

Asbestos

Resolution of Council: 5 June 2006

Responsibility:
Health & Building



city of villages

Table of Contents

Part One – Introduction	1
Part Two – Objective	2
Part Three – Definitions	3
Part Four – Development Process	4
Part Five – Development that does not require consent	5
Part Six – Asbestos Waste Disposal Facilities	6
Part Seven – Response to Requests/Complaints (Public Place)	7
Part Eight – Response to Requests/Complaints (Private property)	8
Part Nine – Training Needs ‘Council Staff’	9
Part Ten – Resources	10

Part One – Introduction

1.1 Introduction

This document sets out the City's policy and procedures for the management of asbestos. There are a number of situations where the City may:

- control and regulate the removal or repair of asbestos in the development process;
- provide educational material on the handling of asbestos; and
- respond to inquiries and complaints regarding its use or misuse.

Asbestos is a naturally occurring mineral which has been mined and mixed with a binder and shaped for its specific use. It was used extensively in the construction industry in New South Wales for a number of years up until 1986. Its unique properties are its tensile strength, stability at high temperature, resistance to chemicals and corrosion and its insulator properties.

Asbestos can be found in many buildings that were constructed prior to the mid 1980s, its uses were many and varied and included but were not limited to the following:

- corrugated roofing;
- wall cladding (internal and external);
- guttering;
- downpipes;
- thermal insulation;
- electricity and gas meter boxes;
- vinyl – asbestos floor tiles;
- asbestos insulated wiring; and
- fibro sheet fencing.

The presence of asbestos (which may also be referred to as fibro) does not constitute a danger if it is in good condition. However it is hazardous when disturbed during demolition, renovation or mishap, as the fibres may be released into the air and remain suspended for a considerable time allowing for their inhalation. These fibres may remain in the human body for years before causing diseases such as asbestosis, lung cancer and mesothelioma.

Materials that are suspected of containing asbestos should be inspected and tested by suitably qualified and experienced people before they are disturbed. It is not possible to establish if a material contains asbestos by simply looking at it. Doubtful material should be treated as containing asbestos. Some materials are clearly labelled as containing asbestos.

Part Two – Objective

The objectives of this policy are to:

- Encourage the safe handling and removal of asbestos containing materials; and
- Provide consistent Council procedures for asbestos handling and removal.

Area to which policy applies

This policy applies to all land within the City of Sydney, as shown in figure 1 where the Council and the Central Sydney Planning Committee are the consent authority as shown in figure 1.

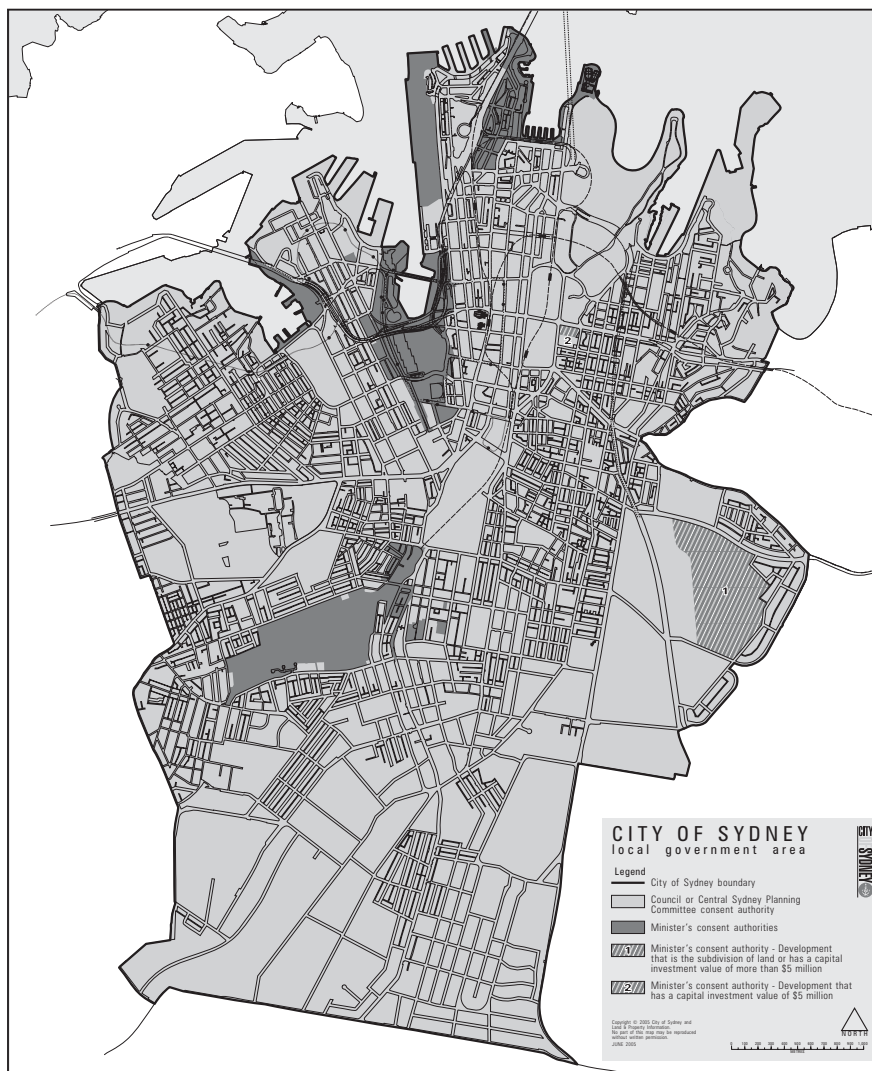


Figure 1 - The City of Sydney Local Government Area

Part Three – Definitions

For the purpose of this policy, the following definitions will apply:

Approved hours – the permissible hours of construction work specified in any approval or development consent granted by Council.

Asbestos – generic term for a number of fibrous silicate minerals. There are two major groups of asbestos:

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

Bonded asbestos – Any material containing asbestos in a bonded matrix. It may consist of Portland cement or various resin/binders and it cannot be crushed by hand.

Construction site – Any land or building where work or preparation for building (including the remediation of contaminated land), demolition, erection, and/or excavation is being carried out and also includes any work associated with vehicle delivery and pick up from the site.

Council – means the Council of the City of Sydney.

Demolition – The complete or partial dismantling of a structure.

Development – Has the meaning ascribed to it in the Environmental Planning and Assessment Act 1979.

Friable asbestos – Any material containing asbestos which is in the form of a powder, or can be crushed by hand when dry.

Fibro – Also known as fibro cement.

PPE – Personal Protective Equipment.

Part Four – Development Process

Specific conditions intended to apply to developments where it is known or reasonably suspected that asbestos is present have been developed.

The aim of these conditions of consent is to minimise asbestos exposure in the environment by requiring asbestos safe work practices and controls and disposal procedures during development activities.

In addition to compliance with the development consent conditions, applicants shall notify their neighbours prior to the removal of any asbestos. The applicant or their agent must, in writing, notify all adjoining properties and those directly opposite the development. Notification details to include the date(s) and time(s) of the asbestos removal, the name of the licensed removalist together with a contact person for the site, telephone, facsimile and email address.

Note: Notwithstanding if the development requires consent or not, demolition works and disposal of asbestos must only be undertaken by contractors who hold a current WorkCover Asbestos or “Demolition Licence” and a current WorkCover “Class 2 (Restricted) Asbestos Licence unless the amount is less than the minimum allowed by the NSW WorkCover Authority.

Part Five – Development that does not require consent

The following planning controls apply to development that does not require consent within the City of Sydney:

- *Central Sydney Development Control Plan 1996, 13 Exempt and complying development;*
- *South Sydney Development Control 1999, Exempt and complying development; and*
- *Leichhardt Council Exempt and Complying Development Control Plan Number 35, 2000.*

There are inconsistencies in approaches to the removal and handling of asbestos materials in the above documents. The following requirements establish a consistent approach across the Council area.

The following must be satisfied or complied with, before a complying development can be carried out or the demolition of any material that contains asbestos:

- The work is to be carried out by the holder of a NSW WorkCover Asbestos or "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos licence.
- Standard commercially manufactured signs containing the words '**DANGER ASBESTOS REMOVAL IN PROGRESS**' measuring not less than 400mmx300mm are to be erected in prominent visible positions on the site.
- No asbestos laden skips or bins are to be left in any public place without the approval of Council
- No asbestos products are to be water blasted or reused on the site (i.e. packing pieces, spacers, formwork or fill)
- Prior to the exportation of all waste from the site the material should be classified to determine where the waste may be legally taken. The Protection of the Environment Operations Act 1997 provides for the commission of an offence for both the waste owner and the transporter if the waste is taken to a place that cannot lawfully be used as a waste facility.
- Demolition hours shall be restricted by the following:
 - Central Sydney Development Control Plan Complying Development - Conditions 13.24 (2);
 - South Sydney Development Control Plan 1999 - General Conditions 6;
 - Leichhardt Municipal Council Development Control Plan - General Condition E3.

Note: Notwithstanding if the development requires consent or not, demolition works and disposal of asbestos must only be undertaken by contractors who hold a current WorkCover Asbestos or "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence unless the amount is less than the minimum allowed by the NSW WorkCover Authority.

Part Six – Asbestos Waste Disposal Facilities

The removal of asbestos waste is permitted, subject to development consent conditions governing times, seven days per week.

Waste facilities (including hours of operation) that will accept asbestos are;

- Belrose Waste & Recycling Centre
Address: Crozier Road, Belrose
Phone: 1300 651 116
Hours of Operation:
Monday to Friday: 6am to 5pm
Saturday and Sunday: 8am to 5pm
- Jacks Gully Waste & Recycling Centre
Address: Richardson Road, Narellan
Phone: 1300 651 116
Hours of Operation:
Monday: to Friday: 6am to 4pm
Saturday & Sunday: 8am to 4pm
- Eastern Creek Waste & Recycling Centre
Address: Wallgrove Road, Eastern Creek
Phone: 1300 651 116
Hours of Operation:
Monday to Friday: 7am to 4pm
Saturday: 8am to 5pm
Sunday: 8am to 5pm
- Lucas Heights Waste & Recycling Centre,
Address: New Illawarra Road, Lucas Heights
Phone: 1300 651 116
Hours of Operation:
Monday to Friday: 6am to 4pm
Saturday: 8am to 5pm
Sunday: 8am to 5pm

Part Seven – Response to Requests/ Complaints (Public Place)

Where Council is in receipt of an enquiry/complaint or Council staff become aware of an asbestos dump in the street or other public place the following will be Council's procedure for dealing with such complaints.

1. Enquiry/complaint to be entered on Council's computer data base.
2. Council officers receiving a complaint or becoming aware of an asbestos dump are to advise their manager/team leader immediately.
3. Manager or their nominees are to investigate immediately and:
 - Quantify;
 - Photograph;
 - Identify the owner of the material or the party responsible for the incident or dumping, if possible.

Staff are to wear the appropriate PPE when investigating enquiries/complaints regarding asbestos. (See Section 6 NOHSC 2002).

4. Manager or their nominee are to contact NSW Fire Brigade (Hazmat) (ph: 9318-4822) to secure area if the asbestos is in a sensitive area such as a park or near a school or the environmental conditions (i.e. wind and or rain) may cause the material to spread.
5. Manager or nominee to seek approval to have asbestos removed by licensed asbestos removalists and disposed of only at a waste centre that accepts asbestos (as listed in Part 4 of this policy). Council will require a receipt to confirm the asbestos was disposed of lawfully; and
6. Complainant and residents to be advised of outcome.

Part Eight – Response to Requests/ Complaints (Private property)

Where Council is in receipt of a complaint/enquiry regarding asbestos on private property the following will be Council's procedure for dealing with such complaints.

1. Complaint to be entered on Council's computer data base;
2. Complaint to be forwarded to the Team Leader Health or a senior health surveyor in that officer's absence - immediately;
3. Request/Complaint to be investigated by Environmental Health Surveyor immediately.
4. Health surveyor to, in consultation with the Department of Conservation and Environment and/or the NSW WorkCover Authority, make a determination if the material contains asbestos and if there is a risk to human health or the environment.

Staff are to wear the appropriate PPE when investigating enquiries/complaints regarding asbestos. (See section 6 NOHSC 2002)

5. If there is a risk to human health or the environment, a short term notice may be served on the owner of the premises under Section 124 of the Local Government Act 1993 or a Clean – up notice may be served under Section 91 of the Protection of the Environment Operations Act 1997.

Council will ensure the asbestos is collected by a licensed asbestos removalist and disposed of only at a waste centre that accepts asbestos (as listed in Part 4 of this policy). Council will require a receipt to confirm the asbestos was disposed of lawfully.

6. Information to be gathered for regulatory response, should include but not be limited to photographs, quantify m², type (flat, corrugated), weather conditions (rain, wind etc) property owner's details.
7. If the building owner cannot be contacted and the asbestos is friable contact the NSW Fire Brigade (Hazmat) (9318-4822) to secure area and commence regulatory procedures to prevent any environmental or health damage.
8. Complainant and residents to be advised of outcome.

Part Nine – Training Needs ‘Council Staff’

Council is to implement a training strategy for staff such as Building Trades People, Building Surveyors, Environmental Health Surveyors, Rangers and Waste collectors. The training should include but not be limited to the following:

- Where staff are likely to come into contact with asbestos;
- Health hazards associated with asbestos; and
- Legal responsibility (Health and Environment) for ensuring their health and the health of others.

The relevant staff are to be provided with the appropriate PPE when investigating asbestos enquiries, and receive training in the care and use of such equipment.

Part Ten – Resources

Title	Where to find it	Author/Source
Occupational Health and Safety Act 2000	www.workcover.nsw.gov.au	NSW Government
Occupational Health and Safety Regulation 2001	www.workcover.nsw.gov.au	NSW Government
Your guide to working with asbestos	www.workcover.nsw.gov.au	WorkCover NSW
Living with Fibro	www.workcover.nsw.gov.au	WorkCover NSW
Asbestos 'Guidelines for licensed asbestos removal contractors'	www.workcover.nsw.gov.au	National Occupational Health & Safety Commission
Guide to the Control of Asbestos Hazards in Buildings and Structures [NOHSC :3002(1998)]	www.nohsc.gov.au	National Occupational Health & Safety Commission
Fibro & Asbestos 'A renovators and homeowners guide'	www.nsw.gov.au/fibro/brochure.asp	NSW Government
Fibro and Asbestos 'Frequently asked questions for renovators and homeowners'	www.nsw.gov.au/fibro/faqs.asp	NSW Government
Australian Standard AS 2601 – 2001	www.standards.org.au	Standards Australia
'The Demolition of Structures'		
Safely disposing of asbestos from your home	www.environment.nsw.gov.au	Department of Environment and Conservation (NSW)