paying for health monitoring	45
5	Ongoing management and review	49
5.1	Ongoing management and review	50
5.1.1	Reviewing control measures	50
5.1.2	Reviewing Asbestos Management System	50
5.2	Compliance auditing of Asbestos Management Systems	51
	Managing other Asbestos risk	52
	Council's process for assessing development	55
	Naturally occurring Asbestos	57
	Illegal dumping	58
	Soil stockpiles and recycling material	59
	Measuring exposure to Asbestos fibres	59
	Public education on safe Asbestos management	60

Procedures, Tools and Templates

Step 1

Procedure - Implementation of the Model Asbestos Policy

- [The Model Asbestos Policy for NSW Councils \(2015\)](#)
 - [Guide to using the Model Asbestos Policy Template](#)
-

Step 2 & 3

Procedure - Asbestos Registers and Asbestos Management Plans

- [Asbestos Register and Management Plan Template](#)
 - [Corporate Asbestos Database Template](#)
 - [Workplace Asbestos Register and Asbestos Management Plan - Record of handover](#)
 - [Workplace consultation follow up letter](#)
 - [Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act 1997 by the EPA](#)
 - [Asbestos Contaminated Land Database Template](#)
 - [Asbestos Elimination Program](#)
-

Step 4

Procedure - Asbestos Unexpected Finds Protocol & Asbestos Incident Reporting

- [Workflow diagram for an unexpected find](#)
- [Asbestos Incident Notification Template](#)

Procedure - Asbestos Health Monitoring

- [iCare Lung screen brochure](#)
- [Asbestos Health Monitoring Register Template](#)

Procedure - Managing and Recording Asbestos Training

- [Asbestos Awareness Course](#)
- [Asbestos Training Record Template](#)
- [Work Health & Safety Training Needs Analysis Template](#)

Procedure - Working with Asbestos: General Safety Requirements

- [SWMS template – Working with Asbestos](#)
- [SOP – Safe Sampling of Asbestos](#)
- [SOP – Make Safe Asbestos Material](#)
- [SOP – Removal of less than 10m² Non-Friable Asbestos \(Surface Asbestos Products\)](#)
- [SOP – Personal Decontamination](#)

- [SOP – Cleaning Asbestos Pipes](#)
- [SOP – Removal of less than 10m² Non-Friable Asbestos \(Fixed Asbestos Sheeting\)](#)
- [SOP – Transporting Asbestos Waste under 10m²](#)
- [Asbestos Clearance Certificate Template](#)
- [Checklist for Asbestos Repair or Removal](#)
- [Residential Notification Letter - ACM Clearance](#)
- [Residential Notification Letter - ACM Remediation](#)
- [Residential Notification Letter - ACM Remediation with road closures](#)
- [Residential Notification - ACM Find](#)
- [How to Report Asbestos Flyer](#)
- [Safety Information for the removal of less than 10m² of non-friable asbestos by ASEA](#)
- [Fact Sheet - Minor Contamination of Asbestos-Containing Dust or Debris by SafeWork Australia](#)

Managing Asbestos in Council Waste Facilities

- [Waste Management Facility Asbestos Management Plan and Register Template](#)
 - [Guidelines on Management of Asbestos in Recycled Construction and Demolition Waste by SafeWork NSW](#)
-

Step 5

Procedure - Auditing Asbestos Management System

- [Asbestos Management System Audit Tool](#)

Introduction

Overview

This Guide to Asbestos Management for NSW Councils has been produced as part of Blue Mountains City Council's Enforceable Undertaking (EU) with SafeWork NSW.

The Council entered into the Enforceable Undertaking after SafeWork NSW alleged that the Council contravened clauses 425(1), 429(2), 479(1), and 445(1) of the Work Health and Safety Regulation 2011. The full undertaking and general information about enforceable undertakings is available at safework.nsw.gov.au.

The need to identify and manage Asbestos containing material (ACM) is a challenge that is not unique to the City of Blue Mountains; rather it is an issue that is faced by all communities across Australia. As is the case in most Local Government Areas (LGA's) across Australia, Asbestos presents a particular challenge to the Blue Mountains due to the age of buildings and facilities as well as the vast area of land, illegal dumping and bushfires.

The Blue Mountains City Council is committed to demonstrating strong leadership in this area by recognising the seriousness of Asbestos management and investing in a safe and sustainable future for staff, the wider community and the environment. In collaboration with other agencies, Blue Mountains City Council has developed this guide to assist other NSW councils in developing their Asbestos Management Systems and processes.

Step by Step Guide

The intention of this guide is to provide clear and easy to follow directions for NSW councils on how to establish systems and processes for the purpose of minimising exposure to Asbestos, as far as is reasonably practicable, for council workers, residents of NSW local government areas (LGAs) and the greater public.

The guide provides information for NSW councils on how to meet their legislative requirements relating to eliminating or minimising the risks from Asbestos including:

- work health and safety (WHS) responsibilities to employees and others,
- management of buildings, structures and contaminated lands,
- development applications, demolition and other land uses for which the council is a regulator,
- management of naturally occurring Asbestos,
- regulation of activities involving Asbestos over non-work sites, and
- Asbestos waste management.

This guide identifies the roles of councils in managing Asbestos, relevant regulatory powers and provides direction on how to deal with structures and sites contaminated by Asbestos, emergencies or incidents and naturally occurring Asbestos.

The guide is arranged in sequential order with each section displaying key information on how to complete required tasks in the most efficient way. Using the guide in the intended sequence will afford the user information acquired from the previous section to complete the following sections most efficiently. The second half of guide contains general information about managing asbestos contaminated land and non-council buildings, before the guide council's processes for assessing development applications in relation to asbestos, management of naturally occurring asbestos, management of waste management facilities in relation to asbestos and measuring exposure to asbestos.

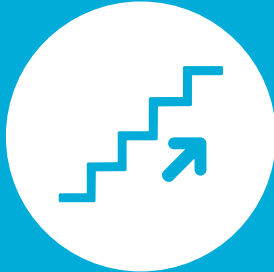
The guide provides five steps for developing an effective Asbestos Management System in a local government context. An overview of these steps is provided in Figure 1. The guide then details how to manage other Asbestos risks relevant to local government organisations.

Figure 1 – Steps to developing an Asbestos Management System



How to use this Step by Step Guide

Each section within this guide identifies key information types via the following icons:



The step by step symbol identifies guidance information which should be followed in the established sequence to develop a framework for a compliant Asbestos Management System. Each step outlines how to achieve compliance with a legislative or regulatory provision, or ensure a task is undertaken in a manner conducive to an applicable code of practice or other best practice methodology.



The document symbol identifies information sourced from applicable principal or subordinate legislation, codes of practice, guidance notes, fact sheets or other published information from reputable sources. Where a section contains specific requirements which must be completed to meet a legislative or regulatory provision, the related legislation is referenced.



The tool symbol identifies the existence of a guidance document, template, fact sheet, code of practice or other tool expressly designed to assist with a specific aspect of Asbestos management. A complete list of available tools is provided in the Procedures, Tools and Templates list, following the table of Contents.



The examination symbol identifies the existence of potential problems or 'pitfalls' experienced by others that may be avoided with due care. Considering the information provided could save councils time, money and potential compliance difficulty.

What is Asbestos?

Asbestos is a naturally-occurring mineral, typically found in rock, sediment or soil. Asbestos has strong fibres with extremely good heat resistant and insulation properties.

Due to these properties, Asbestos material was historically used in thousands of different products including many building products. From the 1950s, Asbestos was used in more than 3,000 different products including fibro, flue pipes, drains, roofs, gutters, brakes, clutches and gaskets.

As far back as 1918, the health impacts of Asbestos fibre exposure were being identified with the United States Bureau of Labour Statistics releasing a report that identified abnormally high risk of early death among Asbestos workers. Nonetheless it wasn't until the 1950s that mainstream acceptance of Asbestos as a potentially harmful material became more common.

In Australia, Asbestos cement materials were being manufactured from the 1920s and were used extensively in the manufacture of residential building materials from the 1940s to the late 1980s.

In addition to manufacturing and construction, Asbestos was also heavily mined in Australia. For a period of 30 years Australia had the highest per capita users of Asbestos anywhere in the world.

Due to increasing concerns over health impacts of Asbestos fibre, use of the material was gradually phased out in Australia during the 1980s. In December 2003 a total ban on the manufacture, use, reuse, transport, import, storage or sales of all forms of Asbestos was enforced by law.

Despite these bans, significant health and safety risk remains today simply due to the previous widespread use of Asbestos containing building materials and aging nature of many residential, government and commercial buildings.

Health and safety

Asbestos material becomes a risk to health and safety when its fibres are released into the air and may be inhaled. Breathing in Asbestos fibres may cause Asbestosis, lung cancer or mesothelioma. The risk of contracting such diseases increases with the number of fibres inhaled.

People who suffer health problems from inhaling Asbestos fibres have usually (but not always) been exposed to high levels of Asbestos fibres for a long time. The symptoms of these diseases do not usually become apparent for long period of time, sometimes 20 to 30 years subsequent to the initial exposure.

Due to its extensive use in Australia, legacy Asbestos materials still exist in many homes, buildings and other assets and infrastructure. The safe management of this material is of paramount importance, requiring careful and considered management for the foreseeable future.

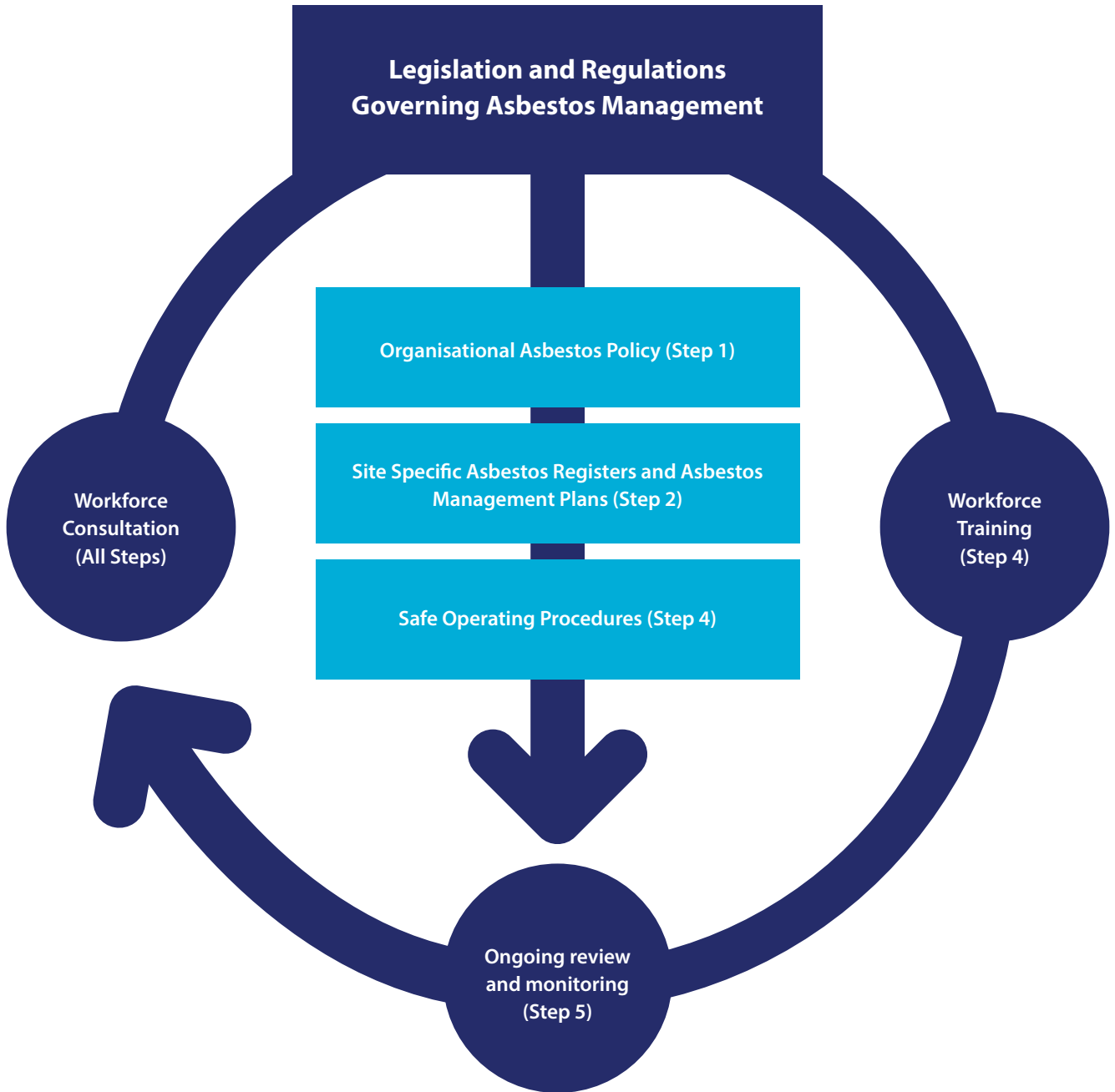
What does an effective Asbestos Management System include?

An effective Asbestos Management System will ensure that a council is complying with its obligations under the *Work Health and Safety Act NSW 2011*. The Asbestos Management System will include the set of processes to manage health and safety risks caused by Asbestos in the workplace.

An effective Asbestos Management System includes the duties, obligations and responsibilities across the council, including the hierarchy of documents that will guide a council's Asbestos management practices. It will also include activities undertaken by the council to maintain its systems and process such as workforce consultation, training and ongoing review and monitoring.

Figure 2 provides an overview of the structure of an Asbestos Management System.

Figure 2 – Asbestos Management System



Location of Asbestos in the workplace and broader community

Due to its excellent properties Asbestos containing materials were used extensively throughout commercial and residential properties and within many products manufactured and retailed commercially. Due to such widespread use it's not possible to identify every area or product where Asbestos may be found.

Listed below are common areas where ACM may frequently be found:

- Fibre cement sheeting
- Sprayed coatings on ceilings, walls, beams and columns
- Roof tiles or sheets
- Water tanks
- Loose fill insulation
- Lagging on boilers and pipes
- Ceiling tiles and false ceiling panels
- Toilet seat and cistern
- Internal partition walls
- Fire doors
- Rope, seals and gaskets
- Vinyl floor tiles and tile underlay
- Internal boiler and furnace and fixtures
- Incinerators
- Textiles e.g. fire blankets, welding gloves & aprons
- Textured decorating coatings on walls and ceilings i.e. artificial brick claddings
- Wall panels
- Gutters and down piping
- Flues and chimneys & fireplace hearths
- Water, sewerage and run off pipes
- Electric metre boxes, fuse boxes and electrical installations
- Cupboards
- Window panels and window putties
- Brake pads and linings
- Clutches and gaskets
- Vermiculite products
- Bitumen adhesive and mastic
- Drive belts
- Felt

The above list is less than exhaustive, but gives an indication of where ACM could be located within a council's workplace and the LGA. It is important to consider the age, purpose and historical usage of built infrastructure. Buildings constructed from the 50s to early 80s are likely to include ACM. Workshops, garages and storage buildings are also prime candidates for Asbestos containing detritus in the form of settled dust. These types of buildings are seldom 'deep cleaned' and work activity with Asbestos products may have taken place over decades, most especially garages, mechanical and building trades workshops.

Legal requirements for managing Asbestos in the workplace & community

With respect to the management of Asbestos, NSW councils have a range of legislated responsibilities.

Such responsibilities are defined within the following principal and subordinate NSW legislation:

- NSW Work Health & Safety Act 2011
- NSW Work Health & Safety Regulation 2017 (see Chapter 8 Asbestos)
- NSW Local Government Act 1993 (Section 23A, including Guide to the Model Asbestos Policy for NSW Councils)
- Local Government (General) Regulation 2005
- Contaminated Land Management Act 1997
- State Environmental Planning Policy No. 55 - Remediation of Land
- State Environmental Planning Policy (Exempt & Complying Development Codes) 2008
- Environmental Planning & Assessment Act 1979
- Environmental Planning & Assessment Regulation 2000
- Protection of the Environment Operations Act 1997
- Protection of the Environment Operations (General) Regulation 2009
- Protection of the Environment Operations (Waste) Regulation 2014
- Workers' Compensation (Dust Diseases) Act 1942
- Code of practice on how to manage & control Asbestos in the workplace published by SafeWork NSW
- Code of practice on how to safely remove Asbestos published by SafeWork NSW
- Demolition work code of practice 2015

Throughout this guide applicable references are made to legislative and regulatory requirements.

Below is information on the key regulatory agencies that have responsibility for Asbestos management in NSW and Australia.

Key NSW agencies

SafeWork NSW

SafeWork NSW is the workplace health and safety regulator for New South Wales. SafeWork NSW provides advice on improving work health and safety, provides licences and registration for potentially dangerous work, investigates workplace incidents and enforces all work health and safety law in NSW.

SafeWork NSW is the key agency for all work health and safety matters associated with the management of Asbestos in working environments. The agency administers the *NSW Work Health and Safety Act 2011* and the *NSW Work Health and Safety Regulation 2017*.

NSW Environment Protection Authority

The NSW Environment Protection Authority (EPA) is the primary environmental regulator for NSW. The EPA is responsible for regulating the classification, storage, transport and disposal of waste in NSW, including Asbestos waste.

The agency administers the *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Operations (Waste) Regulation 2014*. In addition, the EPA maintains and enforces the regulatory framework for the remediation of contaminated land through the *Contaminated Land Management Act 1997*.

Office of Local Government

The Office of Local Government (OLG) is responsible for local government across NSW. The OLG has a policy, legislative, investigative and program focus in matters ranging from Local Government finance, infrastructure, governance, performance, collaboration and community engagement. The OLG works collaboratively with the Local Government sector and is the key adviser to the NSW Government on Local Government matters. The OLG administers the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*.

Ombudsman NSW

The Ombudsman NSW watches over most public sector and some private sector agencies in NSW. Its role is to make sure these agencies and their staff do their jobs properly and meet their responsibilities to the community.

The Ombudsman NSW have published the following two reports about Asbestos management in NSW:

- [Asbestos: How NSW government agencies deal with the problem](#) - April 2017
- [Responding to the asbestos problem: The need for significant reform in NSW](#) - November 2010

Department of Planning & Environment

The Department of Planning and Environment's (DPE) 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 DPE 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 (i.e. it is present in excess of naturally occurring levels), the 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*.

Local Government NSW

Local Government NSW (LGNSW) is the peak body for councils in NSW. LGNSW represents all NSW general-purpose councils, the special-purpose county councils and the NSW Aboriginal Land Council.

LGNSW is a credible, professional organisation facilitating the development of an effective community-based system of Local Government in NSW. LGNSW represents the views of councils to NSW and Australian Governments; provides industrial relations and specialist services to councils; and promotes NSW councils to the community.

In 2012, LGNSW commenced a project funded by SafeWork NSW to assist councils to adopt and implement a model Asbestos Policy. The project is outlined at: www.lgnsw.org.au

Heads of Asbestos Coordination Authorities

The NSW Asbestos Coordination Committee (NACC) works to improve the management, monitoring and response to Asbestos issues in NSW by developing coordinated prevention programs. Agencies in NSW that collaborate on Asbestos issues include:

- Ministry of Health
- Fire and Rescue
- Department of Planning and Environment
- Office of Emergency Management
- Dust Diseases Authority
- Office of Local Government
- Environment Protection Authority
- Fair Trading NSW
- SafeWork NSW
- Local Government NSW
- Public Works Authority

iCare Dust Diseases Care

Dust Diseases Care is a division within the NSW iCare workers compensation agency. Dust Diseases Care operates a mobile respiratory testing service that can help with early detection of a dust disease through an examination process involving a lung function test, respiratory medical examination and if required, an x-ray. Results are returned to iCare dust diseases care to be analysed by a respiratory physician. A health monitoring report is provided to each worker and the employer is notified of any workplace injury.

Commonwealth organisations

Asbestos Safety and Eradication Agency

The Asbestos Safety and Eradication Agency was established in 2013 to provide a national focus on Asbestos issues which go beyond workplace safety to encompass environmental and public health issues. The agency's objective is to eliminate Asbestos-related disease in Australia. The agency has broad functions the *Asbestos Safety and Eradication Act 2013* specifies, including:

- reporting on the implementation of the National Strategic Plan (NSP) on Asbestos Awareness and Management including the review, amendment and promotion of the Plan;
- providing advice to the Minister about Asbestos safety;
- liaising with all levels of government, agencies or bodies about the implementation of the NSP; as well as Asbestos safety in general; and
- commissioning, monitoring and promoting research about Asbestos safety.

The agency administers the National Asbestos Exposure Register which was created to record the details of members of the community who may have been exposed to Asbestos and also maintains a national database for Asbestos disposal facilities, which members of the public can search to identify their nearest facility that accepts Asbestos waste.

Safe Work Australia

Safe Work Australia is an Australian government statutory body established in 2008 to develop national policy relating to WHS and workers' compensation. The organisation is jointly funded by the Commonwealth, state and territory governments through an Intergovernmental Agreement and performs its functions in accordance with Corporate and Operational plans, which are agreed annually by Ministers for Work Health and Safety.

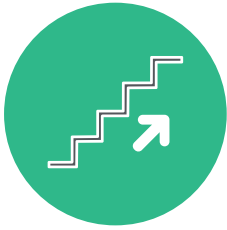
Safe Work Australia works in partnership with governments, employers and employees to drive national policy development on WHS and workers' compensation matters.

Safe Work Australia is a national policy body and as such does not regulate WHS laws; the Commonwealth, states and territories retain responsibility for regulating and enforcing WHS laws within their legal jurisdictions.

1

Organisational Asbestos Management Policy





Organisational Asbestos Management Policy

The FIRST step in the safe management of Asbestos is the creation of an organisational Asbestos Management Policy. The policy provides an overview of the management of ACM within the jurisdiction of council, including councils approach to:

- recognising and acknowledging council's legislative and ethical responsibilities to ensure the health and safety all persons in respect to Asbestos management;
- managing Asbestos containing materials in council workplaces;
- managing Asbestos emergencies or incidents;
- dealing with Asbestos waste management;
- managing the development approval process for developments that may involve Asbestos and conditions of consent;
- providing general advice for the local community and wider public on the safe management of Asbestos within residences and the community;
- dealing with Asbestos contaminated land management; and
- the management of naturally occurring Asbestos.



An Organisational Asbestos Management Policy as defined above IS NOT an Asbestos Management Plan, mandated within the *NSW WHS Regulation 2017* Chapter 8 Part 8.3 Clause 429. The intent of the Asbestos Management Policy is to provide important Asbestos management information and guidance to council workers and the local community.

The Model Asbestos Policy used in this Step by Step Guide was initially distributed to all NSW councils in 2013 by the Office of Local Government under section 23A of the *Local Government Act 1993 (NSW)* as a guideline that must be considered by councils in carrying out their functions.

1.1 Why is an Asbestos Policy needed?

Councils play a critical role in reducing the risks posed by Asbestos. Councils must work in collaboration with the State Government and communities to address the legacy of Asbestos in buildings and contaminated land and to manage naturally occurring Asbestos in the LGA. A council Asbestos Policy is intended to assist the organisation holistically in the promotion of a consistent approach to Asbestos management by councils throughout NSW.

It is recommended that councils consider adopting the OLG Model Asbestos Policy for their organisation. The Model Asbestos Policy provides information on:

- Asbestos management for residents within the LGA;
- Asbestos related policies and procedures for workers, including contracted workers within council workplaces;
- Asbestos contaminated land management;
- Asbestos management in respect to council land, buildings and assets;
- managing Asbestos exposure in emergency response scenarios;
- land use planning, development approvals and demolition involving Asbestos;
- management of naturally occurring Asbestos;
- regulation of Asbestos removal and disposal activities for non-work sites;
- Asbestos waste management; and
- illegal dumping of Asbestos waste.

Adopting an organisational Asbestos Policy will provide an overarching framework for the organisation's approach to Asbestos management within a local government context.

1.2 Not an Asbestos Management Plan

An organisational Asbestos Policy is not an Asbestos Management Plan and is not intended to address how Asbestos will be managed in a specific location. The Asbestos Policy is a broader document that establishes the role of a council in managing Asbestos and relevant regulatory powers.

1.3 Producing an Asbestos Policy

In respect to the creation of an Asbestos Policy, it is recommended that councils utilise the OLG Model Asbestos Policy.

The Model Asbestos Policy assists NSW councils to prepare and adopt a sound Asbestos Policy providing important information and guidance to council workers and local communities. The Model Asbestos is issued under section 23A of the *Local Government Act 1993 (NSW)* as a guideline that must be considered by councils in carrying out their functions. As such, councils must consider the adoption of the Model Asbestos Policy.

A guide to developing an Asbestos Policy based on the Model Asbestos Policy has been prepared to assist NSW councils. The guide explains how councils adapt sections of the Model Asbestos Policy to formulate their own policy. The Guide offers comprehensive background information and advice for NSW councils.

**NSW Local Government Act 1993 Chapter 5 Clause 23A**

(1) For the purposes of this Act, the Departmental Chief Executive may from time to time prepare, adopt or vary guidelines relating to the exercise by a council of any of its functions.

(3) A council must take any relevant guidelines issued under this section into consideration before exercising any of its functions.

See Guide for Model Asbestos Policy for NSW Councils 2016.

**Template Documents**

- [Office of Local Government Model Asbestos Policy for NSW Councils](#)
- [Guide to using the LGNSW Model Asbestos Policy Template](#)

2

Create Asbestos Registers





Create Asbestos Registers

The SECOND step in the safe management of Asbestos is the creation of workplace Asbestos Registers and the following tasks, detailed more fully in this section, will need to be undertaken to create these documents:

1. Determining council's ownership or management control of buildings, structures and land

It is important to understand that workplaces are not limited to any specific location or boundary and the workplace of a council is any place where work is undertaken, including any place where a worker goes, or is likely to be, while at work including, but not limited to:

- building and structures owned by a council,
- land owned or managed by a council, and
- property over which a council has management control, but not ownership.

2. Determining how ACM shall be identified and assessed

A process for the purposes of ensuring that an individual or organisation tasked with auditing council workplaces for Asbestos must be competent to do so.

3. Conduct of methodical audits of all buildings and other structures where ACM is known or suspected.

Councils should conduct a methodical audit of all buildings and other structures where ACM is known or suspected. Such audits should include in-situ plant or equipment such as boilers, furnaces and air conditioning pipes and fixtures.

4. Create site specific Asbestos Registers

Creation of Asbestos Registers in full accordance with *NSW WHS Regulation 2017* Part 8.3 Clause 425.

2.1 Determining ownership or management control of a workplace

Before Asbestos Registers and management plans can be developed it is important to determine ownership or management control of buildings, structures and land. This will ensure the organisation has a clear understanding of which workplaces they are responsible for.

2.1.1 PCBU's responsibility for workplaces

Under the provisions of the *NSW Work Health and Safety Act 2011* a 'person conducting a business or undertaking' (PCBU) is a broad term used throughout work health and safety legislation to describe all forms of modern working arrangements, which are commonly referred to as businesses, including local government councils.

PCBU's have defined legal obligations to manage work health and safety risk under work health and safety laws in NSW, with delegated responsibilities afforded to officers of a corporation, directors, managers, supervisors and workers.

The legislated responsibilities or 'duties' extends to the management of Asbestos that is, or may be presumed to be present in a workplace. To the extent that a council has ownership or management control over a workplace, Asbestos must be safely managed in accordance with existing legislated and regulatory provisions.

2.1.2 Defining workplaces

It is important to understand that workplaces are not limited to any specific location or boundary and the workplace of a council is any place where work is undertaken, including any place where a worker goes, or is likely to be, while at work including, but not limited to:

- building and structures owned by a council,
- land owned or managed by a council, and
- property over which a council has management control, but not ownership.

In the event that doubt exists in respect to the ownership or management control of a workplace, seek professional advice.

Given the diverse range of activities undertaken by local government organisations, it is critical that the organisation holistically considers the various workplaces its employees are likely to attend. This will assist in establishing appropriate controls for Asbestos risks at each workplace.

2.2 Identify method for ascertaining ACM in the workplace

In order to develop site specific Asbestos Registers and Management Plans, a council should determine how ACM will be identified and assessed within council workplaces. When undertaking this step there needs to be a validation process to ensure that the individual or organisation tasked with auditing council workplaces for Asbestos is competent to do so.

2.2.1 Who should assess and identify ACM?

Whilst no specific licensing or qualification requirement exists in respect to building Asbestos assessments, and SafeWork NSW does not approve persons to do Asbestos inspections, a competent person must, through a combination of training and work related experience:

- demonstrate appropriate knowledge skills and experience in identifying suspect Asbestos and be able to determine risk and appropriate controls,
- be familiar with building and construction practices to determine where Asbestos is likely to be present,
- be able to determine if the ACM is friable or non-friable and evaluate its condition, and
- be qualified to undertake procedures for the sampling of materials.

Examples of competent persons include occupational hygienists with experience in identifying Asbestos and assessing its associated risks and companies approved by National Association of Testing Authorities (NATA) for laboratory analysis of Asbestos in materials. Councils seeking to engage a competent person should ask questions regarding the experience that the person or service provider has in undertaking Asbestos surveys. Previous experience in assessing similar types of workplaces may be desirable.

It is critical that councils clarify the scope and limitations of the service provided by the competent person with respect to the areas proposed to be accessed or not accessed (e.g. roof spaces, and subfloors) and the extent of intended material sampling.

NSW WHS Regulation 2017 Chapter 8 Part 8.3 Clause 422

A person with management or control of a workplace must ensure, so far as is reasonably practicable, that all Asbestos or ACM at the workplace is identified by a competent person.



2.2.2 Prioritising workplaces for inspection

In reference to the conduct of an Asbestos audit program, councils should give consideration to prioritising the order in which such a program is undertaken. By adopting a managed risk approach and risk assessing each building or area in terms of potential exposure, building condition, and activities being conducted in the facility. This will result in a prioritised list and ensure that the highest risks are addressed first.

2.3 Identify ACM in the Workplace

Councils must identify all Asbestos present so far as is reasonably practicable. Councils should conduct a methodical audit of all buildings and other structures where ACM is known or suspected. The audit should include in-situ plant or equipment such as boilers, furnaces and air conditioning pipes and fixtures.

The results of this audit work will be used to inform the creation of the Asbestos Registers for each workplace and as such the data collected must, in all respects, align with the provisions of the *NSW WHS Regulation 2017* Part 8.3 s425. As a minimum record:

- the date of the audit,
- the location of any known or suspected ACM, and
- the assessed condition of the ACM, whether the ACM is classified as 'friable' or 'non-friable'.

2.3.1 Key considerations in identifying ACM

A number of important factors should be taken into account when identifying or assuming Asbestos in a workplace. These include:

The age of a building or structure

The use of Asbestos was only completely prohibited on 31 December 2003. As the bans were not absolute prior to 2003, building materials may have been stockpiled, stored, or recycled and used. It is possible that Asbestos may be present in buildings that were constructed before 31 December 2003 and possibly even later.

Refurbishments or additions to buildings or structures

Refurbishment or extensions to buildings or structures prior to 1990, and potentially before 31 December 2003, may have involved the use of Asbestos. Even if the original parts of the building did not contain Asbestos, it is important to consider if subsequent additions to the building or structure may contain asbestos.

Types of material used in construction

Consider the principal construction materials used i.e. timber, brick, steel, cement sheet. Should fibro cement sheet (which was installed up until 1990) be present, it is most probable that Asbestos materials are present. For example, a roof made from corrugated cement sheeting is most likely to contain Asbestos. Areas of buildings that are subject to wet conditions may contain Asbestos in the walls and floors due to its hardness and waterproofing qualities, i.e. bathrooms, toilets and laundries.



It is important to avoid ambiguity in the phrasing of Asbestos audit reports and registers as wording that allows differing interpretations, particularly in reference to the assessed status/condition of ACM and associated recommendations, may give rise to angst and disagreement. Each ACM assessment must explicitly identify the material as bonded or friable with associated control measure recommendations reflecting the written assessment.



NSW WHS Act 2011 Part 2 Division 2 Clause 19

Primary duty of care.

NSW WHS Act 2011 Part 2 Division 3 Clause 20

Duty of persons conducting businesses or undertakings involving management or control of workplaces

NSW Code of Practice

How to manage and control Asbestos in the workplace - Section 2.2



Template Documents

[Asbestos Register and Management Plan Template](#)

2.4 Taking or arranging samples to identify Asbestos

The only way to be certain that something contains Asbestos is to have a sample tested and arrange for samples of suspect material at the workplace to be analysed for the presence of Asbestos. The task of collecting samples must be done in a controlled manner that does not create a risk to persons taking the sample or persons who will be in the area from which the sample was taken.

Only a competent person may take the samples for analysis because of the increased health risk of fibres being released during the process. If the sampling process is conducted incorrectly, it can be more hazardous than leaving the material alone. Therefore, before a sample of suspect material is collected, councils must ensure that the person undertaking the sampling is appropriately trained, experienced and possesses a knowledge of the risk of exposure to airborne Asbestos fibres. Experienced persons include:

- occupational hygienists,
- licensed Asbestos removalists and assessors,
- individuals who have undertaken a recognised training course in Asbestos identification, or
- accredited laboratory personnel.

Once collected a sample may only be analysed by a NATA-accredited laboratory qualified for the relevant test method, or a laboratory approved or operated by SafeWork NSW. Always treat suspect material as if it contains Asbestos until it has been confirmed otherwise.



It is not likely that many councils will have staff holding the correct qualifications or experienced in the sampling of suspected ACM and most sampling will be undertaken on behalf of councils by commercial Asbestos service providers.

Prior to engaging a commercial Asbestos service provider, councils should discuss the sampling service to be provided in terms of what kinds of samples are to be taken and how many samples will be collected. Ensure the person undertaking the sampling clearly records the exact location and date where each sample was taken. General descriptors i.e. 'storage room east' are often inadequate when attempting to interpret results and plan remedial actions. This is particularly important when large amounts of work are planned or required.



NSW WHS Regulation 2017 Chapter 8 Part 8.3 Clause 423 *Analysis of sample*

NSW WHS Regulation 2017 Chapter 8 Part 8.9 Clause 479 *Uncertainty as to presence of Asbestos*

NSW Code of Practice - How to manage and control Asbestos in the workplace - Section 2.4



Template Documents

[Safe Operating Procedure – Safe Sampling of Asbestos](#)

2.5 Asbestos Registers

Asbestos Registers are documents that list all identified or assumed Asbestos in a workplace. A person with management or control of a workplace must ensure an Asbestos Register is prepared and kept at any workplace where ACM has been identified or assumed. *NSW WHS Regulation 2017 Part 8.3 Clause 425* outlines provisions on the creation of Asbestos Registers for workplaces. As a minimum Asbestos Registers must:

- record any Asbestos that has been identified or is assumed to be present at the workplace,
- record the date when the Asbestos was identified,
- record the location, type and condition of the Asbestos,
- be maintained to ensure up-to-date information,
- state if no Asbestos has been identified, and
- be given to the employer or business (or PCBU), should there be a change of management or controller of the workplace.



Asbestos must be labelled where possible. For example, a label can be placed in the electrical meter box indicating that the building contains Asbestos and the location of the register. Photographs or building plan drawings are useful for showing the location of Asbestos in the workplace.

It is most probable that all councils will operate and provide services from multiple buildings across geographically dispersed areas. It is important to recognise that each building or facility is a workplace. As such, each workplace where Asbestos Containing Material (ACM) is identified as being present must have an Asbestos Register. This in no way prohibits councils from maintaining central (organisational) registers for convenience, but does not negate the requirement for Asbestos Registers to be maintained onsite at each workplace.

A person undertaking work in respect to creating an Asbestos Register for a workplace must be competent to do so. Additional details on competency may be found under the heading '4.3 Ensuring the competency of workers and contractors.'



NSW WHS Regulation 2017 Part 8.3 Clause 425 *A person with management or control of a workplace must ensure that a register (an Asbestos Register) is prepared and kept at the workplace*

NSW WHS Regulation 2017 Part 8.3 Clause 426 *Review of Asbestos Registers*

NSW WHS Regulation 2017 Part 8.3 Clause 427 *Access to Asbestos Registers*

NSW WHS Regulation 2017 Part 8.3 Clause 428 *Transfer of Asbestos Registers*

NSW Code of Practice - How to manage and control Asbestos in the workplace - Section 3



Template Documents

- [Asbestos Register and Management Plan Template](#)

2.5.1 What is an Asbestos Register?

An Asbestos Register is a document that lists all identified or assumed Asbestos in a workplace. The Asbestos Register is intended to ensure workers and others in the workplace do not accidentally disturb Asbestos. As a minimum an Asbestos Register must record any ACM that has been identified or is likely to be present at the workplace. This includes the date on which the Asbestos was identified or assumed and the location, type and condition of the Asbestos.

It is strongly recommended that Asbestos Registers also record:

- results of any analysis confirming material at the workplace is or is not Asbestos,
- dates when the identification was carried out,
- details of inaccessible areas,
- details of all Asbestos removal work undertaken on the building or structure, and
- recommended control measures.



It is helpful to include photographs or drawings to visually show the location of the Asbestos in the workplace.

If the workplace is a building constructed after 31 December 2003, and Asbestos has not been identified and Asbestos is not likely to be present, then council is not required to keep an Asbestos Register at that location.

As few councils will have experienced and qualified persons on staff to undertake this work, councils are likely to engage a commercial Asbestos service provider to conduct the initial audit activity. The service provider will provide council with a completed Asbestos Register for each building or site inspected and confirmed to contain Asbestos.

Most councils occupy buildings constructed prior to 31 December 2003, such as administration buildings, community centres, depots and libraries. It is a legal requirement for a workplace to have an Asbestos Register for **each workplace** where Asbestos material is present.



WHS Regulation 2017 Chapter 8 Part 8.3 Clause 425 Asbestos Registers

NSW Code of Practice - How to manage and control Asbestos in the workplace - Section 3

2.5.2 Producing an Asbestos Register

Whilst most councils will decide to have Asbestos Register documents provided by commercial Asbestos service providers, councils may choose to utilise competent staff to create Asbestos Registers using information from the initial audits undertaken.

This guide includes an Asbestos Register and Management Plan Template and an example of a completed Asbestos Register inclusive of detailed guidance, which allows for councils to create their own Asbestos Register documents should they wish to do so.



Template Documents

- [Asbestos Register and Management Plan Template](#)



Asbestos Registers are critically important safety documents and their creation and maintenance must be afforded due diligence. If you have any doubt about creating an Asbestos Register is it recommended you seek expert advice.

2.5.3 Marking the presence of Asbestos in the workplace

A council must ensure the presence and location (including inaccessible areas) of all identified or assumed ACM at the workplace is clearly indicated.

If reasonably practicable, the presence and location of ACM must be indicated by a label. However, it may be more appropriate to use signs.

Labels

A council may use labels to identify the presence and location of ACM. The location of labels should be consistent with the location listed in the Asbestos Register. If in doubt seek advice from a competent person on the number and position of labels required.

Should a risk assessment suggest Asbestos may be disturbed, or people are likely to be exposed and it is not reasonably practicable to label Asbestos directly, a prominent warning sign should be posted in its immediate vicinity. For example, if floor tiles have been identified as containing Asbestos, an appropriate warning sign may be displayed on an adjacent wall.

Warning signs

All warning signs should comply with *AS 1319-1994: Safety signs for the occupational environment*. Any areas of a workplace that contain Asbestos, including plant, equipment and components, should be signposted with warning signs to ensure the Asbestos is not unknowingly disturbed without the correct precautions being taken. These signs should be weatherproof, constructed of lightweight material and adequately secured. Signs should be placed at all the main entrances to the work areas where Asbestos is present.

Where it is not reasonably practicable to use labels or warning signs to indicate the presence and location of Asbestos or ACM, ensure workers such as plumbers, electricians and carpenters are informed about the presence and location of Asbestos before they commence work by implementing a permit-to-work system. The presence and location of the Asbestos should be entered on site plans and the Asbestos Register and be accessible to all workers to ensure they are aware of the presence of Asbestos.

When considering the placement of Asbestos labels and signage in and around public buildings think about placing labels and signs at locations where they will be effective as warning aids, but will not cause undue alarm to the public. Keep in mind the intent of labelling and signage is to warn persons whose actions may disturb in-situ ACM; principally repairers, maintainers, installers and related trades persons. Appendix C of the *NSW code of practice on management and control of Asbestos in the workplace* provides a number of examples as to the words that may be used, these words are not mandatory.



NSW WHS Regulation 2017 Chapter 8 Part 8.3 Clause 424 *Presence and location of ACM to be indicated*



NSW Code of Practice - *How to manage and control Asbestos in the workplace* - Section 2.5

NSW Code of Practice - *How to manage and control Asbestos in the workplace* - Appendix C



Template Documents

- [Asbestos Register and Management Plan Template](#)

2.5.4 Accessing an Asbestos Register - employees, contractors, public

Councils should provide training and or awareness presentations to all staff within workplaces where Asbestos Registers and management plans are required. Staff should understand the contents of the documents, where they are located and how to use them. Staff must be aware that ACM may be present in the workplace and the precautions that need to be taken.

A council must ensure that Asbestos Registers are kept at the workplace and are readily accessible to:

- a worker who has carried out, carries out or intends to carry out work at the workplace,
- health and safety representatives who represent workers that carry out or intend to carry out work at the workplace,
- contractors or sub-contractors who have carried out, are carrying out or intend to carry out work at the workplace, and
- any other person or organisation who has required, requires or intends to require work to be carried out at the workplace.

Where work is being carried out or is about to be carried out at the workplace and that work involves a risk of exposure to airborne Asbestos, the council must provide a copy of the Asbestos Register to that person.

Councils may give consideration to the creation of a database or other record methodology for the purpose of maintaining a comprehensive 'single source' Asbestos identification record for all buildings and other workplaces for which the council has ownership or management control over. Such systems are useful for managing geographically dispersed Asbestos containing buildings and structures.



Government organisations, including local councils, are commonly placing copies of Asbestos Registers online to enable public access to the information. In pursuing this action, councils must consider how such information may be used and its accuracy.



WHS Regulation 2017 Chapter 8 Part 8.3 Clause 427 *Access to Asbestos Register*
NSW Code of Practice - How to manage and control Asbestos in the workplace - Section 3.3



Template Documents
[Corporate Asbestos Database Template](#)

2.5.5 Reviewing and revising an Asbestos Register

A council must ensure that its workplace Asbestos Registers are reviewed and where necessary revised by a competent person in the event that:

- the Asbestos Management Plan is reviewed,
- further Asbestos or ACM is identified at the workplace,
- Asbestos is removed from, disturbed, sealed or enclosed at the workplace, or
- refurbishment or demolition work is to be undertaken.

Asbestos Registers must undergo review at least once every five years to ensure they are kept up to date. When reviewing the Asbestos Register, the person with management or control of the workplace should carry out a visual inspection of the Asbestos and ACM listed to determine its condition and revise the Asbestos Register as appropriate. Previous Asbestos Registers and records relating to Asbestos removal jobs, for instance clearance certificates, can assist in identifying all Asbestos and ACM in the workplace.



WHS Regulation 2017 Chapter 8 Part 8.3 Clause 426 *Review of Asbestos Register*
NSW Code of Practice - *How to manage and control Asbestos in the workplace* - Section 3.2

2.5.6 Transferring an Asbestos Register

Should a council relinquish management or control of the workplace (for instance when selling the workplace or the business or undertaking), the council must ensure, so far as is reasonably practicable, that a copy of the Asbestos Register is given to the person who is assuming management or control of the workplace.

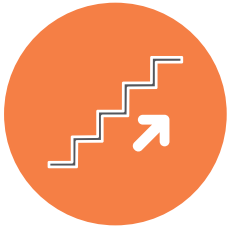


WHS Regulation 2017 Chapter 8 Part 8.3 Clause 428 *Transfer of Asbestos Register by person relinquishing management or control*
NSW Code of Practice - *How to manage and control Asbestos in the workplace* - Section 3.4

3

Create Site Asbestos Management Plans





Create Site Asbestos Management Plans

The THIRD step in the safe management of Asbestos is to create Site Asbestos Management Plans for all workplaces where ACM has been identified as being present. These plans outline how Asbestos will be managed on the site. The health and safety risk associated with exposure to airborne Asbestos particles is well documented and the requirement to manage associated risk is defined within the *NSW WHS Work Health and Safety Act 2011* Part 2 Division 2 Clause 19 Primary duty of care and Part 2 Division 1 Subdivision 1 Clause 17 Management of risks.

3.1 Asbestos Management Plans

A person with management or control of a workplace must ensure that written Asbestos Management Plans are prepared for the workplace if Asbestos or ACM has been identified or assumed present, or is likely to be present at the workplace. The person with management or control of a workplace must ensure the Asbestos Management Plan is maintained to ensure the information is up to date.

An Asbestos Management Plan is a written document that sets out how identified ACM at a council workplace will be managed, for example what is to be done, when and how it is going to be managed. A council's Asbestos Management Plan must include information on:

- the identification of ACM, which may reference or link to the Asbestos Register for the workplace, and the locations of signs and labels,
- decisions, and reasons for the decisions, about the management of Asbestos at the workplace, for example safe work procedures and control measures,
- procedures for detailing accidents, incidents or emergencies involving Asbestos at the workplace, and
- the provision of consultation, information and training to workers carrying out work involving Asbestos.

Additional information that should be included in Asbestos Management Plans includes:

- an outline of how Asbestos risks will be controlled, including consideration of appropriate control measures,
- a timetable for managing risks of exposure, for example priorities and dates for any reviews, circumstances and activities that could affect the timing of action,
- identification of each person (or position) with responsibilities under the Asbestos Management Plan and the responsibilities associated with that position,
- procedures, including a timetable, for reviewing and if necessary revising the Asbestos Management Plan and Asbestos Register, and
- air monitoring procedures at the workplace, if required.



Each workplace where Asbestos is identified must have an Asbestos Management Plan for that location. Plans may, and will likely, contain generic information but must cover the management of Asbestos for the workplace referenced within the plan. It is most efficient to have a workplace Asbestos Management Plan combined with the Asbestos Register for each workplace, in lieu of managing separate documents.

A person undertaking work in respect to the development of Asbestos Management Plans must be competent to do so. Additional details on competency may be found at '4.3 Ensuring competency of workers and contractors'.



NSW WHS Regulation 2017 Part 8.3 Clause 429 A person with management or control of the workplace must ensure that a written plan (an *Asbestos Management Plan*) for the workplace is prepared.

NSW WHS Regulation 2017 Part 8.3 Clause 430 *Review of Asbestos Management Plans*
NSW Code of Practice - How to manage and control Asbestos in the workplace - Section 4



Template Documents

[Asbestos Register and Management Plan Template](#)

Asbestos Management Plans must be subject to review at least every five years, when requested by a WHS representative, when Asbestos is removed, disturbed, sealed or enclosed, when changes to a control measure are made or whenever a plan is deemed to be no longer adequate.

Asbestos Management Plans must be accessible to any worker or an organisation who has carried out or intends to carry out work at the workplace



Asbestos Management Plans should not be confused with an Asbestos Policy as described in Step 1 of this guide. Asbestos Management Plans are a regulatory requirement and must be created and made available for each workplace where Asbestos has been identified. Should a council have five workplaces where ACM is present, then each of the five workplaces must have an Asbestos Management Plan.

An Asbestos Management Plan should be in place wherever an Asbestos Register has been created and positioned.

Councils may give consideration to the amalgamation of Asbestos Registers and Asbestos Management Plans into single source documents to facilitate ease of access and document management. Commercial Asbestos service providers will often provide such combined documents as the preferred method of recording the legislatively mandated information for the workplace in the most efficient and effective manner.



WHS Regulation 2017 Chapter 8 Part 8.3 Clause 429 *Asbestos Management Plan*
NSW Code of Practice - How to manage and control Asbestos in the workplace - Section 4

3.2 Defining how Asbestos risk will be controlled

An Asbestos Management Plan must include information on how Asbestos on site will be managed and how the risks will be controlled. Within local government, the risk of Asbestos exposure is most effectively managed in a similar way to the control of other work health and safety risks – through the application of sound risk management principles and practices.

The Asbestos Registers will clearly identify the assessed risk associated with each area in addition to any recommended control measures. Explanatory information on the assessment methodology utilised and control measures must be included in the registers. Councils must consider carefully the

recommended control measures and undertake actions to implement the recommended course of action or an alternative action that addresses the identified level of risk.

Dependent on the assessed risk for each area, a number of options will be available and a decision on how to control risk should be made in consultation with workers and worker representatives who may be affected by the decision. The experience of workers may assist councils to select the most appropriate control measures and their involvement will increase the level of acceptance of any changes to the workplace that may be needed.

The most preferred control option will be to eliminate risk of exposure entirely by removing Asbestos materials from workplaces. In some cases, for example where ACM has been assessed as friable, this may be the only appropriate option available. The option of removal, whilst initially expensive, is likely to prove the most cost efficient in the longer term as it negates ongoing maintenance and inspection costs.

3.2.1 Applying the hierarchy of control measures

Councils have a number of options to control the risks associated with Asbestos in the workplace with some control measures being more effective than others. Control measures can be ranked from the highest level of protection and reliability to the lowest. This ranking is known as the hierarchy of control.

A council must always aim to eliminate a hazard and associated risk first, for example by removing the Asbestos. Should this not be reasonably practicable, the risk must be minimised by using one or more of the following approaches:

- substitution,
- isolation, or
- implementing engineering controls.

Examples of these controls include enclosing, encapsulating, or sealing Asbestos, or using certain tools when carrying out Asbestos-related work. If a risk remains, it must be minimised by implementing administrative controls, for example safe work practices, so far as is reasonably practicable. Remaining risk must be minimised with suitable Personal Protective Equipment (PPE).

Administrative controls and PPE are least effective at minimising risk because they do not control the hazard at the source and rely on human behaviour and supervision. A combination of these controls are usually required in order to adequately manage and control Asbestos exposure risk.

It is likely a combination of these controls may be required in order to adequately manage and control ACM.

3.2.2 Deciding on removal or encapsulation of Asbestos

When deciding on the control measure to eliminate or minimise the risk to health from Asbestos, consider whether the Asbestos is:

- in poor condition,
- likely to be further damaged or to deteriorate,
- likely to be disturbed due to work practices carried out in the workplace (for example routine and maintenance activities and their frequency), or
- in an area where workers are exposed to the material.

3.2.3 Removing Asbestos

The ultimate goal is to have council workplaces free from Asbestos. Removal may be the most appropriate way to achieve this.

Removing friable Asbestos

If a decision has been made to remove friable Asbestos, it **must** be removed by a Class A licensed removalist as soon as is reasonably practicable. Instances where removal should be of the highest priority would include friable Asbestos that is in poor condition and is located in an area where it poses a significant risk of exposure.

Removing non-friable Asbestos

If a decision has been made to remove **more** than 10m² of non-friable Asbestos, it must be removed by a licensed Asbestos removalist. If a decision has been made to remove **less** than 10m² of non-friable Asbestos, the removal does not need to be undertaken by a licensed removalist.

Where it is not reasonably practicable to remove the Asbestos, control measures must be put in place to eliminate or minimise exposure so far as is reasonably practicable, but always ensuring the exposure standard is not exceeded. Specific instances where removal may be the best control measure include:

- Asbestos lagging on pipes,
- Asbestos in plant,
- Asbestos-contaminated dust (ACD),
- loose fibre insulation, or
- cracked or damaged fibreboard containing Asbestos.

The NSW Code of Practice: *How to safely remove Asbestos* provides detailed guidance on appropriate work methods and extra controls for the removal of Asbestos. If it is not reasonably practicable to remove Asbestos, other control measures must be implemented to ensure persons are not exposed to airborne Asbestos, including either enclosing or sealing the Asbestos.

3.2.4 Asbestos Elimination Program

Councils may wish to consider the development and implementation of an Asbestos Elimination Program, whereby Asbestos materials are identified and permanently removed from buildings and structures, utilising a risk based approach to assess facility usage taking into account the condition of ACM and through life usage of buildings.

A guidance document has been developed which details a process and provides users with key risk information which may guide councils in decisions around retaining and maintaining Asbestos materials safely 'in situ' or removing Asbestos materials from building and other structures.

Should councils wish to do so, this guide may be used to develop and implement a program for the elimination of Asbestos from all council owned and managed properties, including resourcing, reporting and accountabilities.



NSW Code of Practice - *How to safely remove Asbestos Section 7.2*

NSW Code of Practice - *How to manage & control Asbestos in the workplace - Section 7.3 & 7.4*



Guidance Document - [Asbestos Elimination Program](#)

3.2.5 Enclosing Asbestos

Where it is not reasonably practicable to remove ACM, the preferred alternative control measure is enclosure. This may be determined during the risk assessment by reviewing a range of issues including the condition of the Asbestos, the risk it poses to health, and cost. This is an interim control measure and must be supported through regular inspections by a competent person to identify if the Asbestos requires additional action due to damage or deterioration.

'Enclosure' is the creation of a structure built around the Asbestos so that it is completely covered to prevent exposure of the Asbestos to air and other substances. Enclosure creates a separate physical barrier that prevents access to the Asbestos and therefore minimises the potential for exposure to airborne fibres. Enclosure should only be used on non-friable Asbestos where removal is not reasonably practical and where the Asbestos is at risk of damage from work activities. Consideration must be given when designing the enclosure for the need to provide access to the Asbestos for regular condition inspections.

3.2.6 Encapsulating or sealing Asbestos

If the Asbestos cannot be removed or enclosed, encapsulation or sealing is the next appropriate control measure.

Asbestos may be encapsulated in a resilient material, for example in reinforced plastics, vinyls, resins, mastics, bitumen, flexible plasters and cements. This type of encapsulation will seal any loose fibres into place and should be used only when the original Asbestos bond is still intact. Although encapsulation has limited application and can create a health risk for workers undertaking the activity, it is used when it would create a greater risk to remove the Asbestos.

Encapsulation helps protect the Asbestos from mechanical damage, increases the length of serviceability of the product and may also be used to prevent the release of airborne Asbestos during the removal process.

Sealing is the process of covering the surface of the Asbestos material with a protective coating to prevent exposure to airborne Asbestos. Sealing Asbestos is the least effective method for controlling the release of airborne Asbestos. It should only be considered as an interim control while a more effective control such as removing or enclosing can be implemented. It is commonly used for pipe, furnace and boiler insulation. The process either coats the material, reducing fibre release, or binds the fibres together. Asbestos should be sealed, coated or painted to protect it. Sealing is inappropriate where the sealed material is likely to suffer mechanical damage (for example, drilling or sanding).

It is important to select coating that is appropriate to the material to be sealed and has the required fire resistance, thermal insulation and ultraviolet (UV) properties necessary for it to be an effective control. The coating will deteriorate if it is exposed to chemicals, extreme heat or cold, wet or dry conditions or physical impacts.

3.2.7 Administrative control measures and personal protective equipment

Administrative control measures and the use of PPE are not likely to be employed as sole control measures in most situations and will likely form part of a suite of control measures to be implemented. Administrative measures include the use of Safe Operating Practices, workplace rules and policies and PPE. Administrative control measures are considered the least effective within the hierarchy of control measures. These control measures require continual adherence at all times and often fail when people make decisions to undertake work activity in a manner contrary to a prescribed safe methodology. Thus administrative controls and PPE rely on people continuing to do the 'right thing' all the time.

Councils should adhere to the control measures recommended by the competent person undertaking the Asbestos audits and providing the written Asbestos condition reports. Whilst councils may decide to implement a higher level of control at their own discretion i.e. remove



ACM in lieu of encapsulation, councils should not consider the implementation of a lower level of recommended control, without seeking expert advice.



NSW WHS Act 2011 Part 2 Division 2 Clause 19 *Primary duty of care*

NSW WHS Act 2011 Part 2 Division 1 Subdivision 1 Clause 17 *Management of risks*

NSW WHS Regulation 2017 Chapter 3 Part 3.1 Clause 35 *Managing risks to health & safety*

NSW WHS Regulation 2017 Chapter 3 Part 3.1 Clause 36 *Hierarchy of control measures*

NSW WHS Regulation 2017 Chapter 3 Part 3.1 Clause 37 *Maintenance of control measures*

NSW Code of Practice - How to manage and control Asbestos in the workplace - Section 7

3.4 Producing an Asbestos Management Plan

The development of site Asbestos Management Plans requires a council to create a document for each location where ACM has been identified in a workplace and within that document provides details on how the ACM is to be safely managed within each location.

In respect to the creation of Asbestos Management Plans, councils may consider two options. Firstly, a council may wish to create Asbestos Management Plans internally, utilising the *Asbestos Management Plan Template* included with this Guide. A council undertaking to complete this work must have the documents prepared by a competent person with the inclusion of a peer review process.

Secondly, a council may elect to utilise a commercial Asbestos services provider. This is often the case when contracted providers have undertaken Asbestos audits and prepared Asbestos Registers, with Asbestos Management Plans being incorporated or combined with Asbestos Registers, creating a single source document for each location where Asbestos is identified.



Whilst Asbestos Management Plans may, and likely will, contain an amount of information that is generic (being information that remains pertinent across multiple facilities), councils must remain mindful of the requirements of the regulations covering Asbestos Management Plans in so far as such plans must address the ACM within each area to which the plans are intended to apply.



Whilst Asbestos Management Plans must be site specific they must also take into account the council specific information such as information included in step 4 of this guide like General Safety Requirements or Unexpected finds and Accidental Disturbance Procedures. It is critically important that this information is passed onto any commercial operators engaged to produce Asbestos Management Plans as most produce generic information with some not relevant to council.



Template Documents

[Asbestos Register and Management Plan Template](#)

3.5 Accessing an Asbestos Management Plan

Asbestos Management Plans must be kept at the workplace to ensure their accessibility and a council must ensure the Asbestos Management Plan is readily accessible to:

- a worker who has carried out, carries out or intends to carry out work at the workplace,
- WHS representatives who represent workers who carry out or intend to carry out work at the workplace,
- another person or organisation who has carried out, carries out or intends to carry out work at the workplace, and
- another person or organisation who has required, requires or intends to require work to be carried out at the workplace.



WHS Regulation 2017 Chapter 8 Part 8.3 Clause 429 A person with management or control of a workplace must ensure that a copy of the *Asbestos Management Plan* for the workplace is readily accessible.

NSW Code of Practice - *How to manage and control Asbestos in the workplace* - Section 4.3

3.6 Reviewing and revising an Asbestos Management Plan

A council must ensure that Asbestos Management Plans are reviewed and, if necessary, revised at least once every five years or when:

- there is a review of the Asbestos Register or a control measure,
- Asbestos is removed from, disturbed, sealed or enclosed at the workplace,
- the plan is no longer adequate for managing Asbestos or ACM at the workplace, or
- a WHS representative requests a review on the basis that they reasonably believe that any of the matters listed in the above points affects, or may affect, the health and safety of a member of their work group and the Asbestos Management Plan was not adequately reviewed in response to the matter.



WHS Regulation 2017 Chapter 8 Part 8.3 Clause 430 *Review of Asbestos Management Plan*

NSW Code of Practice - *How to manage and control Asbestos in the workplace* - Section 4.2

4

Implementing Asbestos Awareness in the Workforce





Implementing Asbestos Awareness in the Workforce

The FOURTH step of this guide provides an overview of the measures that need to be undertaken to ensure staff are consulted, trained and are aware of the council's Asbestos Management Systems and how to report Asbestos issues. This step also outlines the requirement to undertake Health Monitoring for employees who work with Asbestos.

The culture of an organisation is important to the successful implementation of an Asbestos Management System. It is important that councils have sound and well maintained systems with defined processes, procedures and clear accountabilities for reporting and managing Asbestos and a culture that empowers and supports staff to identify and report safety issues, including those related to safe Asbestos management.

Blue Mountains City Council has adopted a 'Fair and Just Safety Culture' framework to support this cultural change and recommends that other councils consider this approach.

A 'Fair and Just Safety Culture' strives to create an environment of trust and fairness where workers feel it is safe to report issues and where the organisation recognises it can learn from mistakes and system flaws. Under 'Just Culture' conditions, individuals are not blamed for 'honest errors', but are held accountable for wilful violations and gross negligence. The framework recognises that people are less willing to inform the organisation about their own errors and other safety problems or hazards if they are afraid of being punished or prosecuted.

4.1 Asbestos management consultation

A council is legislatively obligated to consult, so far as is reasonably practicable, with workers who carry out work for the council and who are or may be directly affected by a work health and safety matter. This duty to consult is based on the recognition that worker input and participation improves decision-making about health and safety matters, and assists in reducing work-related injuries and disease.

The broad definition of a 'worker' under the WHS Act means a council must consult, so far as is reasonably practicable, with contractors and subcontractors and their employees, on-hire workers, outworkers, apprentices, trainees, work experience students, volunteers and other people who are carrying out work for the council and who are, or are likely to be, directly affected by a health and safety matter.

The WHS Act requires that you consult, cooperate and coordinate activities with all other persons who have a work health or safety duty in relation to the same matter, so far as is reasonably practicable.

For example, a council owns a number of retail premises within an arcade and is commencing a renovation program. Some of the work to be undertaken is to be completed by council's tradespersons and other work will be done by contractors, including demolishing a wall. In this example:

- the council as the building owner has management and control over the workplace and is responsible for ensuring the current Asbestos Register is updated due to the work that is being carried out,
- the council must consult with its workers in respect of actions to be taken if Asbestos is disturbed, being material unidentified in the existing register (unexpected finds procedures),
- the council must consult with other tenants that may be impacted by the renovation work on the identification of Asbestos,

- the council must discuss what will need to be done if known Asbestos is disturbed, and
- As work commences, the council, its contractors and tenants must all cooperate with each other and coordinate their activities to protect any persons from potential exposure to Asbestos.



Should workers be represented by a Health and Safety Representative, consultation must involve that Representative. Consulting with and involving workers in the identification and safe handling of Asbestos can greatly assist in ensuring that safety instructions and safe work practices are complied with.

Health and Safety Representatives must have access to relevant information on matters that can affect the health and safety of workers, for example Asbestos exposure data and the Asbestos Register.

When considering Asbestos related consultation, councils should consider the roles, responsibilities and tasks of staff that will or may have a requirement to work with or otherwise be involved in the safe management of Asbestos i.e. consider for example trades personnel, waste facility workers, rangers, drainage and roads maintenance crews.

Councils may consider creating Asbestos information pages on their council websites, with other important Asbestos related content such as links to the council's Asbestos Policy and registers, information on how to safely and legally dispose of ACM and how to manage ACM safely in residential scenarios.



NSW WHS Act 2011 Part 5 Division 2 Clause 47,48,49 Worker consultation
NSW Code of Practice - *How to manage and control Asbestos in the workplace* - Section 2.1
NSW Code of Practice - *Work health & safety consultation, cooperation and coordination.*

4.2 Training workers about Asbestos

Councils must ensure that information, training and instruction provided to a worker is suitable and adequate, having regard to:

- the nature of the work carried out by the worker,
- the nature of the risks associated with the work at the time the information, training or instruction is provided, and
- the control measures to be implemented.

Councils must ensure, so far as is reasonably practicable, the information, training and instruction relating to working with or managing Asbestos is provided in a way that is readily understandable by any person to whom it is provided.

Councils must ensure workers who they reasonably believe may be involved in Asbestos removal work in the workplace, or in the carrying out of Asbestos-related work, are trained in the identification, safe handling and suitable control measures for Asbestos. Such training may include:

- purpose of the training,
- health risks associated with Asbestos exposure,
- types, uses and likely presence of Asbestos in the workplace,
- the role of council and worker's roles and responsibilities under Asbestos Management Plans and Policy,
- where the Asbestos Registers are located, how they are accessed and how to understand the information they contain,
- the processes and safe work procedures to be followed to prevent exposure, including exposure from any accidental release of airborne Asbestos,
- the correct use of PPE including respiratory protective equipment (RPE),

- the implementation of control measures and safe work methods to eliminate or minimise the risks associated with Asbestos to limit the exposure to workers and other persons, i.e. the use of safe work practices for minor work that workers may carry out,
- exposure standard and control levels for Asbestos, and
- purpose of any exposure monitoring or health monitoring that may occur.

Note this training is more generalised than the training required for workers undertaking Asbestos removal work. Workers who are undertaking licensed Asbestos removal work are required to complete specific units of competency.

Records of all training must be kept while the worker is carrying out the work and for five years after the day the worker stops carrying out the work. These records must also be available for inspection by the regulator.



WHS Regulation 2017 Chapter 3 Part 3.2 Division 1 Clause 39 *Provision of information, training and instruction*

WHS Regulation 2017 Chapter 8 Part 8.5 Division 2 Clause 445 *Duty to train workers about Asbestos*

NSW Code of Practice - How to manage & control Asbestos in the workplace - Section 6.3



[Asbestos Training Record Template](#)

Asbestos Awareness Training

4.3 Ensuring competency of workers and contractors

In reference to working with or managing Asbestos the NSW WHS Regulation defines a competent person as a person who has:

- a *clearance inspection* under clause 473, acquired through training or experience the knowledge and skills of relevant Asbestos removal industry practice and holds,
- a certification in relation to the specified VET course for Asbestos assessor work, or
- a tertiary qualification in occupational health and safety, occupational hygiene, science, building, construction or environmental health, and
- for any other case, acquired through training, qualification or experience the knowledge and skills to carry out the task.

4.3.1 Who can be a competent person?

The WHS Regulation defines a competent person to be someone who has acquired knowledge and skills to carry out the task through training, a qualification or experience. This may mean that the competent person who can identify Asbestos is:

- trained to handle and take Asbestos samples, have the knowledge and experience to identify suspected Asbestos and be able to determine risk and control measures,
- familiar with building and construction practices to determine where Asbestos is likely to be present, and/or
- able to determine that material may be friable or non-friable Asbestos and evaluate its condition.

Within councils persons may have the necessary training and experience to be deemed competent to identify and manage Asbestos. If not, an external competent person must be engaged to undertake activities designated to be undertaken by a competent person.

Persons who may be considered to be competent in the identification of Asbestos, if they meet the criteria outlined above, include:

- occupational hygienists who have experience with Asbestos,
- licensed Asbestos assessors,
- Asbestos removal supervisors,
- individuals who have a statement of attainment in the unit competency for Asbestos assessors, or
- a person working for an organisation accredited by NATA under AS/NZS ISO/IEC 17020:2013: *Conformity assessment - Requirements for the operation of various types of bodies performing inspection.*



WHS 2017 Chapter 1 Part 1.1 Clause 5 *Definitions*

NSW Code of Practice - *How to manage & control Asbestos in the workplace* - Section 2.2

4.4 Develop Safe Operating Procedures for minor maintenance works

Ongoing maintenance of Asbestos Containing Material is necessary and councils will need to develop Safe Operating Procedures to guide staff in the safe completion of these tasks.

A number of SOPs have been developed and are available within *Code of Practice for How to Manage and Control Asbestos in the Workplace* and *How to Safely Remove Asbestos*.

As part of this guide the following SOPs have been developed for use within a council setting;

- [SOP – Safe Sampling of Asbestos](#)
- [SOP – Make Safe Asbestos Material](#)
- [SOP – Removal of less than 10m² Non-Friable Asbestos \(Surface Asbestos Sheeting\)](#)
- [SOP – Personal Decontamination](#)
- [SOP – Cleaning Asbestos Pipes](#)
- [SOP – Removal of less than 10m² Non-Friable Asbestos \(Fixed Asbestos Sheeting\)](#)
- [SOP – Transporting Asbestos Waste under 10m²](#)

4.5 Unexpected finds procedure

Most Asbestos incidents happen when somebody disturbs Asbestos because it hasn't been identified or suspected. An Unexpected Finds Procedure provides clear written details on the actions to be taken when potential contaminated soil or other Asbestos material is encountered during excavation, construction, maintenance or other activity. In the event that any potentially hazardous material is disturbed, the Unexpected Finds Procedure must be implemented.

The procedure describes the steps to manage the unexpected occurrence of material suspected to contain Asbestos. However, it may be also be used in the management of other hazardous materials. The procedure outlines a consistent systematic approach to manage unexpected Asbestos finds and ensures that immediate risks are controlled.



Template Documents

[Unexpected Finds Procedure](#)

4.6 Asbestos incident reporting

In situations where Asbestos is accidentally disturbed by council work and has, or could become airborne, council must act to minimise exposure of workers and the wider public to airborne Asbestos. A report of accidental disturbance to Asbestos should be filed and appropriate action should be taken in response.

Councils should have in place a system of internal reporting whereby the occurrence of an incident involving ACM within a council workplace, or within the LGA, can be reported through to appropriate management personnel and immediate actions can be taken to prevent contamination and to safely contain the situation.

Internal reporting systems will vary and consideration should be given to the following:

- immediate reporting method i.e. Asbestos incident report phone number,
- out of hours reporting and response,
- who will respond and what level of incident will council respond internally to, and
- escalation protocols e.g. procedures for escalation to Fire Brigades NSW.



In reference to Asbestos Incident Management, many councils will not have internal capacity in terms of trained staff and availability of appropriate equipment to take action beyond immediate isolation of the impacted area. Under no circumstances should a workplace attempt clean up, decontaminate and dispose of ACM unless personnel undertaking such activities have received appropriate (accredited) training and have access to required personal protective equipment.

If in doubt, seek professional advice prior to proceeding.



Template Documents

[Asbestos Materials Notification Form](#)

4.7 Health monitoring

A council must ensure health monitoring is provided to a worker if they are at risk of exposure to Asbestos when carrying out:

- licensed Asbestos removal work,
- other ongoing (unlicensed) Asbestos removal work, or
- Asbestos-related work.

Examples of *ongoing* (unlicensed) Asbestos removal work, or Asbestos-related work, may include undertaking maintenance work on ACM regularly as part of another job i.e. electricians, plumbers or carpenters.

Health monitoring includes a medical examination to provide an initial baseline medical assessment. Health monitoring must include the following:

- consideration of the worker's demographic, medical and occupational history,
- consideration of records of the worker's personal exposure, and
- a physical examination of the worker with emphasis on the respiratory system, including standardised respiratory function tests.

Workers must be informed of any health monitoring requirements before they carry out work that may expose them to Asbestos.

4.7.1 When health monitoring should occur

The need for health monitoring for workers at risk of exposure to Asbestos should be determined on the basis of the potential for exposure, the frequency of potential exposure, and the duration of the work being undertaken.

If workers are carrying out licensed Asbestos removal work, health monitoring must be conducted prior to the worker commencing the work. Health monitoring must also be provided to the worker at regular intervals (at least once every two years) after the worker commences the Asbestos-related work.

4.7.2 Who can carry out health monitoring?

Health monitoring must be carried out under the supervision of a registered medical practitioner with experience in health monitoring. Prior to deciding who the registered medical practitioner will be, consultation should be undertaken with workers.

4.7.3 Paying for health monitoring

The council as the employer must pay all expenses relating to health monitoring for current employees. Should two or more PCBUs have a duty to provide health monitoring to a worker, they may choose one PCBU to organise health monitoring (known as the PCBU who commissions the health monitoring). The costs must be shared equally between each PCBU unless otherwise agreed.



WHS Regulation 2017 Part 8.5 Division 1 Health monitoring
NSW Code of Practice - How to manage & control Asbestos in the workplace - Section 6.2



Care must be taken to manage all information related to health monitoring of workers as medical in confidence information and access to health monitoring records must be restricted.



[Asbestos Health Monitoring Register Template](#)

Asbestos waste management

Waste Management

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

Responsibilities for Asbestos waste management

The handling and, where appropriate, temporary storage of Asbestos waste at worksites is regulated by SafeWork NSW, whilst 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.

Transporting Asbestos waste

The following requirements apply to the transport of Asbestos waste and non-compliance with these requirements is an offence under clause 78 of the *Protection of the Environment Operations (Waste) Regulation 2014*:

- any part of any vehicle in which the person transports asbestos waste must be covered, and leak-proof, during the transportation,
- if the waste consists of bonded Asbestos material - it must be securely packaged during the transportation,
- if the waste consists of friable Asbestos material - it must be kept in a sealed container during transportation, and
- if the waste consists of Asbestos-contaminated soils it must be wetted down.

Asbestos waste that is transported interstate must be tracked in accordance with the Protection of the Environment Operations (Waste) Regulation 2014. The transport of Asbestos waste in NSW must be recorded from the place of generation to its final destination. The waste tracking system is administered by the EPA. Operators that use the EPA's 'WasteLocate' system will be in compliance with these requirements.

An environment protection licence issued by the EPA is required to transport Asbestos waste interstate where any load contains more than 200 kilograms of Asbestos waste. It is an offence to transport Asbestos waste or to cause or permit Asbestos waste to be transported to a place that cannot lawfully receive that waste.



Protection of the Environment Operations (Waste) Regulation 2014 Part 7 Clause 78

General requirements applying to transportation of Asbestos waste

Disposing of Asbestos waste at waste facilities

A person delivering waste that contains Asbestos to a council owned or managed landfill site must inform the landfill occupier of the presence of Asbestos when delivering the waste. During unloading and disposing, 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 is an offence under the *Protection of the Environment Operations (Waste) Regulation 2014* and these offences attract strong penalties.



Protection of the Environment Operations (Waste) Regulation 2014 Part 7 Clause 80

Disposal of Asbestos waste



[Waste Management Facility - Asbestos Management Plan & Register](#)

Situations in which Asbestos waste may be rejected from waste facilities

Councils may reject Asbestos waste from a waste facility if the waste is:

- not correctly packaged for delivery and disposal,
- 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 Asbestos waste can be legally accepted.

Individuals and corporations may be fined under the *Protection of the Environment Operations Act 1997* and *Protection of the Environment Operations (Waste) Regulation 2014* for transporting Asbestos waste to a facility that cannot lawfully receive Asbestos waste.

Operating council's waste facility licensed to accept Asbestos waste

Council's waste management facilities must be managed in accordance with the *Protection of the Environment Operations (Waste) Regulation 2014*, which specifies that:

- A person disposing of Asbestos waste off the site at which it is generated must do so at a landfill site that can lawfully receive the waste,
- When a person delivers Asbestos waste to a landfill site, the person must inform the occupier of the landfill site that the waste contains Asbestos, and
- When a person unloads or disposes of Asbestos waste at a landfill site, the person must prevent any dust being generated from the waste, and any dust in the waste from being stirred up.

The occupier of a landfill site must ensure that Asbestos waste disposed of at the site is covered with virgin excavated natural material or (if expressly authorised by an environment protection licence held by the occupier) other material:

- initially (at the time of disposal), to a depth of at least 0.15 metre, and
- at the end of each day's operation, to a depth of at least 0.5 metre, and
- finally, to a depth of at least 1 metre (in the case of bonded Asbestos material or Asbestos-contaminated soils) or 3 metres (in the case of friable Asbestos material) beneath the final land surface of the landfill site.



Councils should issue a receipt for Asbestos waste received at a licensed landfill facility. The receipt should include the time, date and location of disposal, weight of Asbestos containing material disposed, method of disposal and a receipt number. This information must be recorded by the facility, regardless of whether a receipt is issued.

Construction, renovation and demolition waste is a high risk for Asbestos materials. When council is receiving construction, renovation and demolition waste, council should visually screen and also inspect incoming loads to minimise Asbestos contamination.

Asbestos waste incorrectly presented to council's waste facilities

This section applies to situations where Asbestos waste is taken to a council licensed Asbestos receivable waste facility and the Asbestos waste is not correctly packaged for delivery and disposal or is not disclosed by the transporter as being Asbestos or Asbestos containing materials. In these situations, council should record relevant details including:

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

Where Asbestos waste is not correctly packaged for delivery and disposal, or is not disclosed by the transporter as being Asbestos 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 e.g. the option to purchase an Asbestos waste handling kit (for non-commercial operators with less than 10m² of non-friable Asbestos),
- provide the transporter with educational material such as SafeWork NSW 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 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*, or
- issue a penalty infringement notice for improper transport of Asbestos (under the Protection of the *Environment Operations Act 1997*).

Councils should maintain a rejected loads register. 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 2014*). If council suspects that there is a risk of illegal dumping of the rejected waste, the council's rangers or compliance officers should be informed. 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.

Recycling facilities

It is critical for councils to screen and inspect incoming loads at recycling facilities for detecting the presence of Asbestos or Asbestos containing materials.



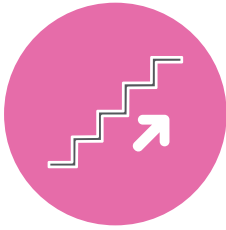
Care must be taken in the conduct of minor works in respect to Asbestos. The recognition that minor works may be undertaken on ACM must in no way be interpreted that appropriate control measures are not required. No person should be permitted to work on Asbestos containing materials without the appropriate level of training and without appropriate PPE.



[Management of Asbestos in recycled construction and demolition waste](#)

5

Ongoing management and review



Ongoing management and review

The FIFTH step of this guide provides an overview of how a council should conduct ongoing reviews and audits of its Asbestos Management System. This includes regular inspections of known Asbestos and reviews of processes to manage health and safety, and maintain a high safety standard in the workplace in reference to all Asbestos management practices.

A breakdown or inefficiency within the system may not be immediately obvious and a failure to manage Asbestos exposure risk effectively, may result in risks to the health and safety of employees and the community. Staff turnover may occur and the system should not be dependent on the knowledge held by an individual.

It is important that council's regularly review their Asbestos Management Systems and inspect known Asbestos to ensure adequate controls are in place.

5.1 Ongoing management and review

In recognition that all ACM will inevitably deteriorate through normal wear and tear or otherwise become damaged, all control measures- with the exception of 'removal'- will require ongoing management and review.



WHS Regulation 2017 Chapter 3 Part 3.1 Clause 37 *Maintenance of control measures.*

5.1.1 Reviewing control measures

Ongoing management and review should include, but not be limited to, the development and implementation of a schedule for the periodic inspection and a review of pertinent Safe Operating Procedures and other measures to ensure continued effectiveness.

5.1.2 Reviewing Asbestos Management System

Effective performance of all safe Asbestos management practices and procedures is a critical aspect of the council's safety program. While a breakdown or inefficiency within the system may not be immediately obvious, with no outward appearance of a deficiency, a failure to manage Asbestos exposure risk effectively may well result in immense problems requiring long term, intensive and costly management.

An in-place management review process provides council with regular check-ups on the effectiveness and efficiency of its systems, with the intent of identifying and correcting current or developing deficiencies prior to such problems causing issues of extreme significance for the organisation.

Such management reviews should initially occur annually, with biannual reviews recommended at a time when council is satisfied that the systems and processes are embedded within its workplaces and thoroughly understood and practiced.

Such annual and then bi-annual reviews should include assessing:

- the adequacy and performance of the council's Asbestos Policy and all elements therein including clear accountabilities for Asbestos management,
- whether required workplace Asbestos Registers and Asbestos Management Plans are in place and up to date,
- the adequacy and performance of all Asbestos related Safe Operating Procedures (SOPs),
- the performance of the organisation in implementing required Asbestos health monitoring and the adequacy of associated records and health monitoring systems,
- the performance of the organisation in implementing staff Asbestos training and awareness, and
- the adequacy of Asbestos signage and labelling.

5.2 Compliance auditing of Asbestos Management Systems

The Asbestos Management System is the set of processes to manage health and safety and maintain a high safety standard in the workplace in reference to all Asbestos management practices within council. It includes the duties, obligations and responsibilities across the council, including all pertinent documents i.e. plans and registers, policies, procedures and SOPs.

To ensure continued effectiveness and compliance with all legislative and regulatory provisions it is important for councils to audit their Asbestos Management System.

A compliance audit may be internal or external and should cover all aspects of Asbestos management within the council. The council's processes and procedures should be assessed against principal and subordinate legislation and the adopted NSW Codes of Practice. It is recommended that a review of this nature should occur initially on an annual basis and, once the system is well embedded, at least every second year.



[Asbestos Management System Audit Template](#)

Managing other asbestos risk

Managing other Asbestos risk

Management of Asbestos contaminated land and non-council buildings

Councils are responsible for managing public land under their ownership or administration, this may include land with naturally occurring Asbestos or land contaminated with Asbestos.

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 the extent of the contamination. Councils should record known Asbestos site contamination on Section 10.7 Planning Certificates where practicable, and for council workplaces, record on the Asbestos Register for the workplace.



- Contaminated Land Management Act 1997 (NSW)
- Environmental Planning and Assessment Act 1979 (NSW)
- Environmental Planning and Assessment Regulation 2000 (NSW)
- Local Government Act 1993 (NSW)
- Protection of the Environment Operations Act 1997 (NSW)
- Protection of the Environment Operations (General) Regulation 2009 (NSW)
- Protection of the Environment Operations (Waste) Regulation 2014 (NSW) State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy No. 55 – Remediation of Land

Duty to report contaminated land

Under section 60 of the *Contaminated Land Management Act 1997*, a person whose activities have contaminated land or a landowner whose land has been contaminated is required to notify the NSW Environmental Protection Authority (EPA) when they become aware of the contamination. 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*.



[Guidelines on the duty to report contamination under the *Contaminated Land Management Act 1997*.](#)

Determining if land is contaminated

A person may request a planning certificate from council 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 10.7(2) of the *Environmental Planning and Assessment Act 1979*.

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 10.7(2), it may also inform applicants of any further information available under section 10.7(5). Council may also use section 10.7(5) planning 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 may issue a clean-up, prevention, cost compliance or penalty infringement notice as outlined in section 3.3 and section 6.1 of the *Environmental Planning and Assessment Act 1979*. Alternatively, a council may act under the *Environmental Planning and Assessment Act 1979*.



When a council facilitates the use of council owned or managed land via formal lease or other arrangement to another PCBU, the council should include a written provision within the contract requiring that PCBU to undertake an assessment of the land by a certified person or agency for the purpose of verifying the land free of contamination, including but not limited to Asbestos contamination. This assessment should be completed prior to the council resuming management of the land.

Council's process for changing land use

Councils must 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 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.

Emergency management

Councils must determine an appropriate response in managing emergency situations that arise relating to non-council land or property depending on the nature of the situation. This may include:

- seeking advice from an occupational hygienist on the likely level of risk and appropriate controls required and consulting with appropriate agencies and attending first responders on any hazards known to council,
- isolating the location with barricades or other measures, excluding public from the site, and ensuring that council workers attending the site have appropriate training and are wearing appropriate personal protective equipment,
- informing the public of potential sources of Asbestos exposure and minimising the risks posed by any exposed materials, and
- addressing the risks posed by disturbed ACM by engaging a licensed removalist or issuing a clean-up or prevention notice to ensure Asbestos containing materials are removed for disposal and are disposed of at a facility licensed to accept Asbestos.

Derelict buildings

Concerns regarding potential health risks from derelict properties may be directed to a council. Derelict properties include abandoned, fire damaged or otherwise dilapidated buildings. Where derelict properties contain exposed friable Asbestos, either from damage or weathering, a risk to public health is apparent.

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 notice or prevention notice and compliance cost notice. Council may also order a person to demolish or remove a building if the building presents harm to its occupants or to persons or property in the neighbourhood.

An order may require immediate compliance with its terms in circumstances where the person who gives the order believes there is a serious risk to health or safety or an emergency.

If a person fails to comply with the terms of an order, council may act under 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.

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



Environmental Planning & Assessment Act 1979 Schedule 5 Part 1 Clause 3.
Environmental Planning & Assessment Act 1979 Schedule 5 Part 11 Clause 27(2).
Environmental Planning & Assessment Act 1979 Schedule 5 Part 11 Clause 33.

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. 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. In many cases development consent is not required to maintain an existing structure. For example, with the exception of heritage items or properties within a heritage conservation area, the replacement of windows, doors and ceilings may involve the removal of Asbestos but this is categorised as exempt development under the *Environmental Planning and Assessment Act 1979* and does not require development consent. 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.

Responsibilities for approving development

Council is the consent authority for the majority of development applications in the LGA. The Local Planning Panel (LPP) is the consent authority for certain classes of local development in accordance with delegations granted by Ministerial Direction. The Sydney Western City Planning Panel (SWCPP) is the consent authority for regional development. The Council may have representation on the SWCPP.

Council, the LPP or the SWCPP 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*.

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 for exempt development. 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.

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 10m² 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 10m² 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. In instances where Asbestos removal is less than 10m² of non-friable Asbestos and not from a place of work, then SafeWork NSW would not be the agency responsible for regulating this activity.

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

Conditions of consent

Where a development application proposes activity regarding the demolition of buildings including the removal of Asbestos material, or seeks to undertake alterations or additions to any part of a building containing ACM, any development consent issued for this work should include conditions that impose requirements for the work concerned.

Responsibilities for compliance and enforcement

Compliance and enforcement relies on information being provided and checked by the principal certifying authority which may be either the local council or a private certifier. 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 safety matters.

Compliance strategies

Where a council becomes aware of illegal work involving Asbestos or Asbestos containing materials, council will notify SafeWork NSW if the site is a workplace. The *Environmental Planning and Assessment Act 1979* also empowers council to issue orders to direct specific work be undertaken to comply with a development consent. Councils may also consider:

- issuing 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;
- issuing a clean-up notice or prevention notice under the *Protection of the Environment Operations Act 1997*, and
- auditing 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* requiring developers to provide information and records regarding disposal of their Asbestos waste.

Naturally occurring Asbestos

Naturally occurring Asbestos (NOA) is defined in the WHS Regulation as the natural geological occurrence of Asbestos minerals found in association with geological deposits including rock, sediment or soil. If NOA is identified at the workplace, or is likely to be present at the workplace, a written Asbestos Management Plan must be prepared and maintained.

What is naturally occurring Asbestos

In the majority of workplaces, the Asbestos that is encountered will be found in manufactured products. However, some workplaces may have to deal with Asbestos in its natural state. NOA may be encountered in road building, site and construction work, and other excavation activities. Asbestos may occur in veins within rock formations.

Requirements to manage naturally occurring Asbestos

Due to the difficulties in fully describing the location and extent of a NOA deposit in an Asbestos Register, there is no requirement for NOA be listed in an Asbestos Register. However, any NOA identified or assumed at a workplace must be included on the Asbestos Management Plan for the workplace or be the subject of a new Asbestos Management Plan. This is to ensure steps are put in place, as with all other Asbestos encountered in workplaces, to ensure that risks of exposure from NOA are assessed and managed.

Preparing an Asbestos Management Plan for naturally occurring Asbestos

In the preparation of an Asbestos Management Plan for NOA, the following should be considered:

- isolating the workplace or part of the workplace until controls are in place,
- deviating excavation to ensure avoidance of the deposit, where possible,
- using sealed excavation or mining equipment (air-conditioned cabins with filtered air),
- maintaining regular surveillance of the rock by a competent person to ensure minimal disturbance of suspected fibrous minerals,
- developing procedures for the safe disposal of Asbestos waste, if required, and
- educating workers in safe work practices.

Managing naturally occurring Asbestos

Ongoing management of NOA may be determined with the aid of an air monitoring program to assess Asbestos exposure levels and the effectiveness of specific risk control measures. A council must ensure the risks to health and safety associated with NOA (i.e. the release of airborne Asbestos) are minimised using the hierarchy of control measures. This can be done by:

- wetting surfaces to reduce the dust levels,
- suppressing, containing and extracting dust in processing operations (water sprays or local exhaust at transfer points and vibrating screens),
- using wet drilling or other approved in-hole dust suppression,
- using wash down facilities, and
- ensuring PPE is used where required.

Training of workers

Training on the hazards and risks associated with NOA must be provided to workers who carry out work where NOA is found.



WHS Regulation 2017 Chapter 8 Part 8.4 Management of naturally occurring Asbestos

WHS Regulation 2017 Chapter 8 Part 8.4 Clause 431 Naturally occurring Asbestos

WHS Regulation 2017 Chapter 8 Part 8.4 Clause 432 Asbestos Management Plan

NSW Code of Practice - How to manage & control Asbestos in the workplace - Section 5.1

Illegal dumping

The management and remediation of sites contaminated with Asbestos from illegal dumping and demolition is a common problem for many LGAs across NSW. In some instances, site remediation may entail removal of Asbestos from the site; in other cases this may not be practicable, and other management strategies will be considered. The need to engage specialists, who may include licensed Asbestos removalists, will depend on the condition and quantity of Asbestos, identified at the site. It is highly recommended that specialists are engaged for all but the most minor of non-friable contaminations.

To avoid delays in taking emergency clean-up action where the responsible parties/owners cannot be located, are unknown or are unlikely to pay for clean-up within the timeframe required, council may participate in the management of emergency pollution and orphan waste situations. In these situations the council may seek funding from the Emergency Pollution and Orphan Waste Clean-Up Programs managed by the NSW EPA.

If council permits properly trained, licensed and equipped employees to remove Asbestos then such removal of illegally dumped material must be undertaken in full accordance with prescribed methodologies within the NSW codes of practice on the safe removal of Asbestos.

Should council not permit council employees to remove Asbestos, council should engage appropriately qualified and licensed Asbestos service providers.

The NSW EPA is the principal regulating agency for combating illegal dumping and may advise councils in respect to best practice in the management of illegal dumping and the specialist requirements for dumped (orphaned) Asbestos.

There are a number of grants offered by the EPA that can be applied for to assist councils in cleanup and prevention of illegal dumping incidents. Councils should regularly check the EPA grants section for such opportunities.

Soil stockpiles and recycling material

Councils must exercise care and give consideration to the management of material stockpiles created by council for the purposes of recycling soil and other materials for use in council works. Additionally, councils must exercise care and undertake investigation when materials are offered to councils by other PCBUs.

Asbestos and other contaminants might not be readily apparent (visually) during excavation works, particularly in the context of large volumes of soil mechanically excavated and councils may inadvertently stockpile contaminated material with the intention of reuse. Investigation of soil contamination must occur prior to excavation work commencing and due diligence must be undertaken during such works.

For the same reason, councils should not accept soils or other materials offered to council for reuse without a valid certificate certifying the material is free from harmful contaminant.

Measuring exposure to Asbestos fibres

The removal or other disturbance of ACM has the potential for people to be exposed to Asbestos fibres and may require air monitoring to be in place for safety. Asbestos air monitoring assesses the concentration of fibres within the air. Air monitoring is conducted to determine whether there are adequate control measures being implemented, ensuring that workers and the public nearby are not exposed to significant amounts of Asbestos fibres.

Air monitoring means airborne Asbestos fibre sampling that assesses exposures and quantifies the effectiveness of control measures. Air monitoring includes exposure, control and clearance monitoring.

Such monitoring programs are not always necessary for the removal of non-friable Asbestos material, or during Asbestos related work. However, it is regarded as good occupational hygiene practice and must be carried out during Asbestos related work if the council is uncertain as to whether the exposure standard for Asbestos is likely to be exceeded.

Air monitoring must be carried out by a competent person. A competent person may include a licensed Asbestos assessor or a person who has undertaken the endorsed unit of competency for licensed Asbestos assessors. An occupational hygienist who has experience in Asbestos exposure monitoring may also undertake air monitoring.

Asbestos monitoring to confirm controls are effective

During some Asbestos related work, such as the removal of bonded Asbestos, air monitoring may not be necessary due to the dust suppression techniques that are employed and the low risk of Asbestos fibres being released. During friable Asbestos work air monitoring of the potential Asbestos release will be conducted. The Asbestos monitoring will take place at selected locations around the work area and will be monitored by qualified personnel.

Carrying out air monitoring during the removal of friable Asbestos

Councils must ensure that any Asbestos removal work at a workplace that requires a Class A Asbestos removal licence has an independent licensed Asbestos assessor to undertake air monitoring of the Asbestos removal area.

An independent licensed Asbestos assessor must carry out certain functions connected with Class A Asbestos removal work. These are air monitoring, clearance inspections and issuing a clearance certificate.

Carrying out air monitoring during Asbestos related work or removal of non-friable Asbestos

If air monitoring is undertaken during the removal of non-friable Asbestos, or Asbestos related work, a competent person must be engaged. Such a person must be:

- experienced and knowledgeable in the Asbestos removal industry,
- competent with operating monitoring equipment such as sampling pumps,
- able to implement the most appropriate sampling strategy and place sampling pumps in the correct locations, and
- able to adequately store and transport samples prior to analysis.



WHS Regulation 2017 Chapter 8 Part 8.2 Clause 420 *Exposure to airborne Asbestos*
WHS Regulation 2017 Chapter 8 Part 8.9 Clause 482 *Air monitoring*

Public education on safe Asbestos management

Councils, with other levels of government and key agencies involved in Asbestos management, have a role in assisting residents within the LGA 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, and
- safe removal and disposal of minor quantities of Asbestos containing waste.

Councils may consider disseminating Asbestos safety advice in the form of pamphlets and other written guidance material. Additionally, councils may consider making such information available to the public via the council's webpage.



It is important to ensure that any information provided to the public is provided from a reputable source and is current information. SafeWork Australia, SafeWork NSW, NSW Health, NSW Office of Local Government and LGSW all provide high quality up-to-date information on safe Asbestos management. Care must be taken if Asbestos management information is sourced from other Australian states or other countries as regulations and standards will differ to those within NSW.