



COVID 19

**Actions and efforts to reduce the spread of COVID 19
among staff, community members and visitors**

Updated 11 August 2020

Changes to take effect from 1 August 2020

Containers SC14 and SC 271

Council Meetings:

- To resume face to face Council meetings with physical distancing rules adhered to. Meetings open to public where physical distancing rules permit. 4 sq metre distancing applies.
- Council Workshops to resume face to face.
- Ian Gilbert Room, Jerilderie Civic Hall to be venue for Council meetings and workshops.
- In person deputations only permitted as determined by Mayor and General Manager

Critical Services:

- Water Supply is a critical service
- Waste Water is a critical service
- Waste collection and disposal is a critical service

Operation of Critical Services:

- Licenced and accredited operators not to work together
 - o Should there be a need for a second person to assist the accredited person it will be provided from other employees
- Licenced and accredited operators are not to perform functions that could place them at risk of contracting COVID 19 (other than what relates to the critical service):
 - o No cleaning of toilets
 - o No catching of dogs
 - o No working at the saleyards

- The Virus can survive in sewerage, so extra precautions are to be taken when dealing with these situations.

Essential Services:

- Bendigo Bank
- Development & Building Applications & Inspections
- Road Maintenance
- Maintenance of Public Areas
- Finance and Corporate Functions
- Maintenance of Plant and Fleet
- Weed Control
- Responding to Menacing or Nuisance Dogs
- Managing Funeral Grave Sites
- Meals on Wheels (Darlington Point and Coleambally)
- Emergency Management
- Stock Control
- Opening, closing and road access
- Public Health Inspections
- Responding to safety requests

Travel:

- All non-essential travel is to cease
 - o No conferences
 - o No training off premises where more than 5 are physically present
 - o Prestart and Toolbox meetings etc with staff - 4 square metre rule with 1.5m social distancing to apply. This will allow numbers in attendance to be based on the size of the meeting area available.
 - o No meetings where more than 5 are physically present
 - o Videoconferencing to be utilised wherever possible.

Social distancing:

- Keeping a distance of at least of 1.5m
- 4 sqm indoor space requirement to be adhered too.
- No shaking of hands
- No kissing/hugging
- No personal touch of any kind

Gatherings:

- No gatherings of more than 5
 - o If a function or meeting could potentially have more than 5 persons present, you are unable to attend.
 - o 4 sqm indoor space requirement to be adhered too.

Meetings:

- Restrictions on personal meetings
 - o All meetings that can be held via phone or video are to be held by that media
 - This includes residents and rate payers who may even only be next door
- Meetings with external stakeholders (eg RMS) within the Council office environment and travelling together in vehicles (eg for road inspections) is permitted. However the area of their origin of travel needs to be identified so as not to be placing staff well-being at risk.

Hygiene practices:

- Regular washing of hands
- Use of hand sanitizer
- Sneezing or coughing into clean tissue, dispose of immediately, then sanitize or clean your hands
- Hourly or before use wiping down surfaces and objects with disinfectant:
 - o Benches
 - o Door knobs
 - o Phones
 - o Computers
 - o Debit and credit cards
 - o ATM
 - o EFTPOS
 - o Printers
 - o Filing cabinets
 - o Taps
 - o Basins
 - o Fridges
 - o Pens
 - o Steering wheels
 - o Gear shifts
 - o Door handles
 - o Dashes
 - o Arm rests
 - o Hand tools and equipment
 - o Anything which can keep the virus active

(COVID 19 lingers for up to 4 hours on copper surfaces, 24 hours on cardboard, 48 hours on steel surfaces and 72 hours on plastic)

- Do not share food or drinks of any kind

Offices:

- Coleambally, Jerilderie and Darlington Point offices open to public:
 - o 8.30am to 12.00pm and 1.00pm to 5.00pm weekdays (Coly closed 12.30pm-1.30pm)
 - o During office midday closure entire office to be sanitised
 - o 1 member of public only at a time allowed entry to office
 - o 1 staff officer only to serve members of public
 - o 7 staff rostered in office. 2 additional staff (unrostered) can enter and leave within 15 minutes. Physical distancing to be adhered to and 4 sq metres distancing applied.
- Office cleaner responsible for cleaning and sanitizing offices after 5.00pm and before 8.30am
- Staff who respond to customers responsible for cleaning and sanitising touch points
- Extra care and attention to PPE whilst sanitizing
- No eating or drinking at your desks
- No family or community members in the office area
- Staff are required to work from home
- Development Applications across Murrumbidgee Council contact Kelly
- Service requests or complaints contact
 - Jerilderie - Bryan Payne 0428 579095
 - Darlington Point & Coleambally – Shane Curphey 0427 684166

Public Facilities, controlled by Council:

- Library – **REOPENED 1 June 2020 – for further information, please reference Library COVID-19 Safe Plan, available from Manager, Corporate & Community Services.**
- Swimming Pools closed
- **Gymnasiums – CLOSED TO MEMBERS AS AT 1 AUGUST 2020**
Community Gym Committee classes to continue, with registered COVID-19 plan and hygiene marshall
- **John McInnes Square – REOPENED Friday 15 May 2020 with appropriate signage**
- Skate Parks – **REOPENED Friday 15 May 2020 with appropriate signage**
- Water fountains - **REOPENED 13 June 2020**
- Halls /Venues - **REOPENED 13 June 2020**
- Museums – **REOPENED 1 June 2020**
- Facilities run by a third party will not have a Council direction, they must decide themselves based on advice provided by the State and Federal Government
- Playgrounds – **REOPENED Friday 15 May 2020 with appropriate signage**
- Outside exercise equipment – **REOPENED Friday 15 May 2020 with appropriate signage**
- Public BBQ's - **REOPENED 13 June 2020**
- Signage on public seating and tables – **to remain open with appropriate signage**

- Public Toilets
 - o Darlington Point: Toilet block behind Murrumbidgee Shire Hall and near Punt Hotel both operational. Cleaning schedule twice per day. Appropriately signed.
 - o Coleambally: John McInnes Square and Lions Park Toilets – both operational. Cleaning schedule twice per day. Appropriately signed.
 - o Jerilderie: 63 Jerilderie Street (next to bakery) and Elliott Park both operational. Cleaning schedule twice per day. Appropriately signed.

Council Leased Facilities:

- Waive the lease payments on all facilities operated by businesses in properties owned by Council. Effective 1st April 2020 until repealed.
- Sports teams not charged for facility use.

Working from home:

- It might not be possible to provide Council owned computers
- We will however provide access to the network to staff members personal computers
- Staff members with access to the network via personal computers need to be mindful of security and to log out when getting up from the terminal.

(the lead time on purchasing laptops is about 4 weeks)

Front line Personnel:

- Only one person at any office will perform front line tasks, the other person within the office will perform their different tasks.
- Each time of handling cash, hands must be disinfected with hand sanitiser
- Please request the use of credit or debit cards and do not handle others cards
- After each card transaction sanitize the EFTPOS machine
- Sanitise any pens or equipment used by members of the public after each use

Travelling to and from job sites:

- No more than two persons in a two-door vehicle
- No more than three persons in a four-door vehicle
- Keep air circulating via windows whilst travelling
- Staff may be asked to travel in their own car to a work site (claim mileage)

Depot:

- Work times will be staggered
- Where able, you are to travel directly to the job site
- No public or salespersons to enter the facility. Gates to remain closed to them
- Delivery drivers to pull up at closed gate and ring mobile number provided, the appropriate person who answers will make judgement call on how to unload. Where practicable delivery dockets to be rendered via electronic means reducing the need to exchange paper.
- No family or community members in the depot area

All Staff:

- During this time, staff may be asked to perform functions which are not normally your day to day functions. You are expected to perform, as we place our efforts into maintaining our services, especially our critical service.
- No employee will be asked to perform a task they are not capable of performing.
- Working closely with each other may be unavoidable, key is to not place others at risk. If you feel any of the symptoms, do not undertake these tasks. Better still stay at home, and seek medical advice.

Approaches by members of the public:

- If you are approached by members of the public please ensure you follow the social distancing rules
 - o Be courteous and respectful
 - o If they encroach on your social distancing space, ask them to stop
 - o If they continue to approach, and the job site is safe to do so take security in a vehicle. If no vehicle leave the area and call the police
 - Coleambally Police Station (02) 6954 4104
 - Darlington Point Police Station (02) 6968 4144
 - Jerilderie Police Station (03) 5886 1244

Special Leave Provision:

- Leave resulting from suspicion or actual COVID 19 exposure will be borne by a special leave provision. No employee will be required to take Sick, Annual or Long Service Leave. Staff who are concerned they may have contracted COVID 19 should contact the Department of Health's National Coronavirus Helpline, 1800 020 080
- Medical certificates will not be required.
- Requirement to isolate because of returning from overseas or exposure to a known source, or on advice of the medical profession will be via a special leave provision.
- If you display symptoms of COVID 19 self-isolate, speak to a medical professional. If determined not likely to be COVID 19, return to work if you are fit to do so.
- Flexible working arrangements will be made, early starts, late finishes, rostered days etc. Any arrangement where the employee is not performing duties or has been told not to come to work will be paid via the special leave provision.

The above is subject to change at any time, at the direction of the General Manager.



Media and Communication Policy

	Name	Position	Signature	Date
Responsible Officer	Anne Lyons	Media and Communications Officer		
Authorised By	John Scarce	General Manager		

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1. Purpose

The purpose of this policy is to provide understanding and guidance for the appropriate use of communication tools to engage with and inform Council's internal and external audiences. This policy will be implemented through Council's Media and Communication Strategy.

2. Scope

The Media and Communication Policy applies to Council officials including Councillors, Council employees, people on work experience, volunteers, committee members, consultants and contractors.

3. Objective

This policy sets out the approved means and areas of responsibility for developing and implementing communication processes, practices and resources that are:

- a. consistent, timely, accurate and responsive to community needs, while allowing Council to efficiently and effectively deliver quality services.
- b. informative and promote awareness about Council's decisions, policies, programs, projects and activities.
- c. easily accessible and available in multiple formats to accommodate diverse information needs within the community.
- d. open and transparent, encouraging a two-way communication process through a variety of channels.
- e. vibrant and positive to build civic pride through a positive image of the Murrumbidgee Local Government Area.
- f. respectful of the democratic process acknowledging Council resolutions represent the majority view.
- g. compliant with all relevant legislation and adhering to the highest standards of ethical practice and professional competence.

4. Policy statement

Murrumbidgee Council is committed to building positive and lasting partnerships with its audiences through effective two-way, transparent communication.

The following guidelines must be observed when engaging with Council's audiences through the various communication tools that Council utilises. This includes, but is not limited to, digital media (website, social media and electronic direct mail), print and broadcast media, advertising and printed material.

5. Policy principles

5.1 Branding requirements

All public communication materials must adhere to and reflect Council's adopted identity as outlined in Murrumbidgee Council's Style Guide.



6. Policy implementation

6.1 Broadcast and print media

Murrumbidgee Council is committed to building a positive working relationship with the media and also to keeping the community informed and engaged by proactively issuing regular, informative and accurate statements to the media.

6.1.1 Authorised Council media representatives

- a. The Mayor is the principal public spokesperson on matters relating to the representative Council, decisions of Council and the community. He/she may delegate the Deputy Mayor or another Councillor to speak on his/her behalf.
- b. The General Manager, in his/her statutory role, is the lead spokesperson on operational matters relating to Council. He/she may delegate other staff members to act as spokesperson on operational matters.
- c. Councillors have a right to express their own views to the media in their role as a member of the governing body and as a representative of the community. However, they must make it clear their views do not necessarily represent the position of Council. Communications with the media must be in accordance with Council's Code of Conduct for Councillors.
- d. Council employees, service providers, contractors, people on work experience and volunteers must not communicate with the media in an official capacity unless prior approval has been obtained from the General Manager.
- e. Council employees, service providers, contractors, people on work experience and volunteers may communicate with the media as private individuals, with the following restrictions:
 - i. they must not comment on Council policies or business, staff, confidential legal advice or commercial-in-confidence matters, nor make predictions as to future actions of Council.
 - ii. they must not be identified as Council officials.
 - iii. their comments must not be perceived as representing an official Council position or policy.
- f. Communications with the media must be in accordance with Council's relevant Codes of Conduct.

6.1.2 Media relations

- a. All media enquiries must be referred to the Media and Communications Officer, or in his/her absence to the General Manager, the Mayor or a member of staff nominated by the General Manager.
- b. Media statements are to be prepared by the Media and Communications Officer (or another person delegated by the General Manager) using the approved media release template.
- c. Media statements must be approved by the General Manager or Mayor prior to release.
- d. All Council documents that are on the public record are open to perusal by the media, except those relating to staff, confidential legal advice and commercial-in-confidence matters. All file perusals by the media are subject to the provisions of Council policies dealing with access to information, privacy and freedom of information legislation.



- e. All Council and Committee meetings are open to the media, except those dealing with staff, confidential legal advice or commercial-in-confidence matters.
- f. All requests to film or photograph Council staff, facilities or events for news and current affairs purposes must be referred to the Media and Communications Officer.
- g. Unauthorised release of Council documents by Council officials will be referred to the relevant Council's Code of Conduct.

6.2 Digital communications - Website

Council's website shall conform to a minimum Level AA of the Web Content Accessibility Guidelines version 2 (WCAG 2.1).

Requests for website content should be referred to the Media and Communications Officer or authorised staff administrators.

6.3 Digital communications - Social media

Social media is a valuable tool for Council to communicate and engage with its audience/s using the various online platforms.

6.3.1 Authorised social media representatives

- a. The Media and Communications Officer has overall responsibility for administering, posting content, monitoring, moderating and responding to comments on Council's social media sites.
- b. Other Council officials may be given editorial privileges by the General Manager. This includes designated staff who have responsibility for administering sites related to specific operations of Council, for example Jerilderie Library.
- c. In keeping with Council's Codes of Conduct, Council officials must ensure social media platforms, when used in an official capacity, are free from any form of verbal abuse, intimidation, harassment or discriminatory language/behaviour and that all users are treated equally, fairly and respectfully.
- d. Council officials must ensure the privacy and confidentiality of information acquired at work is protected at all times and treated in accordance with relevant laws and policies.
- e. Those with editorial roles should ensure content they post is credible, accurate, thorough and transparent and does not disclose confidential information, express personal opinions, share Murrumbidgee Council intellectual property or make predictions on future actions Council may take.
- f. Those with editorial roles should ensure content adheres to the Terms of Use of the social media channel being used, as well as copyright, privacy, defamation, discrimination and other laws.

To keep Council's social media channels active, responsive and well-maintained, it is the responsibility of Council's social media administrators to:

- a. Post regularly (minimum twice per week)
- b. Monitor channels frequently and respond to comments in a timely, professional and appropriate manner (within 24 hours on weekdays).



- c. Notify the General Manager or relevant Council manager of any negative commentary that may impact Council's reputation and seek advice for an appropriate response.
- d. Capture posts, comments and Council's responses in Council's electronic records management system.
- e. Analyse engagement data to ensure the communications activities are effective.

6.3.2 General guidelines for comments made on Council's social media channels

- a. Council will not tolerate content that breaches copyright, privacy, defamation, discrimination, harassment and other laws. Such content will be removed and may be referred to the authorities.
- b. Users who breach Council's Media and Communication Policy may be banned from accessing Council's social media sites.

6.3.3 Personal use of social media

- a. Council officials must ensure personal comments made on social media platforms cannot be mistaken for the official view of Council or have an impact on another Council official.
- b. Council officials must ensure that any personal comments do not compromise their capacity to perform their public role in an unbiased manner. Such comments (made in a personal capacity) about Council, its activities or programs should not be derogatory or defamatory.
- c. Council officials must ensure they do not reveal any confidential information relating to Council when using a social media platform privately.
- d. The provisions of Council's Codes of Conduct and relevant legislation must be considered if making any form of comment about any Council business or official.

6.4 Electronic Direct Mail (e-newsletters)

Electronic Direct Mail (EDM) is a form of digital marketing sent to a list of email subscribers.

Staff working on EDMs will manage all personal data collected for email marketing in accordance with the Privacy and Personal Information Protection Act.

6.5 Other communication tools

Other communication tools utilised by Council include advertising, publications, signage, public displays, email signature banners, videos and word of mouth.

Council officials must ensure they adhere to the elements of this policy (particularly branding guidelines) and also the relevant Council Codes of Conduct.

6.6 Records management

Council's communication activities should adhere to Council's records management policies and other legislative requirements.



7. Emergency and crisis management

In the event of an emergency, Council plays a pivotal role in disseminating information to the community via our communication channels.

- a. The General Manager must be notified immediately of the details of the emergency or crisis.
- b. The Media and Communications Officer will provide assistance on an as-needed basis in close consultation with the General Manager, Mayor and other designated Council officials.
- c. All requests to interview, film or photograph Council staff involved in the incident must be referred to the General Manager or the Media and Communications Officer

8. Non-compliance with this policy

Failure to comply with this policy may be dealt with in accordance with Council's relevant Code of Conduct, Local Government (State) Award or other laws.

9. Definitions

This policy's definitions are:

Community means all people who live or work in the Murrumbidgee Council Local Government Area.

Council means Murrumbidgee Council.

Council official means Councillors, Council staff, volunteers or delegated persons as defined in the Local Government Act 1993.

Council spokesperson: A person authorised to communicate with the media on Council's behalf.

Media: Relates to all forms of official communication including, but not limited to print and digital media. Digital media can include all forms of online media, including Council's website and presence on social media.

Media statement or comment: A verbal or written statement issued by the Council that states its position on a matter of Council business, Council policy or public interest.

Staff means all employees of Murrumbidgee Council (full time, part time, casual, contractors and temporary).

Social media is the term used for internet and mobile-based channels and tools that allow users to interact with each other and share opinions and content. It refers to user-generated information, opinion and other content shared and discussed over open digital networks.



10. References and related documents

The following legislation and/or guidelines are applicable to this policy:

Murrumbidgee Council documents

- a. Statement of Vision and Priorities
- b. Code of Conduct for Councillors
- c. Code of Conduct for staff
- d. Code of Conduct for Council committee members, delegates of Council and Council advisors
- e. Style Guide
- f. Communication Strategy
- g. Social Media Register
- h. Complaints Management Policy
- i. Internet, intranet, email and computer use management policy
- j. Privacy Management Policy

Legislation and professional guidelines

- a. Freedom of Information Act 1982
- b. Privacy and Personal Information Protection Act 1998
- c. Local Government Act 1993
- d. Copyright Act 1968
- e. Defamation Act 2005
- f. Government Information (Public Access) Act 2009
- g. Web Content Accessibility Guidelines version 2 (WCAG 2.1)

11. Policy implementation

Council officers should refer to the Community Engagement Policy when organising public meetings, public consultation or public forums on behalf of Council.

12. Exceptions

Nil

13. Policy Review

This policy is due to be reviewed in September 2022.



DA No.	DA 28-2020
ESTIMATED COST OF DEVELOPMENT	\$803,050
APPLICANT	Murrumbidgee Council
PROPERTY	Part Lot 86 DP 23614 Coleambally Sportsground
PROPOSAL	<p>The applicant seeks development consent to undertaken alterations and additions to several structures located at the Coleambally Sportsground.</p> <p>The building works include the construction of a new gymnasium, alterations to existing netball change rooms and the relocation of an existing internal service road. The additional floor area is 396m².</p>
SITE	<p>The landholding comprises of a single lot, being Lot 86 DP 236144, which has an area of approximately 13.31ha</p> <p>The site is bound by Kingfisher Avenue to the north, Pine Drive to the east and south-east, Kookaburra Avenue to the south-west and Falcon Road to the west. Formal access to the site is via a driveway to Falcon Street, with secondary access points too both Kookaburra Avenue and Pine Drive.</p> <p>The complex includes three ovals, used for rugby league, Australian Rules football and cricket (including practice nets). Other sports catered for a netball with two hard courts, tennis with six courts and swimming with a 25m outdoor pool. There are also a number of buildings, including amenity blocks incorporating public toilets and change rooms, clubhouses, shade structures and playground equipment.</p> <p>The site is located at the eastern edge of the Coleambally Village and adjoins the Coleambally Community Club which includes a bowling green – these facilities read as being part of the overall sports complex. To the north is Coleambally Central School on the opposite side of Kingfisher Avenue. A mix of light industrial and residential adjoins characterises development to the west of the site, while land to the south-west is predominantly undisturbed bushland. Land to the east is predominantly used for irrigated agriculture.</p> <p>The aerial image in Figure 1 on the following page highlights the location of the proposed works.</p>

Figure 1 – Aerial Image/Locality¹



Section 4.15 Assessment

In determining a development application, a consent authority is to take into consideration Section 4.15 of the Environmental Planning and Assessment Act 1979. The following matters as are of relevance to the development the subject of the development application.

¹ NSW Department of Planning, Industry and Environment, SixMaps

<i>Exempt or complying development</i>	The application is not categorised as complying development for the purposes of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
<i>Designated development</i>	The proposed development is not designated development for the purposes of Section 4.10 of the Environmental Planning and Assessment Act.
<i>Integrated development</i>	The proposed development is not defined as a special fire protection purposes of Section 100B(6) of the NSW Rural Fire Service Act, 1997 and therefore is not categorised as integrated development for the purposes of Section 4.46 of the Environmental Planning and Assessment Act, 1979.
<i>State significant development</i>	The proposed development is not State significant development as set out in Division 4.7 of the Act.

4.15(1)(a)(i) - the provision of any environmental planning instrument

The following environmental planning instruments have been taken into consideration in the evaluation of the development.

<i>SEPP Infrastructure</i>	<p>Council must consider the following provisions within this SEPP, and the relevance of the applicable clauses to this development, are as follows:</p> <p>The provisions of clause 45 applies to a development application that involves any of the following—</p> <ul style="list-style-type: none"> (a) the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower, (b) development carried out— <ul style="list-style-type: none"> (i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or (ii) immediately adjacent to an electricity substation, or (iii) within 5m of an exposed overhead electricity power line. <p>No works are located within the vicinity of electricity substations, underground easements or overhead lines referred to above, however underground services pass within two metres of the existing building and under where the new building is proposed. On this basis the application has been referred to Essential Energy for comments as per the provisions of the SEPP. Their conditions have been incorporated into the recommendation.</p>
<i>SEPP Vegetation in Non-Rural Areas 2017</i>	The aims of State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 are to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation. The SEPP provides Council the power to issue a permit that enables the clearing of vegetation under certain circumstances.

	<p>Notwithstanding the information contained in the SEE it should be noted that no vegetation as part of the building works. Given the minor nature of works associated with the development it is unlikely that the development would have an impact on local native ecological communities, flora or fauna and their habitats.</p>
<i>Riverina Murray Regional Plan 2036</i>	<p>The proposed development does not raise any matter that would be inconsistent with the goals set out in the <i>Riverina Murray Regional Plan 2036</i>.</p>
<i>Murrumbidgee Local Environmental Plan 2013</i>	<p>Murrumbidgee Council administers two local environmental plan covering the former local government areas of Murrumbidgee and Jerilderie. The subject site falls under the provisions of Murrumbidgee Local Environmental Plan 2013.</p>
<i>Definition</i>	<p>The proposed development is for a gymnasium which is defined in the Dictionary of Murrumbidgee Local Environmental Plan 2013, as:</p> <p><i>recreation facility (indoor)</i> means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club.</p>
<i>Permissibility</i>	<p>The subject land is zoned RE1 Public Recreation and under Part 2 Land Use Table of Murrumbidgee Local Environmental Plan 2013 and a <i>recreation facility (indoor)</i> is identified as development that is permitted with consent. On this basis the proposed development is permissible.</p>
<i>Aims & Objectives</i>	<p>The proposed development has been considered with regard to the aims of Murrumbidgee Local Environmental Plan 2014 as set down in Part 1, clause 1.2(2) which states:</p> <ul style="list-style-type: none"> (a) <i>to maintain and enhance agricultural land through the proper management, development and conservation of natural and man-made resources,</i> (b) <i>to encourage a range of housing, employment, recreation and community facilities to meet the needs of existing and future residents of Jerilderie,</i> (c) <i>to promote the efficient and equitable provision of public services, infrastructure and amenities;</i> (d) <i>to conserve the environmental heritage of the land to which this Plan applies.</i> <p>The objectives for the RE1 Public Recreation zone set down in the Land Use Table are as follows:</p> <ul style="list-style-type: none"> ▪ <i>To enable land to be used for public open space or recreational purposes.</i> ▪ <i>To provide a range of recreational settings and activities and compatible land uses.</i> ▪ <i>To protect and enhance the natural environment for recreational purposes.</i>

	<p>The proposed development is consistent with the aims of Murrumbidgee Local Environmental Plan 2013 and the objectives of the RE1 Public Recreation zone.</p>
<i>Development Standards</i>	<p>Section 4 of the Environmental Planning and Assessment Act 1979 defines a <i>development standard</i> as being a provision of an environmental planning instrument in relation to the carrying out of a development, being provisions by or under which requirements are specified or standards are fixed in respect to any aspect of the development.</p> <p>Part 4 of Murrumbidgee Local Environmental Plan 2013 identifies the principal development standards that apply. In this instance there are no development standards applicable to the proposed development.</p>
<i>Miscellaneous Provisions</i>	<p>Part 5 of Murrumbidgee Local Environmental Plan 2013 addresses numerous miscellaneous provisions. The following matters are of relevance to the proposed development:</p>
<i>5.10 Heritage conservation</i>	<p>Clause 5.10 of Murrumbidgee Local Environmental Plan 2013 sets down objectives in respect to the conservation of environmental heritage within part of the Murrumbidgee Council local government area. Specifically, it applies to the protection of heritage items and heritage conservation areas; development affecting places or sites of known or potential Aboriginal heritage significance; development affecting known or potential archaeological sites of relics of non-Aboriginal heritage significance; development in the vicinity of a heritage item; provision of conservation incentives; and development in heritage conservation areas.</p> <p>The subject site does not contain heritage item nor is it located within the vicinity of a heritage item listed in Schedule 5 of MLEP 2013.</p> <p>A search of the Office of Environment and Heritage (OEH) Aboriginal Heritage Information Management System (AHIMS) was undertaken on 12 August 2020. The search indicated that no aboriginal sites were recorded in or near the location (within 200m of the boundaries of each lot) nor have there been any aboriginal places recorded in or near the subject site. Notwithstanding the absence of recorded sites, there is a potential for aboriginal items to be uncovered during excavation works, and as a precaution it is recommended a condition of consent be imposed to reflect these concerns.</p>
<i>Additional local provisions</i>	<p>Part 6 of Murrumbidgee Local Environmental Plan 2013 identifies a number of additional local provisions that the consent authority must consider when evaluating a development application under section 4.15(1)(a)(i) of the Environmental Planning & Assessment Act, 1979.</p>
<i>6.1 Earthworks</i>	<p>The extent of earthworks associated with the development would include the excavation for footings associated with construction of the towers and these works would generally fall within the category of exempt development as set out in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.</p>
<i>6.2 Flood planning</i>	<p>Clause 6.2 applies to land that is at or below the flood planning level, which means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard. The subject land is below the FPL.</p>

The objective of this clause is to maintain terrestrial biodiversity and applies to the land identified as “*Biodiversity*” on the [Terrestrial Biodiversity Map](#). The map set out in Figure 2 identifies approximately 40% of the site has been mapped as being an area of biodiversity and therefore the provisions of this clause must be taken into consideration.

Figure 2 – Extract from Terrestrial Biodiversity Map²



As the proposed development does not take place on land identified in the BV Map and the BA&AN states that a Biodiversity Development Assessment Report (BDAR) is not required It should be noted that as the development does not involve any tree clearing, no BDAR would have been required anyway.

The SEE indicates that one tree will be removed, however the site inspection conducted as part of this assessment did not identify any vegetation that had to be removed to enable building works to proceed. Given the current use of the land and nature of works associated with the development it is unlikely that the development would have an impact on local native ecological communities, flora or fauna and their habitats.

² NSW Department of Planning, Industry and Environment, Murrumbidgee LEP 2012 Terrestrial Biodiversity Map.

<i>Clause 6.4 Groundwater vulnerability</i>	The object of Clause 6.4 is to maintain the hydrological functions of key ground water systems and to protect vulnerable groundwater resources from contamination as a result of inappropriate development. The entire site has been mapped as being groundwater vulnerable land on Groundwater Vulnerability Map . The proposed development will not result in any groundwater contamination, nor have a significant effect on natural flow regimes.
<i>Clause 6.5 Riparian land and watercourses</i>	The subject land has not been mapped as being within riparian corridor or within 40 metres of a watercourse as identified on the Watercourses Map .
<i>Clause 6.6 Wetlands</i>	The subject land has not been mapped as being part of a wetland on the Wetlands Map . The objective of clause 6.6 is to ensure that wetlands are preserved and protected from the impacts of development.
<i>Clause 6.7 Development on river front area</i>	Not applicable.
<i>Clause 6.8 Development on river beds and banks</i>	Not applicable.
<i>Clause 6.9 Essential services</i>	<p>The provisions of Part 6.9 of Murrumbidgee Local Environmental Plan 2013 states that the consent authority must be satisfied the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:</p> <ul style="list-style-type: none"> <i>(a) the supply of water,</i> <i>(b) the supply of electricity,</i> <i>(c) the disposal and management of sewage,</i> <i>(d) stormwater drainage or on-site conservation,</i> <i>(e) suitable vehicular access.</i> <p>Council can be satisfied that the proposed development will not require any amplification of services or alteration to any existing points of access to the site and is otherwise accords with clause 6.9 of MLEP 2013.</p>

4.15(1)(a)(ii) - the provision of any draft environmental planning instrument

At the time of preparing this report there is no draft environmental planning instrument that applies to the development or to land within the Murrumbidgee Council local government area relevant to the proposed development.

4.15(1)(a)(iii) - Development control plan

The provisions of Section 4.15(1)(a)(iii) require the consent authority to take into consideration any relevant development control plan. Murrumbidgee Council has two (2) development control plans in force, with Darlington Point and Coleambally Development Control Plan being the relevant document.

The provisions of the DCP do not include any specific controls relating to recreation facilities, other than for bowling alleys, squash courts or bowling greens – none of which are included as part of the development. If the development were considered as a commercial building, the rate of parking is 1/37m² which would require 10 spaces or if it were considered a stadium, then 1 space per 10 seats. If the Jerilderie DCP applied to the land, the parking demand would be 4.5 spaces per 100m² which would equate to 18 spaces. Lawfully Council can only apply a DCP that is relevant to the land, so in this instance on the Darlington Point and Coleambally DCP can be used, and Council may interpret the proposed development as a commercial building.

The SEE submitted with the DA does not fully address the parking required by the development nor does it provide any analysis of parking within the complex. The existing sports complex does not provide any formalised parking whatsoever, and like many similar rural regional sporting facilities provides ad hoc parking on the perimeter of the sporting field. The subject DA is a development will create a demand for carparking and a formal carpark is a desirable outcome and one which can be justified by way of condition of consent, as being for a planning purpose and fairly and reasonably relating to the development. The only question is to what is deemed to be an appropriate figure - which as stated above should be 10 spaces.

There is scope with the immediate location of the gym to create formal park spaces adjacent to the proposed building in a number of locations as shown in Figure 3 below.

Figure 3: Potential siting of car parking for gym



4.15(1)(a)(iia) - Planning agreement or draft planning agreement

The developer has not entered into any planning agreement under section 93F of the Act, nor has the developer offered to enter into any draft planning agreement under section 93F.

Relevant Section 7.12 contributions plan

The development is subject to the Murrumbidgee Council Section 94A contributions plans which applies to all development that is valued in excess of \$100,000. In this instance, the proposed development, being a recreation facility provided by Council, is exempt as per clause 1.7 of the contributions plan.

4.15(1)(a)(iv)- Matters prescribed by the regulations

Section 4.15(1)(a)(iv) requires Council to take into consideration the provisions of clauses 92-94 of the Environmental Planning and Assessment Regulation 2000.

<i>Clause 92(b) Additional matters for consideration</i>	<p>Clause 92(1)(b) of the Environmental Planning & Assessment Regulation 2000 requires the consent authority to consider the provisions of Australian Standard AS 2601-1991: The demolition of Structures. In this instance no demolition is proposed.</p> <p>The application is not for the carrying out of development on land that is subject to a subdivision order made under Schedule 5 to the Act.</p> <p>The development is not located within the local government area of Coonamble, City of Dubbo, Gilgandra or Warrumbungle (to which the Dark Sky Planning Guideline applies).</p>
<i>Clause 93 fire safety and other considerations</i>	<p>The development is not for a change of building use for an existing building.</p>
<i>Clause 94 consent authority may require buildings to be upgraded</i>	<p>The development does involve the rebuilding, alteration, enlargement or extension of an existing building.</p>
<i>Clause 94A fire safety and other considerations – temporary structures</i>	<p>The development is not for a temporary structure.</p>

4.15(1)(b) - The likely impacts of that development

<i>Context and setting</i>	<p>The proposed development is generally keeping with the nature of the surrounding land.</p> <p>The scenic quality and features of the landscape are not negatively impacted upon by the construction of the works proposed.</p> <p>The development will not result in any loss of views or vistas, will not impact on anyone's visual or acoustic privacy and will not overshadow any other property.</p>
<i>Access, transport and traffic</i>	<p>The proposed development will not generate any additional traffic that would impact on the road network. For reasons outlined above, formalised parking is required.</p>

<i>Public domain</i>		The development will not have an adverse impact on public recreation or the amount, location, design, use and management of public spaces.
<i>Utilities</i>		The site has access to power, gas, telecommunications, water and sewer. Amplification of services would be at the expense of the applicant and will have to be designed to meet the relevant authorities' requirements.
<i>Heritage</i>		Nil.
<i>Other resources</i>	<i>land</i>	Nil.
<i>Water</i>		Nil.
<i>Soils</i>		Nil.
<i>Air and microclimate</i>		Nil.
<i>Flora and fauna</i>		Council can be satisfied that the proposed development would not have an impact on local native ecological communities, flora or fauna and their habitats.
<i>Waste</i>		Nil.
<i>Energy</i>		Nil.
<i>Noise and vibration</i>		Nil.
<i>Natural hazards</i>		The subject site is not prone to natural hazards such as tidal inundation, subsidence, slip, mass movement or flooding. The land is mapped as being bushfire prone. This is discussed in the following section regarding the suitability of the site.
<i>Technological risks</i>		There are no known technological risks to people, property or the natural environment from the activities.
<i>Safety, security and crime prevention</i>		The proposed development would not pose any risk in terms of criminal activity, safety or security.
<i>Social & economic impact in the locality</i>		Nil.
<i>Site design and internal design</i>		The proposed site and design are considered satisfactory.

<i>Construction</i>	Should the application be approved conditions of consent will be placed on the development to ensure that no nuisance, soil erosion and sedimentation transport occurs, and in relation to hours of construction.
<i>Cumulative impacts</i>	Nil.

4.15(1)(c) - The suitability of the site for the development

Does the proposal fit in the locality ? The proposed development is in keeping with the locality and there a no constraints posed by adjacent development that would restrict or otherwise prohibit the development from proceeding.

Are the site attributes conducive to development ? The subject land is not affected by landslip, subsidence, acid sulphate soils nor has it has it been mapped as being subject to flooding. The entire site, shown in Figure 4 below, has been identified a being bushfire prone.

Figure 4: Bushfire Map³



The proposed development is located within the area mapped as Vegetation Category 2 (light orange) and Vegetation buffer (yellow).

According to the NSW Rural Fire Service Guide to Bush Fire Prone Land Mapping vegetation that is identified as Category 2 is considered to be a lower bush fire risk than both categories 1 and 3 and is be given a 30m buffer. This category “*has lower combustibility and/or limited potential fire*

³ Extracted from NSW Department of Planning, Industry and Environment planning portal, 4 December 2019

size due to the vegetation area shape and size, land geography and management practices”⁴. Vegetation in this category represent a lower risk to surrounding development and consist of remnant vegetation; or land that is managed; and the topography does not include upslope fire runs towards development.

The existing vegetation on Lot 86 DP 236144 comprises remnant vegetation and a parcel of land where the topography has previously been described as flat. The land is also managed due to its use as recreation grounds for organised sports. Further suitable access to the site and availability of a reticulated water would help support suppression by fire fighters.

Figure 5: Aerial image of category 2 vegetation⁵



On the basis that the land is bushfire prone, Council has considered the provisions of the NSW Rural Fire Service publication, *Planning for Bushfire Protection: A Guide for Councils, Planners, Fire Authorities and Developers* (November 2019) (PBP). The proposed development is not defined as a special fire protection purposes (SFPP) of Section 100B(6) of the NSW Rural Fire Service Act, 1997 and therefore is not categorised as integrated development for the purposes of Section 4.46 of the Environmental Planning and Assessment Act, 1979.

Chapter 8 of the BPB deals with Class 5-8 buildings, however clause 8.3.11 suggests that public assembly buildings such as a gymnasium, which are typically Class 9b buildings are also picked up within this

⁴ NSW Rural Fire Service, "Guide to Bush Fire Prone Land Mapping" p.11

⁵ Extracted from NSW Department of Planning, Industry and Environment planning portal, 4 December 2019

chapter. Clause 8.3.11 suggests that a referral to the NSW RFS is required where a public assembly building with a floor space of greater than 500m² as they would be treated technically as an SFPP. The proposed development has a floor area of less than 500m² (being 396m²) and Council has interpreted this as being compliant and not requiring a referral. The key concerns surrounding assembly buildings is that they can accommodate large numbers and have persons of various physical capabilities. In this instance it is proposed to cap the maximum number of occupants to 60 – not due to bushfire protection, but for the provision of amenities. It would be incorrect to assume that all users will be persons having full physical capabilities, as it could be used by persons undergoing rehabilitation from injury whose mobility may be compromised. The proportion of users in this category would however be thought to be low.

The PBP states that this type of development should not exceed a radiant heat level of greater than 10kW/m².

The following site assessment methodology has been undertaken with regard to the steps set down in Appendix 1 of the PBP. Section A1.10 identifies low threat vegetation exclusions from the provisions of AS 3959 and are not required to be considered for the purposes of PBP

*“Vegetation regarded as low threat due to factors such as flammability, moisture content or fuel load, including grassland managed in a minimal fuel condition, mangroves and other saline wetlands, maintained lawns, golf courses such as playing areas and fairways, **maintained public reserves and parklands, sporting fields**, vineyards, orchards, banana plantations, market gardens and other non-curing crops, cultivated gardens, arboretums, commercial nurseries, nature strips and windbreaks.”*

On this basis, further assessment is not considered necessary.

The soil characteristics are appropriate for the development, and there are no critical habitats, or threatened species, populations, ecological communities or habitats on the site.

The subject site is zoned RE1 Public Recreation and the permissibility of the development under Murrumbidgee Local Environmental Plan 2013 provides a broad indication that the site is suitable for the proposed development.

Based on the assessment under this and other sections within this report it is considered that the site is suitable for the proposed development.

4.15(1)(d) - Any submissions made

The provisions of the Environmental Planning and Assessment Act 1979 the Environmental Planning and Assessment Regulation 2000 and Jerilderie Development Control Plan set down consultation, concurrence and advertising requirements for specific types of development applications and taking into consideration any submissions received in response to the notification process.

4.15(1)(e) - The public interest

The provisions of Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979 provides an overarching requirement to consider the public interest. It is considered that the public interest is best served by the consistent application of the requirements of the relevant Commonwealth and State government legislation, environmental planning instruments, development control plan, Council policy, and by Council ensuring that any adverse effects on the surrounding area and the environment are avoided.

On the basis that the proposed development is considered to be consistent with the aims and objectives of Murrumbidgee Local Environmental Plan 2013 and other relevant environmental planning instruments, development control plans or policies; and Land and Environment Court Planning Principles, it is therefore unlikely to raise any issues that are contrary to the public interest.

Conclusion

The development application has been evaluated with regard to the matters for consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979. On the basis of this assessment it is considered the proposal has merit and the development can be supported for the following reasons:

- The proposed development is permissible within the zone under Murrumbidgee Local Environmental Plan 2013 and is consistent with the aims, objectives and special provisions of that environmental planning instrument.
- The proposed development is consistent with the provision the relevant SEPPs that apply.
- The proposed development, subject to the imposition of conditions, is unlikely to have any unreasonable impact on the environment, and where an adverse impact has been identified appropriate conditions have been imposed to mitigate the effects.
- The subject site is suitable for the proposed development.
- The proposed development does not raise any matter contrary to the public interest.

Recommendation

- (a) That Murrumbidgee Council as the consent authority pursuant to Section 4.16(1)(a) of the Environmental Planning & Assessment Act 1979 grant consent to Development Application No: DA 28-2020 for a *recreation facility (indoor)* on Lot 86 DP 236144, Coleambally Sportsground, Coleambally subject to the conditions.

ASSESSING OFFICER

Name:

Steven Parisotto, mpia
Town Planner

Date

19 August 2020

Signature:



PART A - ADMINISTRATIVE CONDITIONS

Approved Development

1. Development consent has been granted for a *recreation facility (indoor) care facility* at Lot 86 DP 236144, Coleambally Sportsground, Coleambally.

The development must be implemented substantially in accordance with Development Application No. 28-2020 received by Council and the below mentioned plans and/or documents, except where amended in red on the attached plans or modified by the conditions of consent.

Prepared By	Plan description	Project	Plan No.	Version	Date
Steven Murray Architect	Site plans	Proposed development of No. 1 Sports Oval Precinct	A01		Mar. 2020
Steven Murray Architect	Ground floor plans	Coleambally Sports Precinct	A120	B	Aug. 2020
Steven Murray Architect	Elevations	Coleambally Sports Precinct	A220 & A221	A	Aug.2020
Steven Murray Architect	Sections	Coleambally Sports Precinct	A420	A	Aug.2020

In the event of any inconsistency between conditions of this approval and documents referred to above, the conditions of this approval shall prevail to the extent of the inconsistency.

Environmental Planning & Assessment Act, 1979

2. The building works shall be carried out in conformity with the provisions of the Environmental Planning and Assessment Act, 1979, and the Regulations made thereunder, in accordance with the plans and specifications approved by Council.

Any alteration to the approved building, or expansion of the business, changes to the operating hours or variation of operation conditions and the like will require the submission of a further development application or a modification application under Section 4.55 of the *Environmental Planning and Assessment Act 1979*, to amend the consent.

Lapsing of Consent

3. In accordance with Section 4.53 of the Environmental Planning and Assessment Act, 1979 this consent is valid for a period of five (5) years from the date of consent.

National Construction Code

4. All works must be carried out in accordance with the following:
 - (a) All building work must comply with and be carried out in accordance with the requirements of the Building Code of Australia.

- (b) All plumbing and drainage works must comply with and be carried out in accordance with the requirements of the National Construction Code Vol. 3 and Plumbing Code of Australia (PCA).

Construction Certificate (Building Works)

- 5. In accordance with the provisions of Part 6, Divisions 6.2 and 6.3 of the Environmental Planning and Assessment Act, 1979 a person must not carry out building works, including associated excavation works (as applicable) until such time as:
 - (a) A *Construction Certificate* has been obtained from *Accredited Certifier* holding the appropriate accreditation under the Building Professions Act, 2005;
 - (b) A *Principal Certifier* has been appointed; and
 - (c) The person with the benefit of the development consent has given at least two (2) days notice to Murrumbidgee Council and the *Principal Certifier* of the person's intention to commence the erection of the building.

Services

- 6. The applicant is to be responsible for all amplification, extension and adequate provision for connection to services at their own expense and in accordance with the relevant standards.

It is the responsibility of the applicant to check that the proposed works do not affect any Council, electricity, telecommunications, gas or other services. Any required alterations to services will be at the developer's expense.

Disability Discrimination Act

- 7. The proposed development must be made accessible in accordance with the Building Code of Australia, Access to Premises Code and AS1428.1. The applicant/owner is advised that this approval does not guarantee compliance with the provisions of the Commonwealth *Disability Discrimination Act 1992* and the applicant should therefore consider their liability under the Act.

Aboriginal or Cultural artefacts

- 8. Should any Aboriginal artefacts, other cultural artefacts, archaeological relics or any object having interest due to its age or association with the past be located during the course of works, all works are to cease immediately and notification shall be provided to the Office of Environment and Heritage in accordance with the *National Parks and Wildlife Act 1974*. Work shall not recommence in the area until this is authorised by the Office of Environment and Heritage.

Note. Depending on the significance of the object uncovered, an archaeological assessment and excavation permit under the Heritage Act 1977 may be required before further the work can continue.

Overflow Gully

- 9. A minimum height of 150mm shall be maintained between the top of the overflow gully riser and the lowest fixture connected to the drain.

Long Service Levy

10. For work costing \$25,000 or more, a Long Service Levy shall be paid. For further information please contact the Long Service Payments Corporation on their Helpline 13 1441

PART B - PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

11. A Report and certification from an appropriately qualified person detailing the means of compliance with Volume 1, Part J of the National Construction Code 2019.
12. The following information shall be submitted for assessment when applying for a Construction Certificate:
- (a) A schedule and location of all proposed essential services in the building in accordance with Section E of the *Building Code of Australia*.
 - (b) Details from a suitably qualified and practising Structural Engineer in regard to:
 - (i) footings;
 - (ii) reinforced concrete slabs;
 - (iii) structural steelwork;
 - (iv) wall bracing and tie-down requirements;
 - (c) Proposed method of stormwater disposal.
13. When issuing a Construction Certificate, an accredited certifier must attach a Fire Safety Schedule specifying all of the *fire safety measures* required for the building so as to ensure the safety of the persons in the building in the event of fire.

PART C - PRIOR TO COMMENCEMENT OF CONSTRUCTION WORK

14. Prior to the commencement of construction works the person of entity with the benefit of the development consent shall ensure that:
- (a) A Construction Certificate must be obtained from an Accredited Certifier prior to work commencing.
 - (b) Any construction works, including vehicle access, footpaths, stormwater drainage or the like on a public road require a road opening permit from the Council.
 - (c) Prior to commencing work the person having the benefit of the consent has:
 - (i) appointed a principal certifying authority for the building work, and
 - (ii) notified the principal certifying authority that the person will carry out the building work as an owner-builder, if that is the case, and
 - (iii) The principal certifier has, no later than 2 days before the building work commences:
 - (iv) notified the person having the benefit of the consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and

- (v) the person having the benefit of the consent, if not carrying out the work as an owner-builder, has:
 - appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and
 - notified the principal certifying authority of any such appointment, and
 - unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
 - the person having the benefit of the complying development certificate has given at least 2 days' notice to the council, and the principal certifying authority if that is not the council, of the person's intention to commence the erection of the building.
- (d) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (i) showing the name, address and telephone number of the principal certifying authority for the work, and
 - (ii) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

- (e) A section 68 approval under the Local Government Act 1993, shall be obtained prior to any plumbing or drainage works.

The licensed plumber must submit to Council, at least two (2) days prior to the commencement of any plumbing and drainage works on site a "Notice of Works". A copy of the Notice of Works form can be found on the Department of Fair Tradings website

- (f) A traffic Control Plan (TCP) shall be prepared in accordance with the Roads and Maritime Services most current edition of Traffic Control at Work Sites Manual (RMSTCWSM) prior to any works on the road reserve commencing.

15. The following stages must be inspected and passed prior to the subsequent stages of construction. **Twenty-four (24) hours'** notice shall be given to the Principal Certifying Authority allow scheduling of the inspection.

- (a) After excavation for, and prior to the placement of, any footings, and prior to pouring any in-situ reinforced concrete building element;
- (b) When internal sanitary drainage is laid ready for test. All drainage must be under water test at the time of the inspection;
- (c) When external sanitary drainage is laid ready for test. All drainage must be under water test at the time of the inspection;
- (d) The framework for any floor, wall, roof, or other building element prior to covering with any external element (including sarking, brickwork or cladding);
- (e) Pre-sheet inspection of the framework upon completion of hot and cold plumbing, electrical work and insulation.

Note: Hot and cold water should be under pressure test at the time of inspection

- (f) Prior to covering waterproofing in any wet areas;

- (g) Prior to backfilling or covering any stormwater drainage and connections to point of discharge;
- (h) After all building work has been completed and prior to any occupation certificate being issued in relation to the building.

PART D - DURING CONSTRUCTION

16. For the duration of any work on site, the builder must maintain a copy of the specification, stamped approved plans and a copy of the Development Consent (Notice of Determination) and Construction Certificate on site and shall comply with the following requirements:

- (a) applicant shall ensure that a suitable builders' toilet is situated on the property during construction;
- (b) Access to the site shall be restricted by way of safety/security fencing and the access point clearly delineated;
- (c) All waste generated during the construction stage shall be stored on-site in suitable receptacles and disposed of to a licensed waste disposal or recycling facility.
- (d) Work on the project shall be limited to the following hours:
 - (i) Monday to Friday - 7:00 am to 6:00 pm
 - (ii) Saturday - 8:00 am to 5:00 pm
 - (iii) No work to be carried out on Sunday/Public Holidays, without the prior consent of Council.

Plumbing and Drainage

17. A plumbing and drainage design (sewer service design) plan is to be submitted to and approved by Council prior to the external drainage inspection being booked. This plan is to be prepared in accordance with the requirements of the Department of Fair Tradings Standards and references which are listed on the Departments website.

18. The proposed development shall be connected to Council's sewer main to service the proposed development. Design drawings and work-as-executed (WAE) drawings are required to be submitted and approved to the satisfaction of Council.

19. The water service shall have a testable backflow prevention device in accordance with AS/NZS 3500.1 and to the satisfaction of Council.

20. Stormwater shall be collected and discharged in accordance with the approved stormwater plan.

SafeWork NSW

21. The developer is required to comply with any and all requirements of the SafeWork NSW.

PART E - PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

Car parking

22. Prior to the issue of a final Occupation Certificate the person or entity with the benefit of the consent shall:
- (a) Construct a car park with a minimum of ten (10) car parking spaces, including two (2) accessible parking spaces, shall be constructed in accordance with the provisions of AS2890. The spaces are to be made freely available to staff and visitors to the site at all times during the approved hours of operation.
 - (b) A Continuously Accessible Path of Travel (CAPT) is to be provided which connects the accessible car parking spaces to the building. The CAPT must conform to the requirements of Australian Standard 1428.1 – Design for access and mobility.
 - (c) Prepare a masterplan for carparking within the entire sporting precinct.

Arrange issue of Occupation Certificate

23. A final Occupation Certificate must be issued by the Principal Certifying Authority prior to occupation or use of the development. In issuing an occupation certificate, the Principal Certifying Authority must be satisfied that the requirements of section 109H of the *Environmental Planning and Assessment Act 1979* have been satisfied.
24. When all work as indicated on the approved plans/specifications completed and the following conditions are satisfied, the applicant shall notify the PCA to arrange for the issue of a final **Occupation Certificate**.
25. A Certificate of Compliance must be submitted to the Council and a copy provided to the person for whom the work was carried out, on completion of the final plumbing and drainage inspection.
26. The signed certificate of compliance and sewer service diagram must be submitted to the Department of Fair Trading, and the property owner within seven (7) days.

Fire Safety Certificates

27. A Final Fire Safety Certificate must be issued for the building prior to the issue of an Occupation Certificate. As soon as practicable after a Final Fire Safety Certificate is issued, the owner of the building to which it relates must cause a copy of the certificate (together with a copy of the current fire safety schedule) to be prominently displayed in the building.

An **ongoing requirement of the development** is to provide and annual Fire Safety Statement, each twelve months after the original certificate was issued.

28. Certification by an appropriately qualified person confirming that the building as constructed complies with the Part J Report provided with the Construction Certificate documentation.

PART F - ONGOING CONDITIONS

Maximum number of occupants

29. The maximum number of occupants using the gymnasium at any one time shall be limited to 60 persons.

Hours of operation

30. The hours of the operation of the gymnasium shall be confined to 7.00am and 7.00pm Monday to Friday unless other arrangements satisfactory to Council are made.

Amenity

31. The use shall not interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, wastewater, waste products or grit, oil or otherwise.

Access, loading and unloading

32. The person or entity with the benefit of the development consent shall ensure the following requirements are adhered to for the lifetime of the development:

- (a) All loading and unloading of vehicles shall be conducted on site with the lease area.
- (b) All vehicles shall enter and leave the site in a forward direction. This may exclude the on-street indented parking arrangement.

Annual Fire Safety Statement

33. The owner shall supply to the Council an Annual Fire Safety Statement which is to state that each essential fire or other safety measure installed in the building has been inspected and tested by a competent person and that the service was or was not designed, installed and capable of operating at the required standard.

Reason: To ensure the ongoing maintenance of fire and safety equipment.

PART G – ADVISORY CONDITIONS OF ESSENTIAL ENERGY

34. If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment;
35. Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with; and
36. In addition, Essential Energy's records indicate there is electricity infrastructure located within the property. Any activities within this location must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure.

37. Prior to carrying out any works, a “Dial Before You Dig” enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW).
38. Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets.
39. There is a underground supply around the site that is not part of Essential Energy’s network it is the developers responsibility to meet the requirements of AS3000.

Reasons for Conditions

- A. To protect the amenity of the locality and public interest.
- B. To minimise impact on the environment.
- C. To ensure compliance with legislative requirements.



Murrumbidgee COUNCIL

STATEMENT OF ENVIRONMENTAL EFFECTS STANDARD FORM – FOR MINOR DEVELOPMENTS ONLY

About this form

A Statement of Environmental Effects (SEE) is required to accompany all development applications. This SEE template is designed to form an attachment to the Development Application. It can only be used for the following development types:

Applicable Development Types	
✓	Dwellings, single storey in the RU1, RU5 and R5 zones.
✓	Single shops or commercial premises in the RU5 zone*
✓	Residential alterations and additions
✓	Ancillary residential buildings and structures such as, verandahs, carports, garages, sheds, pergolas, swimming pools.

* Please note that a heritage impact statement is required for all premises within the Heritage Conservation area. This will be required for the majority of developments in the commercial precinct of Jerilderie.

Developments not listed above may require a SEE with greater detail. Please contact Council's Environmental Services section for further information.

The SEE must address all impacts that are relevant to your proposal, with comment on how the development will control or mitigate the impact. No matter how minor the impact please advise Council in this document.

Failure to provide the requested items will delay processing of the development application and may result in the application being returned to you for completion or you receiving an additional information request from Council.

Application Details			
Applicant		MURRUMBIDGEE COUNCIL.	
Land to be Developed			
Street No.		Street Name	FALCON STREET
Lot No.	86	Suburb	COLLAMBALEY.
Section No		DP No.	236144.

Description of Proposed Development
Where applicable include a description of matters such as proposed buildings, proposed building materials, nominated colour scheme. Nature of use, staging of the development, details of any demolition and other works to be carried out in site.
Gym & Alteration To Existing Change Room.

Planning Controls		
Is your proposal permissible in the zone under Jerilderie LEP 2012 <u>OR</u> Murrumbidgee LEP 2013?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Is your proposal consistent with the zone objectives?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Is your proposal in accordance with Jerilderie DCP <u>OR</u> Darlington Point & Coleambally DCP?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
If you answered no to any of the above questions please discuss your application with Council staff.		
Are there any other planning controls relevant to your proposal	<input type="radio"/> Yes	<input checked="" type="radio"/> No
If yes please list controls and how the application complies.		

Description of Site
Include where applicable a description of the physical features of the site such as shape, slope, vegetation, waterways.
Development To Be Constructed Over Grass Area & Existing Roadway Which Is To Be Relocated
What is the present use and previous use(s) of the site?
Sport Precinct

Is the development site subject to any of the following natural hazards?		
<input checked="" type="checkbox"/> Bushfire Prone	<input type="checkbox"/> Flooding	<input type="checkbox"/> Storm water inundation
Note: If the site is identified as Bushfire Prone it will be necessary to address the Planning for Bushfire Protection Guidelines. For further information please consult the NSW Rural Fire Service website www.rfs.nsw.gov.au		
How will you mitigate the impact of the natural hazards for this development?		
<p>THE WHOLE TOWN SITE OF COLGAMBALLY IS BUSHFIRE PRONE. FOR WHERE THE DEVELOPMENT IS GOING WILL PUT NO IMPACT ON ANY OF THE SURROUNDING BUILDINGS AS THERE IS GREEN SEPARATION BETWEEN THEM</p>		

Is the site constrained by any of the following? Please refer to relevant LEP Maps	
<input checked="" type="checkbox"/> Terrestrial biodiversity	<input checked="" type="checkbox"/> Groundwater vulnerability
<input type="checkbox"/> Riparian Land and Watercourses	<input type="checkbox"/> Wetlands
<input type="checkbox"/> Item of Environmental Heritage or in conservation area *	
How will you mitigate the impact of the development on these constraints?	
<p>THE SITE IS CLEAR OF ANY TREES OR ALIKE. ENGINEER MAY HAVE TO COME UP WITH ALTERNATE SOLUTION IF GROUND WATER BE COMING OVERWALMING.</p>	
*Note a Heritage Impact statement may be required. Please discuss with Council	
What types of land use and development exist on the surrounding land?	
<p>THE WHOLE AREA IS IN THE SPORTING PRECINCT.</p>	

Context and Setting - Will the development be:			
Visually prominent in the surrounding area?		Yes	No
Inconsistent with the existing streetscape?		Yes	No
Out of Character with the surrounding area?		Yes	No
Inconsistent with surrounding land uses?		Yes	No
Vary a building line setback		Yes	No
If you answered yes to any of the above please provide details and justification for the proposal?			
Privacy, Views and Overshadowing			
Will the development result in any privacy issues between adjoining properties as a result of the placement of windows, decks, pergolas, private open space etc?		Yes	No
Will the development result in the overshadowing of adjoining properties resulting in an adverse impact on solar access?		Yes	No
Will the development result in any acoustic issues between adjoining properties as a result of the placement of active use outdoor areas, vehicular movement areas, air conditioners, pump, bedroom and living room windows etc?		Yes	No
Will the development impact on views enjoyed from adjoining or nearby properties and public places such as parks, road or footpaths?		Yes	No
If yes please provide details of issue. Some issues will require plans, i.e. overshadowing.			
<p>Room IS BEING MOVED. & New FOOT PATH ARE TO BE PUT IN ONCE PROJECT IS FINISHED.</p>			


Access, Traffic and Utilities			
Is legal and practical access available to the development?	<input checked="" type="radio"/> Yes	<input type="radio"/> No	
Will the development increase traffic movements/volumes?	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
If Yes by how much and what types of Vehicles?			
Are additional access points to a road network required?	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Has vehicle manoeuvring and onsite parking been addressed in the design?	<input checked="" type="radio"/> Yes	<input type="radio"/> No	
Is power, water, electricity, sewer and telecommunication service readily available to the site?	<input checked="" type="radio"/> Yes	<input type="radio"/> No	
Comments			
Min Increases But Will Be At Different Times Of The Day To Existing User			
Environmental Impacts			
Is the development likely to result in any form of air pollution (smoke, dust odours etc?)	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Does the development have the potential to result in any form of water pollution (i.e. sediment from runoff)?	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Will the development have any noise impacts above background noise levels? (i.e. air conditioner units, pool pumps)?	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Does the development involve any significant excavation or filling?	<input checked="" type="radio"/> Yes	<input type="radio"/> No	
Could the development cause erosion or sediment runoff (including during construction)?	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Is there a likelihood in the development resulting in site contamination?	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Is the development considered to be environmentally sustainable (including provisions of BASIX certificate where required)?	<input checked="" type="radio"/> Yes	<input checked="" type="radio"/> No	
Is the development situated in a heritage conservation area or likely to have an impact on any heritage item or item of cultural significance?	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Is the development likely to disturb any aboriginal artifacts or relics?	<input type="radio"/> Yes	<input checked="" type="radio"/> No	
Comments			
Fill To Bring It Up To Existing Change Room Floor Level A Retaining Wall Is To Be Put In (Brick).			

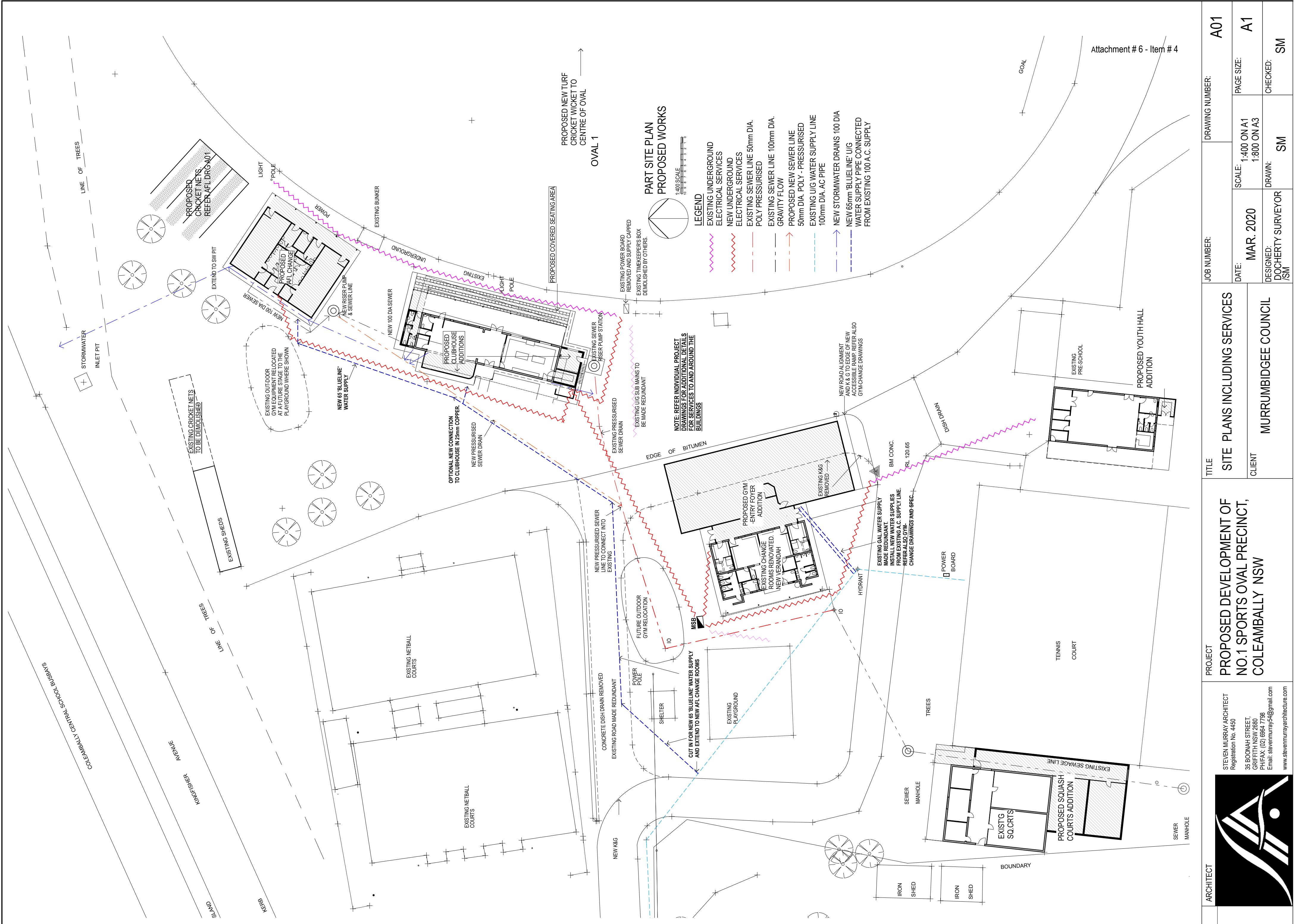
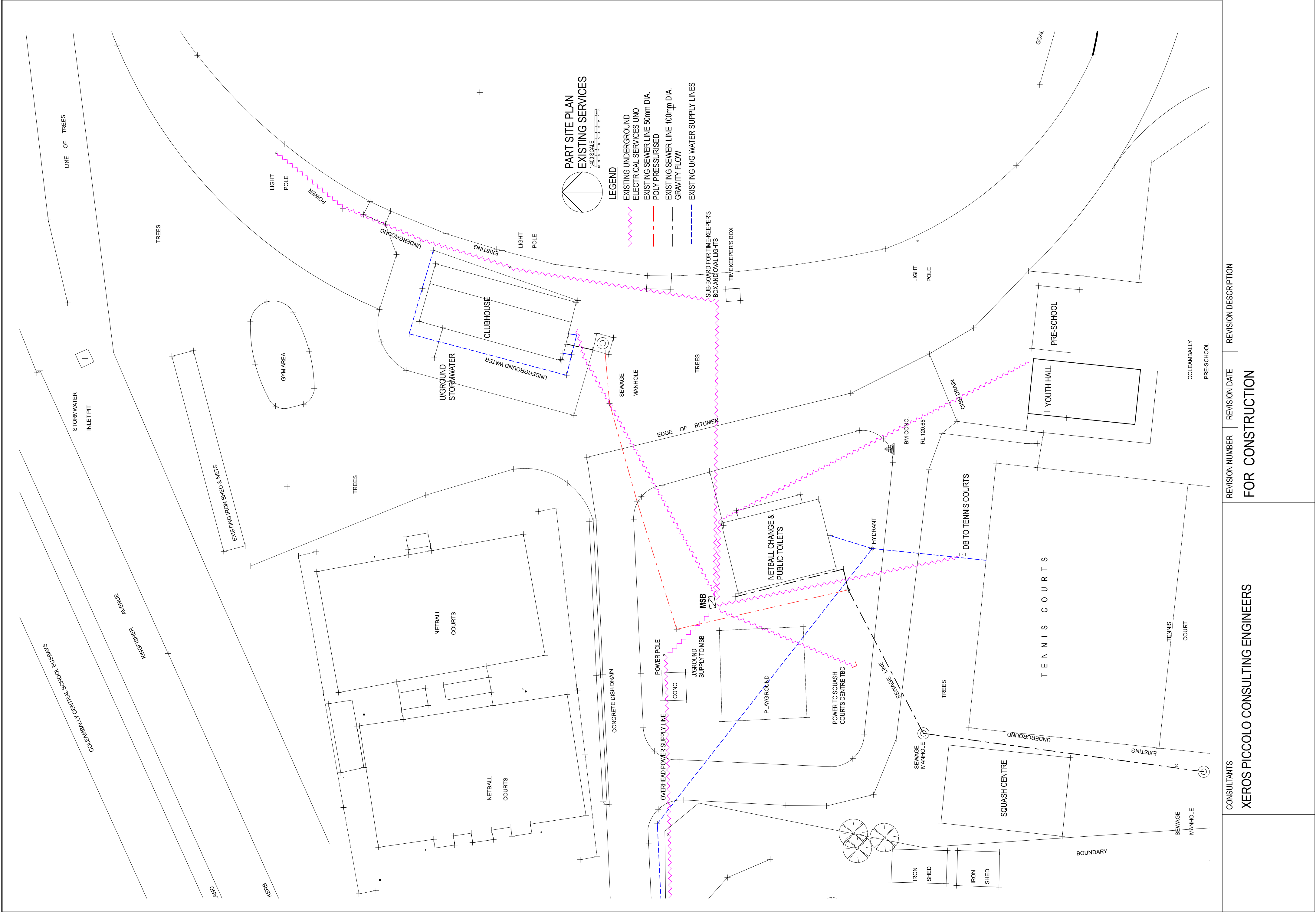
Flora and Fauna – for www.threatenedspecies.nsw.gov.au threatened species please visit:		
Will the development result in the removal of any native vegetation from the site?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Is the development likely to have any impact on threatened species or native habitat?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
If the answer is yes to either of the above questions it may be necessary to have a formal seven part test completed to assess the impact on threatened species – please contact Council for further information.		
Comments		
1 MURRAY PINE TREE TO BE REMOVED.		
Waste and Stormwater Disposal		
How will effluent be disposed of	<input checked="" type="radio"/> Sewer	<input type="radio"/> Septic
Will liquid trade waste be discharged to Council's sewer?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Will the Development result in any hazardous waste or other waste disposal issue?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
How will stormwater (from roof and hard standing areas) be disposed of?	<input checked="" type="radio"/> Council system	<input type="radio"/> Other (Provide Details)
Details: KURB & CUTTUR TO RUN STORMWATER TO THE NORTH INTO TABLE DRAIN ALONG ROAD.		
Have all potential overland stormwater risks been considered in the design of the development?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
Comments:		
Social And Economic Impacts		
Will the proposal have any economic or social consequences in the area?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Has the development addressed safety, security or crime prevention issues?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Comments		
MAY BRING MORE PEOPLE TO TOWN FROM THE SURROUNDING FARMING AREA.		


Other Relevant Matters

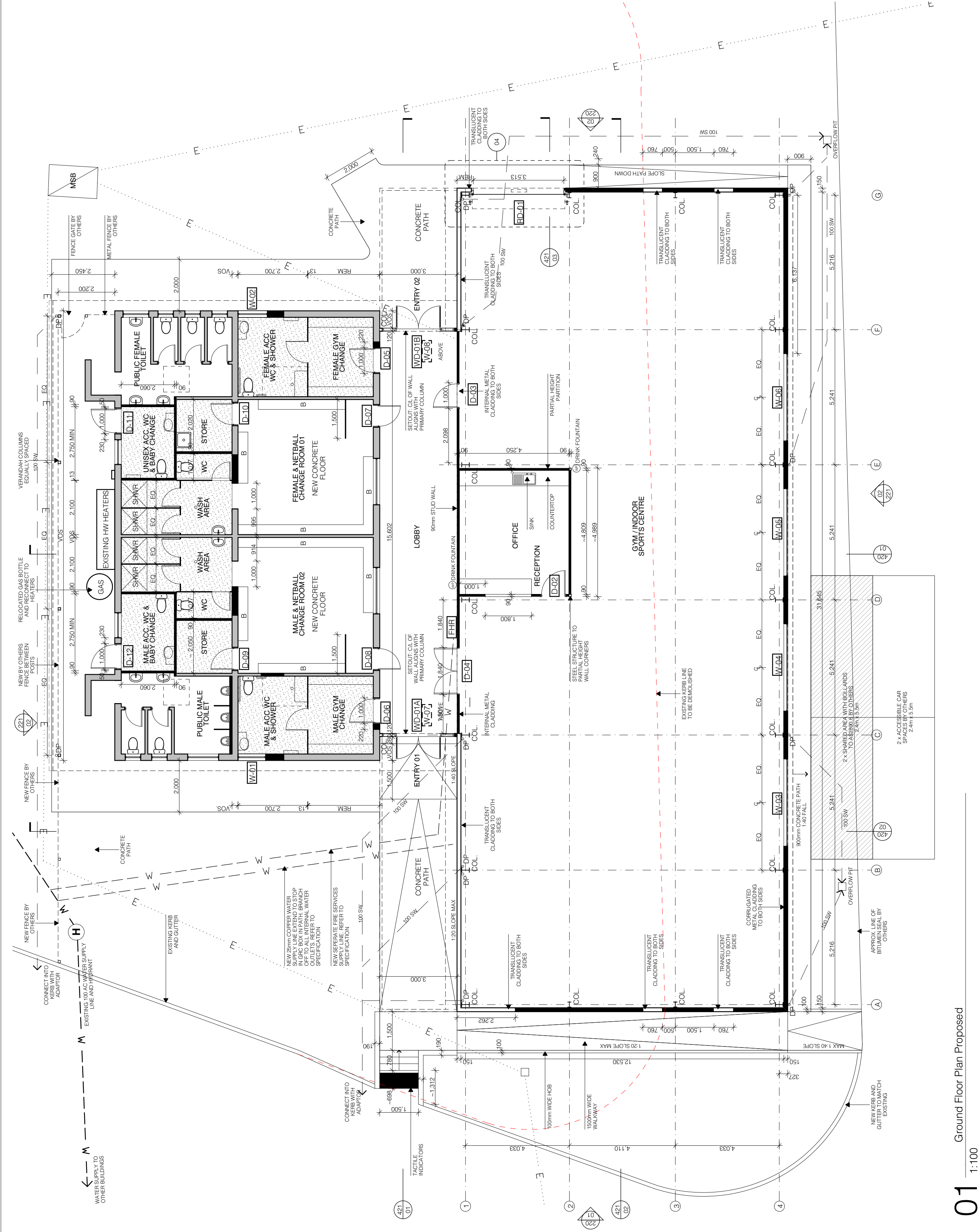
Are there any other matters for consideration that you are aware of as developer?

As This Area Is Used For Sport The Gym Will Add Another Benefit & Use Of The Area & Benefit The Community.

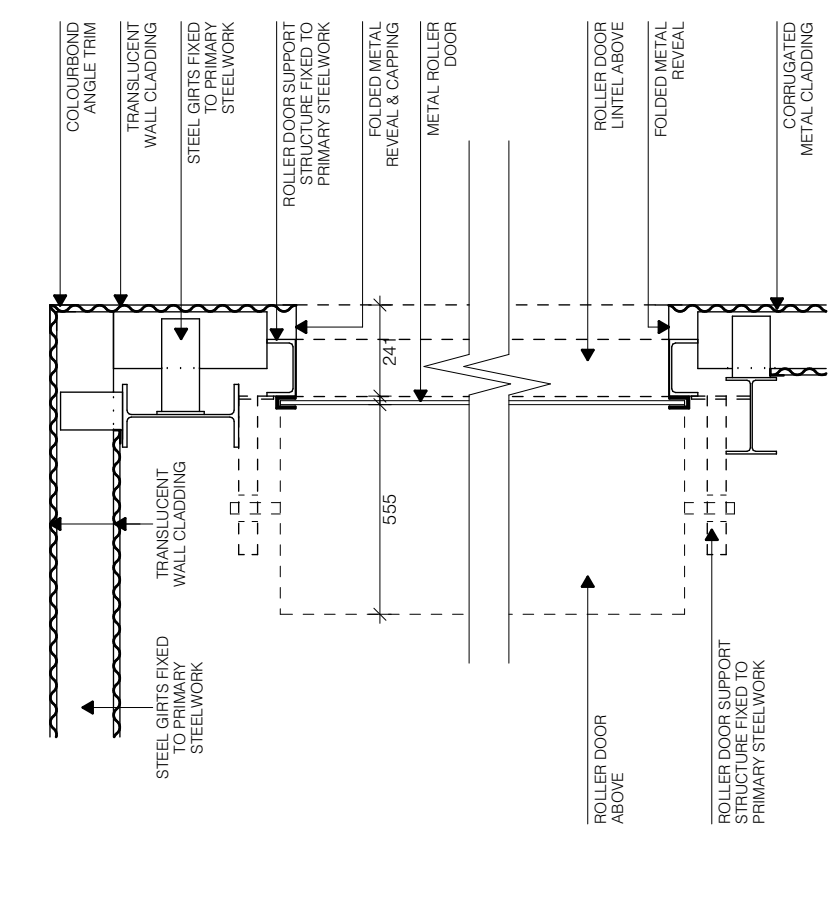
Applicants Declaration	
I/we declare to the best of my/our knowledge and belief, that the particulars stated on this document are correct in every detail and that the information required has been supplied. I/we acknowledge that the development application may be returned to me if information is found to be missing or inadequate.	
Signature(s)	
Name(s)	Ben Warr
Date	8/7/2020
Legal References	
<p>Section 78A(9) of the Environmental Planning and Assessment Act 1979 states that the regulations may specify what is required to be submitted with a development application.</p> <p>Section 50(1)(a) of the Environmental Planning and Assessment Regulation 2000 states that development applications must contain information and documents specified in schedule 1 part 1.</p> <p>Schedule 1, part 1, subclause 2(1)(c) of the Environmental Planning and Assessment Regulation 2000 requires the submission of Statements of Environmental Effects (SEEs) with all development applications (other than complying and designed development).</p> <p>Schedule 1, part 1, subclause 4 of the Environmental Planning and Assessment Regulation 2000 states that such SEEs must show:</p> <ul style="list-style-type: none"> • The environmental impacts of the development • How the impacts have been identified • The steps to be taken to protect the environment or lessen the expected harm to the Environment • Any matters required to be indicated by any guidelines issued by the Director-General. <p>The Applicant is advised that Council will make copies of (including electronic copies) of the development application and accompanying documents for the purpose of complying with its obligations under the Environmental Planning And Assessment Act 1979 and the Local Government Act 1993. The applicant is responsible for obtaining all copyright licenses necessary from the copyright owners for this purpose.</p>	



	CONSULTANTS XEROS PICCOLO CONSULTING ENGINEERS	FOR CONSTRUCTION	REVISION NUMBER	REVISION DATE	REVISION DESCRIPTION	ARCHITECT  STEVEN MARSH ARCHITECT Registration No. 4450 35 BOONAH STREET, SYDNEY NSW 1585 PH: (02) 9861 7788 Email: stevenmarshy@gmail.com www.stevenmarsharchitecture.com	PROJECT	TITLE		JOB NUMBER:		DRAWING NUMBER:		A01	
							PROPOSED DEVELOPMENT OF NO.1 SPORTS OVAL PRECINCT, COLEAMBALLY NSW								
							CLIENT	MURUMBIDJEE COUNCIL							
							DATE:		MAR. 2020		SCALE: 1:400 ON A1 1:800 ON A3		PAGE SIZE: A1		
						DESIGNED: DOCHERTY SURVEYOR		DRAWN: SM		CHECKED: SM		SM			

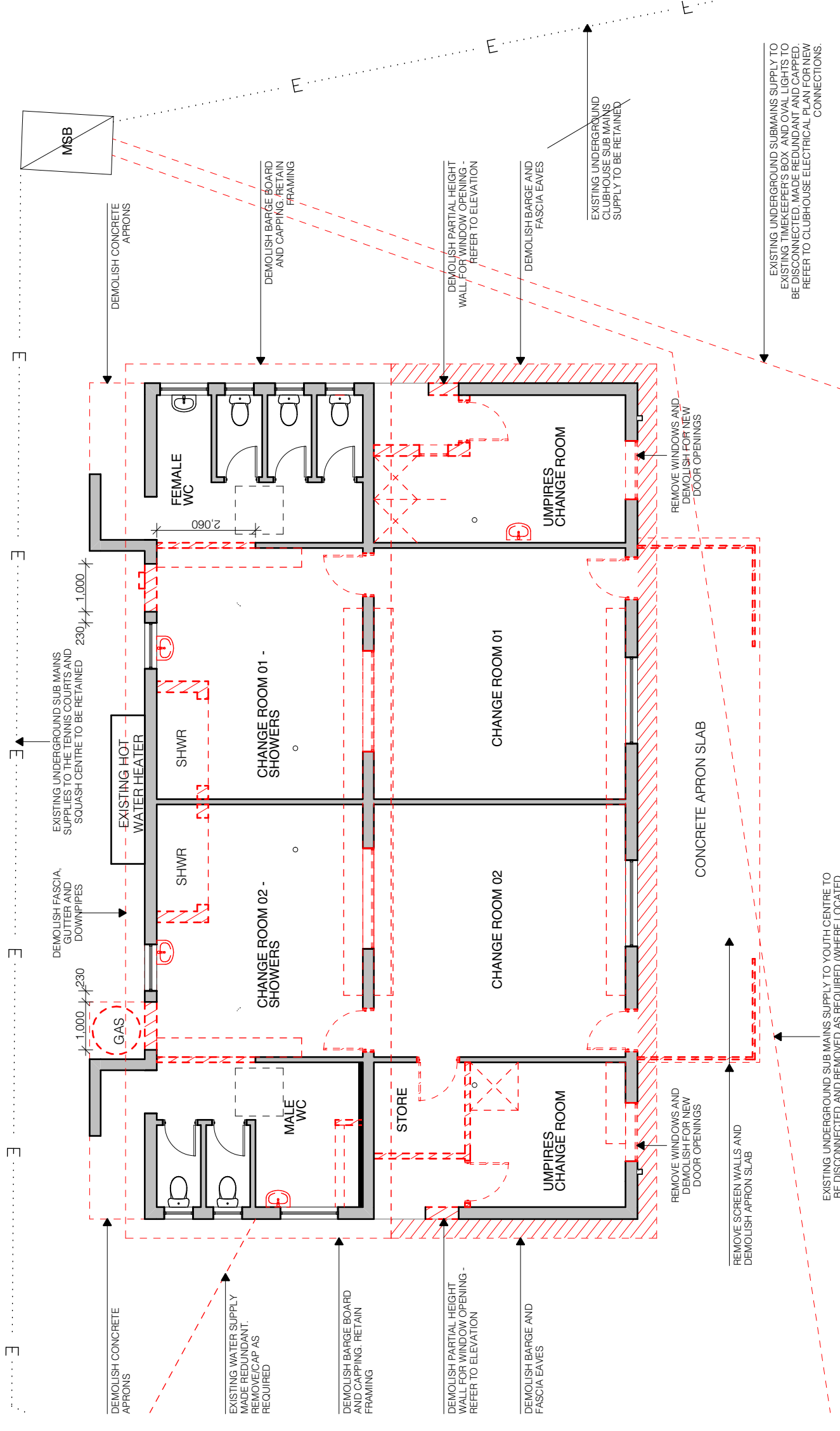


01 Ground Floor Plan Proposed 1:100

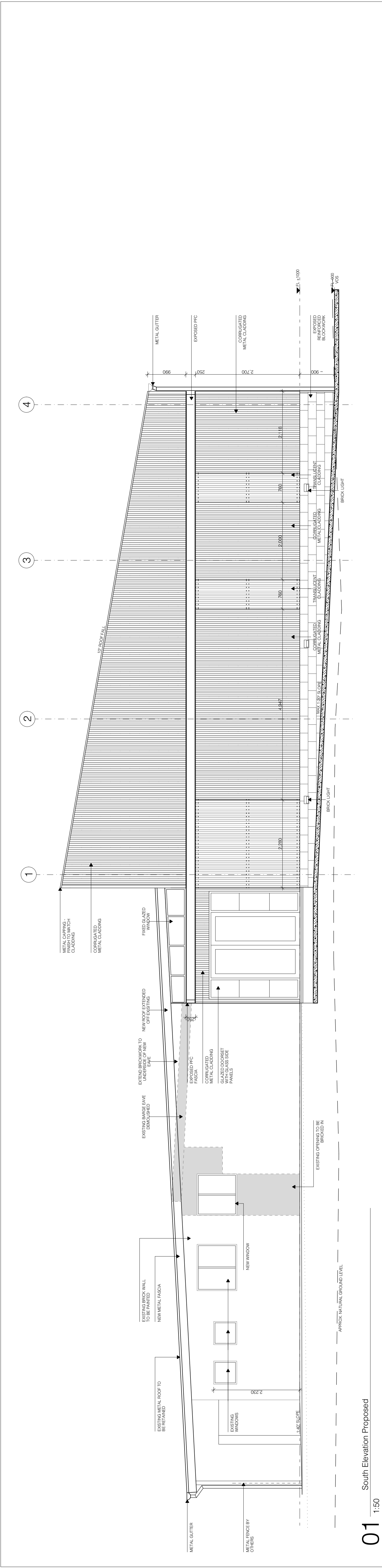


04 Roller Door Detail Plan Proposed 1:20

02 Ground Floor Plan - Existing 1:100

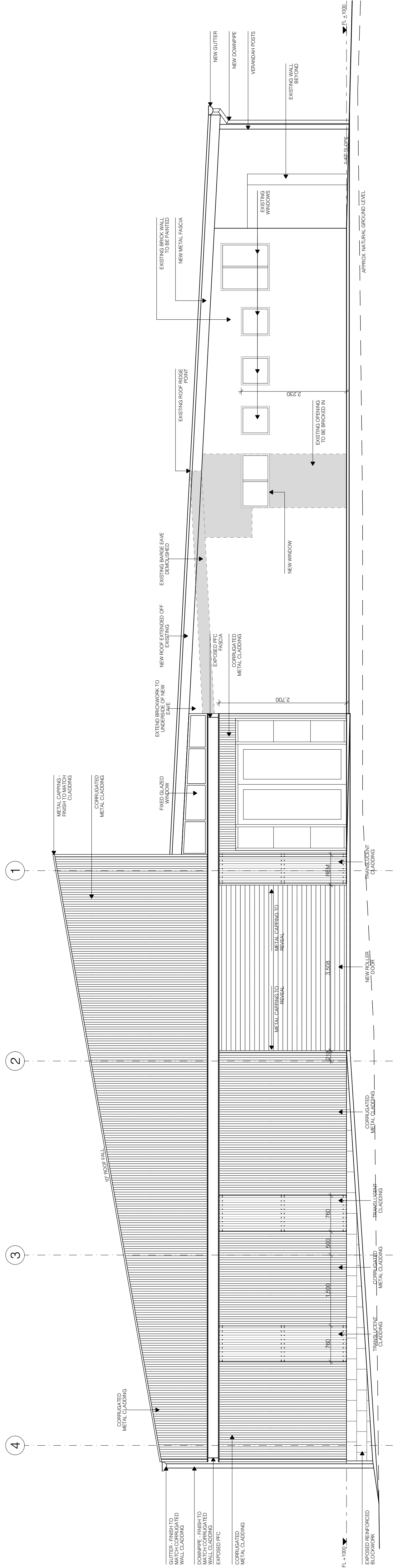


03 Ground Floor Plan - Demolition 1:100



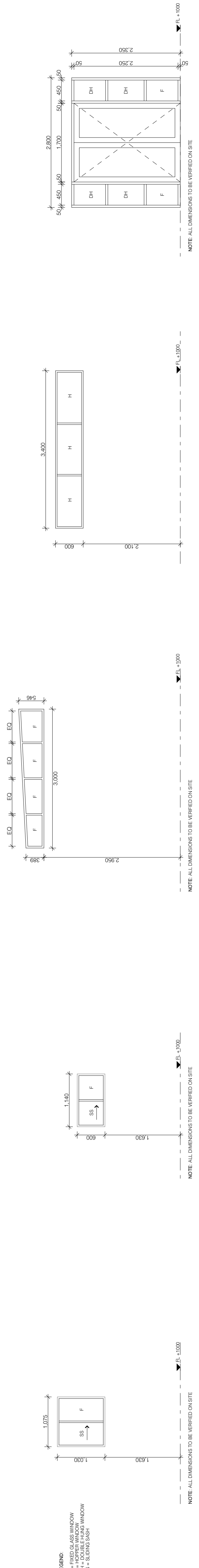
01 South Elevation Proposed

1:50



02 North Elevation Proposed

1:50



03 Window Type W-01

1:50

04 Window Type W-02 & W-03

1:50

05 Window Type W-08 & W-09


1:50

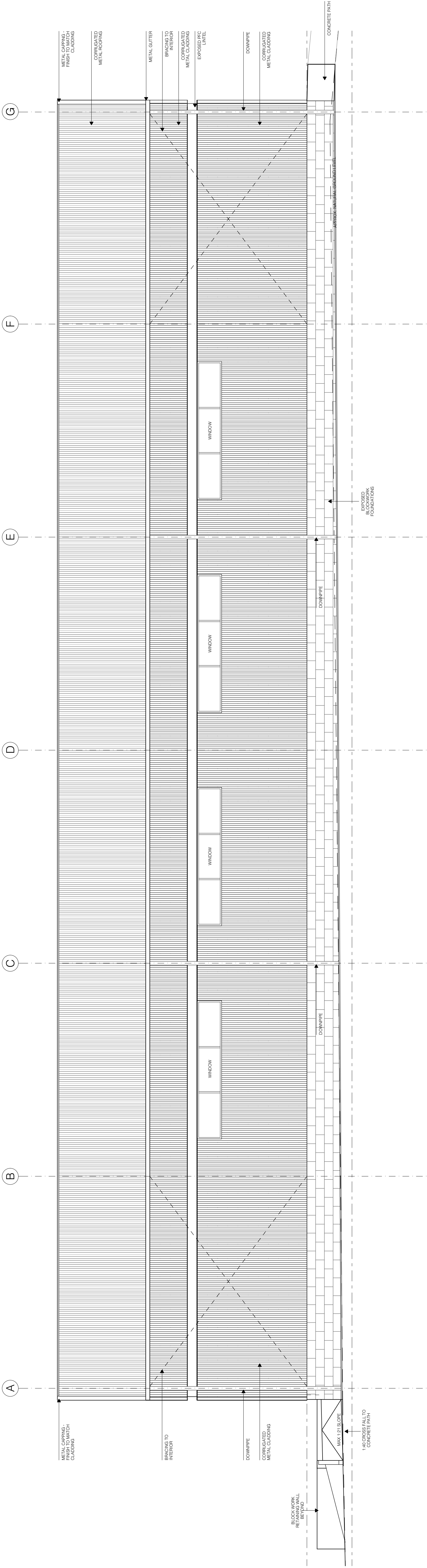
06 Window Type W-03, W-04, W-05 & W-06

1:50

07 Door Type WD-01A & WD-01B

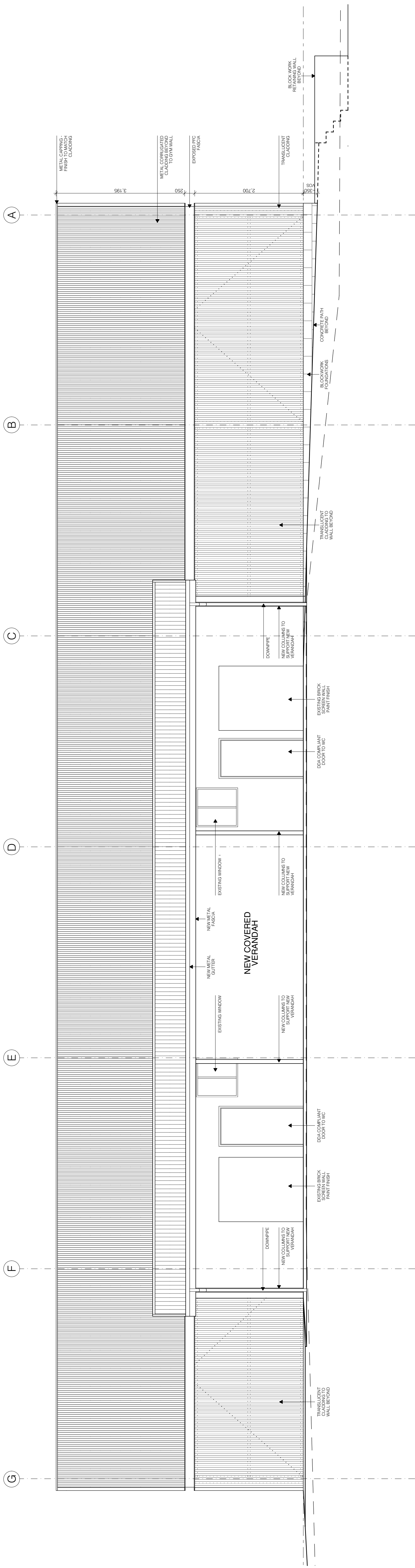
1:50

	STEVEN MURRAY ARCHITECT RESIDUAL PHONE: 450 450 450 P: +61 2 6844 7798 G: +61 2 6844 7798 E: stevenmurrayarchitect@gmail.com	DRAWING TITLE Elevations		CONSULTANTS Xenos Piccolo - Consulting Engineers BSC - Building Services Group		REVISION DESCRIPTION FOR TENDER CONSTRUCTION UPDATE		DRAWING NUMBER A220	
		PROJECT Coleambally Sports Precinct Client: Murrumbidgee Council		REVISION DATE MARCH 2020 18.08.2020		REVISION A		REVISION A	
		DESIGNED TM DRAWN TM CHECKED SM		DATE AUG 2020		SCALE 1:50 @ A1		JOB No. 101	



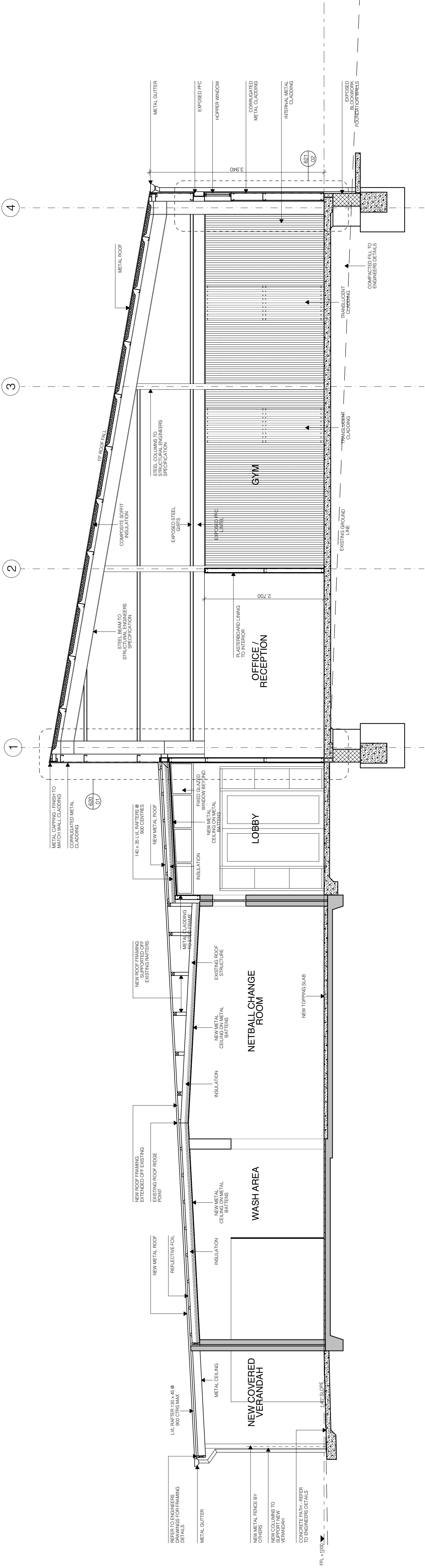
01 East Elevation Proposed

1:50



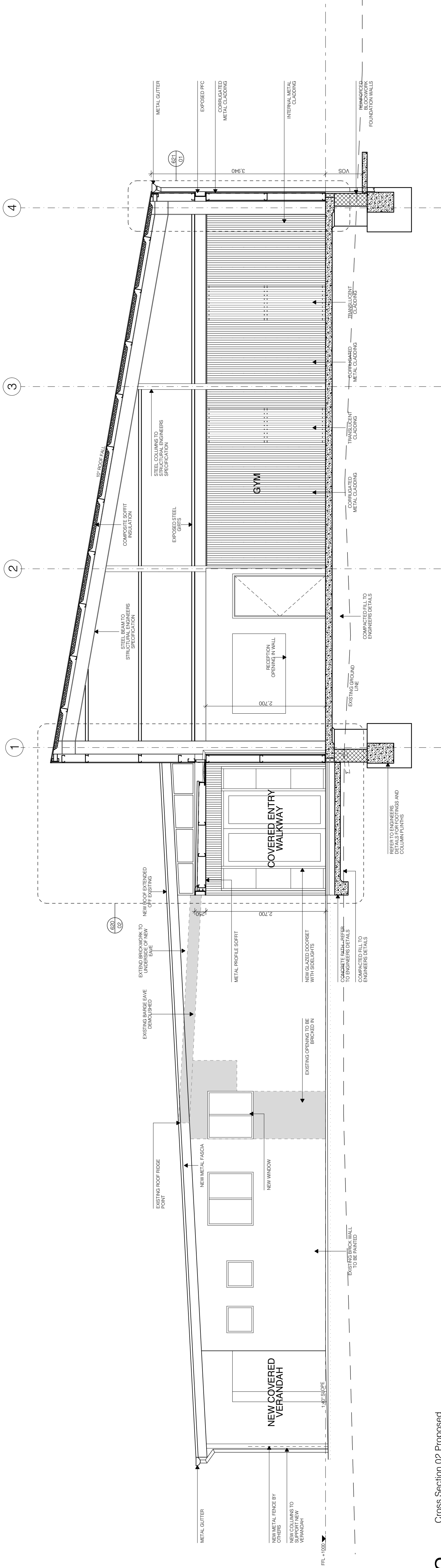
02 West Elevation Proposed

1:50



01 Cross Section 01 Proposed

1:50



02 Cross Section 02 Proposed

1:50



STEVEN MURRAY ARCHITECT
RESIDUAL PHONE: 450 450 450
P: 451 2 684 798
E: stevenmurrayarchitect@gmail.com

The Builder shall check all dimensions and levels on site prior to construction. Any errors, omissions or omissions shall be the responsibility of the Builder. The design is for construction purposes only and is not to be used for any other purpose. The design is for construction purposes only and is not to be used for any other purpose. The design is for construction purposes only and is not to be used for any other purpose.

DRAWING TITLE

Sections Proposed

PROJECT
Coleambally Sports Precinct
Client: Murrumbidgee Council
JOB No. 101 SCALE 1:50 @ A1 DATE AUG 2020
DESIGNED TM DRAWN TM CHECKED SM

CONSULTANTS
Xenos Piccolo - Consulting Engineers
BSC - Building Services Group

REVISION NUMBER
- A
REVISION DATE
MARCH 2020
18.08.2020
REVISION DESCRIPTION
FOR TENDER
CONSTRUCTION UPDATE

DRAWING NUMBER
A420

REVISION
A

From: [Melinda White](#)
To: [Heidi Bryce](#)
Cc: [Ben Nash](#); [Kelly Tyson](#)
Subject: CM: FW: DA28-2020 - Referral - Coleambally Sports Complex - Falcon Street Coleambally - Gymnasium & Change Rooms
Date: Wednesday, 2 September 2020 9:47:38 AM
Attachments: [image003.png](#)
[image004.png](#)
[A120 REV.1...pdf](#)
[A125.pdf](#)
[A220.pdf](#)
[A221.pdf](#)
[A420.pdf](#)
[A421.pdf](#)
[Lighting For Const.pdf](#)
[Master plan-For Constr..pdf](#)
[DA28-2020 - Falcon Street Coleambally - Coleambally Change Rooms & Gym - SoEE.pdf](#)
[DA28-2020 - Falcon Street Coleambally - Coleambally Change Rooms & Gym - Application.pdf](#)

We refer to Council's correspondence seeking comment from Essential Energy in relation to the proposed development at the above property.

Strictly based on the documents submitted, Essential Energy has no comments to make as to potential safety risks arising from the proposed development.

Essential Energy makes the following general comments:

- If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment;
- Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with; and
- In addition, Essential Energy's records indicate there is electricity infrastructure located within the property. Any activities within this location must be undertaken in accordance with the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure.
- Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of *Part 5E (Protection of Underground Electricity Power Lines)* of the *Electricity Supply Act 1995* (NSW).
- Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets.
- There is a underground supply around the site that is not part of Essential Energy's network it is the developers responsibility to meet the requirements of AS3000.

Should you require any clarification, please do not hesitate to contact us.

Regards,

Melinda White
Senior Conveyancing Officer
Governance and Corporate Services



T: 02 6588 6778 (Extn 86778) | melinda.white@essentialenergy.com.au

PO Box 5730 Port Macquarie NSW 2444 | essentialenergy.com.au

General enquiries: 13 23 91 | Supply interruptions (24hr): 13 20 80

Follow us  

From: Heidi Bryce <heidib@murrumbidgee.nsw.gov.au>

Sent: Wednesday, 19 August 2020 8:27 AM

To: Geoff Burgess <geoff.burgess@essentialenergy.com.au>

Cc: Steven Parisotto <parisplan@icloud.com>; Kelly Tyson <kellyt@murrumbidgee.nsw.gov.au>; Ben Nash <benn@murrumbidgee.nsw.gov.au>

Subject: DA28-2020 - Referral - Coleambally Sports Complex - Falcon Street Coleambally - Gymnasium & Change Rooms

Good morning Geoff

Council are referring the attached development application for a Gymnasium & Change Rooms at the Coleambally Sports Complex to Essential Energy for review given the proposed works are in close proximity to underground electrical services. Could you please review the attached plans and forward any comments.

If you have any questions please do not hesitate to contact Steven Parisotto on the above email address or on 0419 670 708.

Kind regards

Heidi Bryce

Technical Services, Planning & Environment



**Murrumbidgee
COUNCIL**

T 1300 MRMBGE (676243)

www.murrumbidgee.nsw.gov.au



D 03 5886 1200

F 03 5886 1701

heidib@murrumbidgee.nsw.gov.au

35 Jerilderie St Jerilderie NSW 2716

PO Box 96 Jerilderie NSW 2716

I am available in the office Tuesday through to Friday. If your matter is urgent please forward to mail@murrumbidgee.nsw.gov.au



Asbestos Policy

	Name	Position	Signature	Date
Responsible Officer	Kelly Tyson	Manager Planning & Environment		
Authorised By	John Scarce	General Manager		

Document Revision History	
Revision Number:	
Previous Reviews:	
Next Review Date:	
Date adopted by Council:	
Minute No:	
Review Date:	
Minute Number:	
Review Date:	
Minute Number:	

Council Disclaimer

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

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

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

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1. Introduction

Murrumbidgee Council acknowledges the serious health hazard of exposure to asbestos.

In Australia, asbestos was gradually phased out of building materials in the 1980s and the supply and installation of asbestos containing goods has been prohibited since 31 December 2003. Yet asbestos legacy materials still exist in many homes, buildings and other assets and infrastructure. It is estimated that one in three Australian homes contains asbestos.

Where material containing asbestos is in a non-friable form (that is, cannot be crushed by hand into a powder), undisturbed and painted or otherwise sealed, it may remain safely in place. However, where asbestos containing material is broken, damaged, disturbed or mishandled, fibres can become loose and airborne posing a risk to health. Breathing in dust containing asbestos fibres can cause asbestosis, lung cancer and mesothelioma.

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

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

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

Council's legislative functions for minimising the risks from asbestos apply in various scenarios including:

- as a responsible employer
- contaminated land management
- council land, building and asset management
- emergency response
- land use planning (including development approvals and demolition)
- management of naturally occurring asbestos
- regulation of activities (non-work sites)
- waste management and regulation.

1.1 Purpose

This policy aims to outline:

- the role of council and other organisations in managing asbestos
- council's relevant regulatory powers
- council's approach to dealing with naturally occurring asbestos, sites contaminated by asbestos and emergencies or incidents
- general advice for residents on renovating homes that may contain asbestos
- council's development approval process for developments that may involve asbestos and conditions of consent
- waste management and regulation procedures for asbestos waste in the LGA
- council's approach to managing asbestos containing materials in council workplaces
- sources of further information.

1.2 Scope

This policy applies to all of the Murrumbidgee Council LGA within council's jurisdiction.

The policy provides information for council workers, the local community and wider public. Part 1 of the policy includes the sections that are likely to be of most interest to the local community and wider public. Part 2 is

information that applies to workers associated with council including employees, contractors, consultants, and volunteers (as defined by the NSW *Work Health and Safety Regulation 2011*). Definitions for key terms used in the policy are provided in Appendix C and acronyms are listed in Appendix D.

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

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

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

- *Code of practice on how to manage and control asbestos in the workplace* (catalogue no. WC03560) published by SafeWork NSW.
- *Code of practice on how to safely remove asbestos* (catalogue no. WC03561) published by SafeWork NSW.
- Additional guidance material listed in Appendix B.
- Detailed information on council's procedures and plans may be found in other documents, which are referenced in part 2 under section 18.1.

2. Definitions

Definitions are provided in Appendix C.

3. Roles and responsibilities of council

3.1 Educating residents

Council shall assist residents to access appropriate information and advice on the:

- prohibition on the use and re-use of asbestos containing materials
- requirements in relation to development, land management and waste management
- risks of exposure to asbestos
- safe management of asbestos containing materials
- safe removal and disposal of minor quantities of asbestos containing materials.

Educational information and website links for educational materials can be found in Appendices A and B.

3.2 Managing land

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

3.3 Managing waste

Where council is the appropriate regulatory authority, council is responsible for:

- Issuing clean up notices to address illegal storage or disposal of asbestos waste or after an emergency or incident (under the *Protection of the Environment Operations Act 1997*).
- Issuing prevention or clean up notices where asbestos waste has been handled (including stored, transported or disposed of) in an unsatisfactory manner (under the *Protection of the Environment Operations Act 1997*).
- Issuing penalty infringement notices for improper transport of asbestos (under the *Protection of the Environment Operations Act 1997*).
- Applying planning controls to proposals to dispose of asbestos waste on-site, seeking advice from the Environment Protection Authority (EPA) on this matter and making notation on planning certificates (section 149 certificates) where on-site disposal is permitted.

Only Council's Jerilderie Common tip accepts asbestos waste. Asbestos waste is only accepted from sources within the Murrumbidgee LGA and you must contact Council on 03 5886 1200 to arrange a quote and time for disposal. Asbestos must have been removed by an appropriately Class A or Class B licensed and accredited removalist and packaged and labelled in accordance with SafeWork NSW Code of Practice and Demolition Work Code of Practice.

Asbestos is a trackable waste from its place of origin to its place of destination. These records are required to be provided to the Council prior to any authorisation to dispose of asbestos at the tip. Details should be reported to the EPA and kept in a register at Council.

3.4 Regulatory responsibilities

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

- *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*
- *Demolition work code of practice 2015* (catalogue no. WC03841).

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

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

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

Issue	Council's role	Section of policy
Contaminated land	<ul style="list-style-type: none"> Record known asbestos site contamination on section 149 certificates where practicable and for council workplaces, record on council's asbestos register. Notify stakeholders of land use planning policy requirements relating to contamination. Manage residential asbestos contaminated land that is not declared 'significantly contaminated' under the <i>Contaminated Land Management Act 1997</i> (excluding oversight of removal or remediation work which is the role of SafeWork NSW). 	Section 6
Development assessment	<ul style="list-style-type: none"> Assess development applications for approval under the <i>Environmental Planning and Assessment Act 1979</i>. Set conditions of consent for renovations, alterations, additions, demolitions or other developments requiring consent and which may involve disturbance of asbestos containing materials. Ensure compliance with development conditions. Apply conditions relating to development involving friable and non-friable asbestos material under the relevant legislation and planning codes and as outlined in section 9. 	Section 9
Demolition	<ul style="list-style-type: none"> Approve demolition under the <i>Environmental Planning and Assessment Act 1979</i>. Council certifiers approve development as complying development under the <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>. 	Section 9
Emergencies and incidents	<ul style="list-style-type: none"> Regulate the clean up of asbestos waste following emergencies where sites are handed over to the council or a local resident by an emergency service organisation (excluding oversight of licensed removal or remediation work which is the role of SafeWork NSW). Council may consider the need to issue a clean up notice, prevention notice or cost compliance notice under the <i>Protection of the Environment Operations Act 1997</i>. 	Section 7
Naturally occurring asbestos	<ul style="list-style-type: none"> Verify compliance with environmental planning and assessment legislation for development applications that could disturb naturally occurring asbestos. Prepare an asbestos management plan for council workplaces or road works which occur on land containing naturally occurring asbestos. 	Section 5
Residential premises	<ul style="list-style-type: none"> Respond to any public health risks (risks to council workers and wider public) relating to the removal of asbestos containing materials or asbestos work at residential properties that does not involve a business or undertaking. Respond to complaints about unsafe work at a residential property that is undertaken by a resident (not a worker, which is the role of SafeWork NSW). Respond to public health risks posed by derelict properties or asbestos materials in residential settings. 	Section 9
Waste	<ul style="list-style-type: none"> Manage waste facilities in accordance with environmental protection legislation. Respond to illegal storage, illegal dumping and orphan waste. Regulate non-complying transport of asbestos containing materials. 	Section 10

3.5 Responsibilities to workers

Council is committed to fulfilling its responsibilities to workers under the NSW *Work Health and Safety Act 2011* and NSW *Work Health and Safety Regulation 2011* and maintaining a safe work environment through council's:

- general responsibilities
- education, training and information for workers
- health monitoring for workers
- procedures for identifying and managing asbestos containing materials in council premises.

These responsibilities are outlined in part 2.

4. Other stakeholders involved in managing asbestos

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

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

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

5. Naturally occurring asbestos

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

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

5.1 Responsibilities for naturally occurring asbestos

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

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

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

5.2 Managing naturally occurring asbestos

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

The management of naturally occurring asbestos that stays in its natural state is not prohibited if managed in accordance with an asbestos management plan. Requirements for risk management, asbestos management plans and provisions for workers are outlined in the *Naturally-occurring asbestos fact sheet* (catalogue no. WC03728) published by SafeWork NSW. The SafeWork NSW website provides further information on naturally occurring asbestos and supporting documents on what people can do to avoid contact with naturally occurring asbestos.

5.2.1 Management of naturally occurring asbestos by council

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

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

6. Contamination of land with asbestos

Background information on contamination of land with asbestos and potential disturbance of asbestos contaminated sites can be found in Appendix A under sections 2 and 3. The nature of asbestos contamination of land can vary significantly and there can be a number of different mechanisms available to address this contamination depending upon its source and extent.

6.1 Responsibilities for contaminated land

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

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

Council may also issue prevention notices (under part 4.3 of the *Protection of the Environment Operations Act 1997*) to ensure good environmental practice. If a person does not comply with a prevention notice given to the person, council employees, agents or contractors may take action to cause compliance with the notice.

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

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

Council provides information about land contamination on planning certificates (issued under section 149 of the *Environmental Planning and Assessment Act 1979*) as outlined in section 6.2.

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

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

6.2 Finding out if land is contaminated

A person may request from council a planning certificate containing advice on matters including whether council has a policy to restrict the use of land due to risks from contamination. Certificates are issued under section 149(2) of the *Environmental Planning and Assessment Act 1979*.

Factual information relating to past land use and other matters relevant to contamination may also be provided, even when land use is not restricted. When council receives a request for a certificate under section 149(2), it may also inform applicants of any further information available under section 149(5). Council may also use section 149(5) certificates to record other information, particularly anything else of a factual nature about contamination which council deems appropriate (such as details of land history, assessment, testing and remediation).

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

Council may issue notices to land owners or occupiers requiring information about land it has reason to believe may be contaminated by asbestos using section 192 and section 193 of the *Protection of the Environment Operations Act 1997*.

6.3 Duty to report contaminated land

A person whose activities have contaminated land or a landowner whose land has been contaminated is required to notify the EPA when they become aware of the contamination (under section 60 of the *Contaminated Land*

Management Act 1997). Situations where this is required are explained in the document: *Guidelines on the duty to report contamination under the Contaminated Land Management Act 1997*.

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

6.4 Derelict buildings

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

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

Council may issue a clean up notice or prevention notice and compliance cost notice as noted in section 6.1.

Council may also order a person to demolish or remove a building if the building is so dilapidated as to present harm to its occupants or to persons or property in the neighbourhood (under section 121B 2(c) of the *Environmental Planning and Assessment Act 1979*). An order may require immediate compliance with its terms in circumstances which the person who gives the order believes constitute a serious risk to health or safety or an emergency (under section 121M of the *Environmental Planning and Assessment Act 1979*). If a person fails to comply with the terms of an order, council may act under section 121ZJ of the *Environmental Planning and Assessment Act 1979* to give effect to the terms of the order, including the carrying out of any work required by the order.

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.

7. Responding to emergencies and incidents

Emergencies and incidents such as major collapses, cyclones, explosions, fires, storms, or vandalism can cause damage to buildings or land that contain asbestos. This may include working with state agencies in accordance with the NSW Asbestos Emergency Plan and the Disaster Assistance Guidelines. This can create site contamination issues and potentially expose emergency service workers and the wider public to asbestos. Emergencies or incidents can arise from natural hazards, or from accidental or deliberate human activities including criminal activity.

7.1 Responsibilities in the clean up after an emergency or incident

Council may play a role in ensuring that asbestos containing materials are cleaned up after an emergency or incident. If the emergency or incident occurs at a workplace, SafeWork NSW is the lead agency.

Council may issue a clean up, prevention, cost compliance or penalty infringement notice as outlined in section 3.3 and section 6.1.

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

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

This may include to:

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

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

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

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

As a precautionary measure, where council is involved in a clean up, council may consider advising those in neighbouring properties to:

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

8. Council's process for changing land use

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

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

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

9. Council's process for assessing development

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

This section also covers renovations that do not require development consent or a complying development certificate. Development consent is not required to maintain an existing structure. For example, the replacement of windows, doors and ceilings may involve the removal of asbestos but 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.

9.1 Responsibilities for approving development

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

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

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

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

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

9.2 Providing advice to home owners, renovators and developers

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

The key points are:

- Before any renovation, maintenance or demolition work is carried out, any asbestos or asbestos containing materials should be identified (refer to section 9.3).
- Where a material cannot be identified or it is suspected to be asbestos, it is best to assume that the material is asbestos and take appropriate precautions.
- If asbestos containing materials can be maintained in good condition it is recommended that they be safely contained, left alone and periodically checked to monitor their condition, until demolition or redevelopment.
- If asbestos materials cannot be safely contained, they should be removed as outlined in section 9.4.
- For demolition or redevelopment, any asbestos containing materials should be safely removed and disposed of prior to the work commencing.

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

9.3 Identifying asbestos

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

A person may apply to council for a planning certificate (called a section 149 certificate) for the relevant land. Council may provide information on a planning certificate including whether council has a policy to restrict the use of land due to risks from asbestos contamination, as outlined in section 6.2.

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

The most accurate way to find out if a building or structure contains asbestos is to obtain an asbestos inspection by a person competent in the identification and assessment of asbestos, such as an occupational hygienist (a competent person is defined by the *NSW Work Health and Safety Regulation 2011*). This is highly advisable before undertaking major renovations to buildings constructed, or containing materials from prior to 2004.

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

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

The *Work Health and Safety Regulation 2011* states that the person conducting a business or undertaking in any building constructed before 31 December 2003 must identify if there is any asbestos in the building.

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

9.4 Removing asbestos, refurbishments and demolitions

9.4.1 Removing asbestos at domestic premises

If development is undertaken by contractors, as is the case with a lot of home renovations, then the work is considered to be at a workplace and is regulated by SafeWork NSW under the *NSW Work Health and Safety Regulation 2011*. This requires that a person conducting a business or undertaking who is to carry out refurbishment or demolition of residential premises must ensure that all asbestos that is likely to be disturbed by the refurbishment or demolition is identified and, so far as reasonably practicable, is removed before the refurbishment or demolition is commenced.

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

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

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

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

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

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

All asbestos removal should be undertaken in accordance with the *Code of practice on how to safely remove asbestos* (catalogue no. WC03561).

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

- the person who commissioned the work
- a person conducting a business or undertaking at the workplace
- the owner and occupier of the residential premises
- anyone occupying premises in the immediate vicinity of the workplace (as described in section 467 of the *NSW Work Health and Safety Regulation 2011*).

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

All licensed asbestos removal must be:

- supervised by a supervisor named to SafeWork NSW
- notified to SafeWork NSW at least five days prior to the work commencing.

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

9.4.2 Removing asbestos at workplaces

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

9.4.3 Obtaining approval for demolition

Demolition work is classified as high risk construction work in the *NSW Work Health and Safety Regulation 2011* and demolition licenses are required for some demolition work. The *Demolition work code of practice 2015* provides practical guidance on how to manage the risks associated with the demolition of buildings and structures. In most circumstances demolition of a structure requires development consent or a complying development certificate. Applicants need to enquire to council as to whether and what type of approval is required. Where a development application is required council's standard conditions need to be applied to ensure that asbestos is safely managed. Council's conditions for development consent are referred to in section 9.6.

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

Demolition of development that would be exempt development under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* is also exempt development and does not require consent. This includes minor structures such as carports, fences, sheds and the like.

9.5 Exempt or complying development

9.5.1 Exempt development

Exempt development does not require any planning or construction approval if it meets the requirements of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* including meeting AS2601 throughout the planning to completion process.

This means that there is no ability for council or a private certifier to impose safeguards for the handling of asbestos through conditions of development consent. However, council advises that all asbestos removal work should be carried out in accordance with the *Code of practice on how to safely remove asbestos* (catalogue no. WC03561).

9.5.2 Complying development

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

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

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

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

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

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

Further requirements to inform other persons of licensed asbestos removal are described in section 467 of the *NSW Work Health and Safety Regulation 2011* as noted in section 9.4.1 of this policy.

9.6 Development applications

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

9.6.1 Pre-development application advice regarding asbestos

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

9.6.2 Conditions of consent

Removal and disposal of asbestos waste is to be carried out strictly in accordance with the requirements of the SafeWork NSW Authority, Environmental Protection Authority & Council and comply with all relevant standards including AS2601 when demolition is proposed. At completion of work on land a "Clearance Certificate" shall be obtained from a hygienist.

9.7 Compliance and enforcement

9.7.1 Responsibilities for compliance and enforcement

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

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

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

In relation to naturally occurring asbestos, council is to verify compliance with environmental planning and assessment legislation and together with the EPA and SafeWork NSW is to coordinate enforcement where non-compliance is suspected.

9.7.2 Compliance strategies

Illegal works include:

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

Where council becomes aware of illegal work involving asbestos or asbestos containing materials, council will notify SafeWork NSW if the site is a workplace.

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

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

Council may also issue a clean up notice or prevention notice under the *Protection of the Environment Operations Act 1997* as outlined in section 6.1 of this policy.

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

Prior to removal of asbestos appropriate risk assessment is required, formal identification of any "ACM", safety measures recorded and measures implemented.

10. Managing asbestos as a waste

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

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

10.1 Responsibilities for asbestos waste management

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

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

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

10.2 Handling asbestos waste for disposal

The *Code of practice on how to safely remove asbestos* (catalogue no. WC03561) provides details on waste containment and disposal and controls applicable to all types of asbestos removal (in section 4.8 of the Code).

10.3 Transporting asbestos waste

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

- (a) any part of any vehicle in which the person transports the waste is covered, and leak-proof, during the transportation, and
- (b) if the waste consists of bonded asbestos material-it is securely packaged during the transportation, and
- (c) if the waste consists of friable asbestos material-it is kept in a sealed container during transportation, and
- (d) if the waste consists of asbestos-contaminated soils-it is 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. Information about EPA's WasteLocate system can be found at: www.epa.nsw.gov.au/wasteregulation/transport-asbestos-tyres.htm

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 waste to a place that cannot lawfully receive that waste, or cause or permit waste to be so transported (under section 143 of the *Protection of the Environment Operations Act 1997*). Penalty notices may be issued for \$7,500 (to individuals) and \$15,000 (to corporations). NSW courts may impose penalties up to \$250,000 (for individuals) and \$1,000,000 (for corporations) found guilty of committing this offence.

10.4 Disposing of asbestos waste at waste facilities

Only Council's Jerilderie Common tip accepts asbestos waste. Asbestos waste is only accepted from sources within the Murrumbidgee LGA and you must contact Council on 03 5886 1200 to arrange a quote and time for disposal.

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

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

Non-compliance with these requirements is an offence under the *Protection of the Environment Operations (Waste) Regulation 2014* and these offences attract strong penalties.

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

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

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

Where waste is rejected, the waste facility must inform the transporter of the waste of a waste facility to which the waste may be transported, that is, a waste facility at which the waste can be legally accepted (as required by the *Protection of the Environment Operations (Waste) Regulation 2014*).

Individuals may be fined \$7,500 and corporations may be fined \$15,000 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.

10.5 Illegal dumping of asbestos waste

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

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

- on the spot fines of up to \$15,000
- prosecution for pollution of land of up to \$1 million for a corporation and \$120,000 for each day the offence continues (under section 142A of the *Protection of the Environment Operations Act 1997*), or
- up to \$1 million, or seven years imprisonment, or both for an individual (under section 119 of the *Protection of the Environment Operations Act 1997*).

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

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

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

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

10.6 Asbestos remaining on-site

The disposal of asbestos on site is not encouraged as it requires an effective ongoing system of long term management to ensure the material does not pose unacceptable risks to future site activities and occupants. For on-site burial of asbestos waste, council will seek advice from the EPA. Council will confirm if on-site disposal is permitted under planning controls whether or not consent is required and will require recording of on-site disposal on the zoning certificate (section 10.7 certificate).

11. Complaints and investigations

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

Council will respond to complaints and inquiries regarding:

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

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

Part 2 – Management of asbestos risks within council

12. Rights and responsibilities of workers at the council workplace

12.1 Duties of council workers at the council workplace

12.1.1 The General Manager

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

12.1.2 Workers

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

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

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

12.1.3 Prohibited work activities

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

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

Council will not permit the following equipment to be used on asbestos or asbestos containing material unless the use of the equipment is controlled in accordance with the NSW *Work Health and Safety Regulation 2011*:

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

12.2 Responsibilities of council to council workers

12.2.1 Council's general responsibilities

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

- not use any asbestos containing materials (unless in accordance with part 8.1 (419) of the NSW *Work Health and Safety Regulation 2011*) and will not cause or permit asbestos waste in any form to be reused or recycled
- ensure that exposure of a person at the workplace to airborne asbestos is eliminated so far as is reasonably practicable
- ensure that the exposure standard for asbestos (defined in Appendix C) is not exceeded in the workplace
- notify SafeWork NSW immediately if persons are likely to be affected by asbestos fibres or if an air monitoring process records respirable asbestos fibre levels above 0.02 fibres/ml of air
- ensure that any contractors engaged to undertake the removal of asbestos for council are appropriately licensed
- consult with workers as required by the *Work Health and Safety Act 2011*.

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

12.2.2 Education, training and information for workers

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

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

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

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

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

Topics training may cover are outlined in the *Code of practice on how to safely remove asbestos* (catalogue no. WC03561).

Education and training will only be provided by appropriately accredited individuals.

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

A list of workers who have received the appropriate training to respond to asbestos hazards is available via council's records management system.

12.2.3 Health monitoring for workers

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

The health monitoring will be consistent with the *Code of practice on how to safely remove asbestos* (catalogue no. WC03561) and meet the requirements of the NSW *Work Health and Safety Regulation 2011* (part 8.5 Division 1).

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

Employees who were exposed to asbestos in the past and if there is a risk to the health of the employee as a result of that exposure, are covered by the NSW *Work Health and Safety Regulation 2011* (clauses 435-444). Council will ensure these employees are kept on the health monitoring program.

13. Identifying and recording asbestos hazards in the council workplace

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

13.1 Identifying asbestos

Council will ensure, so far as is reasonably practicable, that all asbestos or asbestos containing material at the workplace is identified by a competent person (as defined by the NSW *Work Health and Safety Regulation 2011*). If a material cannot be identified or accessed, it will be assumed to be asbestos. This does not apply if council has reasonable grounds to believe that asbestos or asbestos containing material is not present.

13.1.1 Material sampling

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

13.2 Indicating the presence and location of asbestos

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

13.3 Asbestos register

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

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

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

As a trackable waste, any asbestos approved to be transported to the Jerilderie Common Tip will require prior submission of generation to destination tracking details for inclusion in Councils Asbestos Landfill tracking register.

13.4 Suspected asbestos

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

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

14. Managing asbestos-related risks in the council workplace

14.1 Asbestos management plan

Council will prepare an asbestos management plan.

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

14.2 Asbestos management plan for naturally occurring asbestos

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

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

Council's asbestos management plan includes decisions and reasons for decisions about the management of asbestos at the workplace.

Options for managing asbestos-related risks include:

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

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

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

Suitable risk assessment and risk management plans shall be submitted to the Council.

14.4 Sites contaminated with asbestos that are council workplaces

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

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

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

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

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

14.5 Demolition or refurbishment of council buildings and assets

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

14.6 Removal of asbestos in the council workplace

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

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

Council may also refer to the *Code of practice on how to safely remove asbestos* (catalogue no. WC03561).

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

- notify SafeWork NSW at least five days prior to the asbestos removal work commencing. However, in the case of emergency work, such as burst pipes, fires and illegally dumped asbestos, council may request to SafeWork NSW that this five days period be waived
- prepare, supply and keep an asbestos removal control plan
- obtain a copy of the asbestos register for the workplace before carrying out asbestos removal work at the workplace (this does not apply if the asbestos removal work is to be carried out at residential premises, for example cleaning up asbestos that has been illegally dumped at a residential premises)
- inform the person with management or control of the workplace that the licensed asbestos removal work is to be carried out at the workplace
- erect signs and barricades
- limit access to the asbestos removal area
- properly dispose of asbestos waste and dispose of, or treat, contaminated personal protective equipment
- arrange a clearance inspection and clearance certificate.

Where council is informed that asbestos removal work is to be carried out at the workplace, council will inform workers and those in the immediate vicinity of the workplace and limit access to the asbestos removal area as per the NSW *Work Health and Safety Regulation 2011*.

14.6.1 Removal by council employees

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

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

14.6.2 Removal by contractors

Where council commissions the removal of asbestos at the workplace, council will ensure asbestos removal work is carried out only by a licensed asbestos removalist who is appropriately licensed to carry out the work, unless specified in the NSW *Work Health and Safety Regulation 2011* that a licence is not required.

Where council requires the services of asbestos removalists, council will require the licence details of asbestos removalists prior to engaging their services and will verify the licence details with SafeWork NSW's Certification Unit prior to entering a contract or agreement with the licensed asbestos removalists.

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

The licensed asbestos removalist is to provide the following documentation prior to carrying out asbestos removal work:

- Asbestos removal control plan
- Public liability certificate of currency
- Workers compensation certificate of currency
- SafeWork NSW confirmation details to carry out the removal work

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

Where council becomes aware of any breaches by licensed asbestos removalists, council will report this to SafeWork NSW.

14.6.3 Clearance inspections and certificates

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

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

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

15. Accidental disturbance of asbestos by workers

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

It may be appropriate that council:

- *stop works in the vicinity of the asbestos immediately*
- *inform the site supervisor immediately, inform necessary workers and record the incident*
- *evacuate the area*
- *provide personal protective equipment and briefing to appropriately trained workers who will respond to the incident*
- *restrict access to the area and ensure only appropriately trained and equipped council workers attend the site*
- *exclude the public from the site and provide information to the public if in a public area*
- *wet surfaces to reduce the dust levels*
- *prevent the spread of contamination by using wash down facilities*
- *provide information, training and supervision to all workers potentially at risk*
- *contact SafeWork NSW to report the disturbance. SafeWork NSW must be immediately notified if persons are likely to be effected by asbestos fibres or if an air monitoring process records a level above 0.02 fibres/ml of air*
- *implement an air monitoring program to assess asbestos exposure levels and specific risk control measures.*
- *liaise with or consult the appropriate agencies*
- *seek advice from an occupational hygienist*
- *follow the Code of practice on how to safely remove asbestos (catalogue no. WC03561)*

- ensure that asbestos materials are disposed of at a facility licensed to accept asbestos materials, and where contractors have been engaged to dispose of asbestos waste, sight proof of appropriate disposal through weighbridge dockets or similar documentation
- update the asbestos register and notify workers of any newly identified asbestos locations.

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

16.1 Responding to illegal dumping

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

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

16.2 Transporting and disposing of asbestos waste

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

16.3 Operating council's waste facility (Jerilderie Common Tip) licensed to accept asbestos waste

Waste management facilities must be managed in accordance with the *Protection of the Environment Operations (Waste) Regulation 2014* including clause 80 which specifies that:

- (1) 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.
- (2) 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.
- (3) When a person unloads or disposes of asbestos waste at a landfill site, the person must prevent:
 - (a) any dust being generated from the waste, and
 - (b) any dust in the waste from being stirred up.
- (4) 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:
 - (a) initially (at the time of disposal), to a depth of at least 0.15 metre, and
 - (b) at the end of each day's operation, to a depth of at least 0.5 metre, and
 - (c) 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.

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

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

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

16.3.1 Asbestos waste incorrectly presented to council's waste facility

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

- not correctly packaged for delivery and disposal (as per sections 9.2 and 9.3)
- not disclosed by the transporter as being asbestos or asbestos containing materials
- taken to a waste facility that does not accept asbestos waste.

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

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

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

- will reject the asbestos waste from the facility
- will require the transporter re-package the load correctly prior to entering the facility
- may provide the transporter with educational material such as SafeWork NSW fact sheets on correct methods for packaging, delivery and disposal of asbestos
- will question the transporter about the source of asbestos waste
- may issue a clean up notice or prevention notice under the *Protection of the Environment Operations Act 1997*
- may issue a compliance cost notice under the *Protection of the Environment Operations Act 1997*
- may issue a penalty infringement notice for improper transport of asbestos (under the *Protection of the Environment Operations Act 1997*).

Where asbestos waste is taken to a waste facility that does not accept asbestos waste, council will reject the waste. Where waste is rejected, council will complete a rejected loads register (a template is available from SafeWork NSW). Council will also inform the transporter of a waste facility to which the waste may be transported, that is, a waste facility at which the waste can be legally accepted (as required by the *Protection of the Environment Operations (Waste) Regulation 2014*). If council suspects that there is a risk of illegal dumping of the rejected waste, council will inform council's rangers or council's compliance officers. Suitable disposal for loads that are refused entry will remain the responsibility of the transporter and at a later date the transporter will need to demonstrate to council that the waste has been appropriately disposed.

Where asbestos waste is illegally dumped at an unstaffed waste station, the management options for council involve:

- undertaking surveillance via video cameras to issue fines or deter dumping
- providing targeted education to neighbouring landholders to ensure that they do not allow access to the waste station.

16.4 Recycling facilities

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

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

16.5 Re-excavation of landfill sites

The re-excavation of a council landfill site where significant quantities of asbestos waste are deposited is not encouraged and should only be considered with reference to any available records on the nature, distribution and quantities of asbestos waste required under the relevant legislation, and consultation with the Environment

Protection Authority (as the appropriate regulatory authority under the *Protection of the Environment Operations Act 1997*).

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

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

Council may request that tenants in council property:

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

18. Implementing council's asbestos policy

18.1 Supporting documents

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

- conditions of consent

Council also has several internal documents that support this policy.

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

Council also intends to prepare the following documents to support this policy:

- *asbestos management plan*
- *asbestos register*
- *site maps and GPS coordinates for asbestos in landfill*
- *site specific safety management plans*

18.2 Communicating the policy

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

- Council's Offices, 39 Brolga Place Coleambally, 21 Carrington Street Darlington Point and 35 Jerilderie Street Jerilderie
- Council's website www.murrumbidgee.nsw.gov.au
- Council's record keeping management system, Content Manager.

All employees shall receive information about the policy at induction.

Any workers (including employees, contractors, consultants and, where relevant, volunteers and members of the public) who are involved in any activity or activities listed in Appendix A under section 3 on behalf of, or for, council

shall be provided with access to a copy of this policy and relevant supporting documents. This includes any workers involved in commencing, arranging, undertaking, regulating, inspecting or supervising a potentially hazardous activity or activities. Managers are responsible for ensuring workers who report to them have access to the policy and appropriate information, documentation and training in asbestos awareness (as per the NSW *Work Health and Safety Regulation 2011*) prior to planning the activity or activities. Further information about training is noted in section 12.2.2 of this policy.

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

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

18.3 Non-compliance with the policy

Failure by workers to adhere to the policy and failure by managers to adequately inform relevant workers of this policy shall be considered non-compliance with this policy.

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

19. Variations to this policy

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

Appendices

Appendix A – General information and guidance

1. What is asbestos?

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

There are two major groups of asbestos:

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

Further information about the different types of asbestos can be found in: Environmental Health Standing Committee (enHealth), *Asbestos: A guide for householders and the general public*, Australian Health Protection Principal Committee, Canberra, 2013 (available at:

www.health.gov.au/internet/publications/publishing.nsf/Content/asbestos-toc~asbestos-about).

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

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

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

2. Where is asbestos found?

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

2.1 Naturally occurring asbestos

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

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

There is no known naturally occurring asbestos in the Murrumbidgee LGA.

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

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

Further information can be found in this policy under section 5 and in the *Naturally-occurring asbestos fact sheet* (catalogue no. WC03728) published by SafeWork NSW, which provides a photograph of naturally occurring asbestos. The SafeWork NSW website provides further information on naturally occurring asbestos and supporting documents on what people can do to avoid contact with naturally occurring asbestos.

2.2 Residential premises

As a general rule, a house built:

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

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

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

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

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

Outside

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

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

Inside

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

Asbestos can also be found in:

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

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

2.3 Commercial and industrial premises

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

- asbestos rope or fabric in expansion joints (for example exhaust flues) and insulation
- bituminous waterproof membrane on flat roofs
- brake disc pads and brake linings
- cloth, tapes, ropes and gaskets for packing
- electrical switchboards and duct heater units
- fillers and filters
- fire doors
- lagging on pipes such as heater flues
- lift motor rooms
- pipes, casing for water and electrical/ telecommunication services
- rubber, plastics, thermosetting resins, adhesives, paints, coatings, caulking compounds and sealants for thermal, electrical and insulation applications

- structural beams of buildings
- yarns and textiles eg fire blankets.

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

2.4 Sites contaminated with asbestos

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

2.4.1 Situations where asbestos contamination may occur

Situations where asbestos contamination may occur include:

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

2.4.2 Significantly contaminated land

For sites that are significantly contaminated, the EPA and SafeWork NSW are the lead regulatory authorities. The *Contaminated Land Management Act 1997* applies to significantly contaminated land. In general, significant contamination is usually associated with former asbestos processing facilities or where large quantities of buried friable asbestos waste has been uncovered and is giving rise to measureable levels of asbestos fibres in air. Such sites require regulatory intervention to protect community health where the source of the contamination is not being addressed by the responsible person. The Environment Protection Authority has details of sites that have been nominated as significantly contaminated on its Public Register at: www.epa.nsw.gov.au/clm/publiclist.htm

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

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

3. Potentially hazardous activities

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

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

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

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

Council could inadvertently disturb asbestos through activities such as:

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

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

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

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

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

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

4. Health hazards

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

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

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

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

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

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

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

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

Appendix B – Further information

Aboriginal communities

Illegal dumping prevention and clean-up. Handbook for Aboriginal communities, 2008 (EPA)

www.epa.nsw.gov.au/illegaldumping/resources.htm

Asbestos contractors

Choosing an asbestos consultant fact sheet (catalogue no. WC04547) (SafeWork NSW)

www.safework.nsw.gov.au/formspublications/publications/Pages/Choosinganasbestosconsultant.aspx

For a listing of asbestos removal contractors in your area, refer to your local telephone directory or the Yellow Pages www.yellowpages.com.au or by contacting the Asbestos Removal Contractors Association NSW (ARCA) www.arcansw.asn.au or by emailing: email@arcansw.asn.au. An asbestos removal contractor's licence can be verified by contacting the SafeWork NSW's Certification Unit on **13 10 50**.

Asbestos waste

Advice about safely disposing of household asbestos waste can be found at:

www.epa.nsw.gov.au/managewaste/house-asbestos.htm

Asbestos waste disposal facility search function on the Asbestos Safety and Eradication Agency website:

www.asbestossafety.gov.au/search-disposal-facilities

Crackdown on Illegal Dumping: A Handbook for Local Government, 2007 (EPA)

www.epa.nsw.gov.au/illegaldumping/resources.htm

Illegally Dumped Asbestos Clean Up Program (IDACUP): Council may become involved in clean up activities of illegally dumped asbestos waste. Where the responsible party is unknown, unavailable, unwilling (despite a legal obligation to do so) or unable to pay for clean up within the timeframe required to avoid or at least minimise harm to the environment or public health, Council may apply for funding under the IDACUP. Information about the IDACUP is available at www.environment.nsw.gov.au/grants/IDACUP.htm

Regional Illegal Dumping (RID) Squads: are regionally based teams that specialise in dealing with illegal dumping. The squads are funded by the EPA and the member local councils who opt to work together and pool resources to tackle illegal dumping.

RIDonline is a statewide illegal dumping database and reporting tool to assist councils and the EPA develop a comprehensive picture of the extent of illegal dumping in NSW. Members of the community can assist by reporting illegal dumping online through the RIDonline App, available for the public to download in February 2016.

For more information on illegal dumping and safely disposing of asbestos waste visit the EPA website:

www.epa.nsw.gov.au

Management of asbestos in recycled construction and demolition waste, 2010 (SafeWork NSW)

www.safework.nsw.gov.au/_data/assets/pdf_file/0017/18323/asbestos_recycled_construction_demolition_waste_2772.pdf

Contaminated land

Guidelines on the duty to report contamination under the Contaminated Land Management Act 1997, 2015 (EPA).

www.epa.nsw.gov.au/resources/clm/150164-report-land-contamination-guidelines.pdf

Managing land contamination: Planning guidelines SEPP 55 – Remediation of land, 1998 (Department of Planning and Environment and EPA)

www.epa.nsw.gov.au/resources/clm/qu_contam.pdf

Emergency management

Guidance Material: Asbestos and Fire-damaged Buildings, 2015 (EPA)

www.epa.nsw.gov.au/resources/waste/asbestos/150044-asbestos-fire-damaged-buildings.pdf

NSW Asbestos Emergency Plan: The NSW Asbestos Emergency sub plan details the specific arrangements for the coordinated funding and management of asbestos debris during and following a larger scale emergency, being an event that requires a significant and coordinated response, where the presence of asbestos containing material in the community poses a significant risk to public health and safety.

www.emergency.nsw.gov.au/publications/plans/sub-plans/asbestos.html

Environmental risk assessment

Environmental health risk assessment: Guidelines for assessing human health risks from environmental hazards, 2002 (Commonwealth of Australia)

Available via email by contacting the enHealth Secretariat: enHealth.Secretariat@health.gov.au

Health

Asbestos and health risks fact sheet, 2007 (NSW Health)

www.health.nsw.gov.au/environment/factsheets/Pages/asbestos-and-health-risks.aspx

Further advice concerning the health risks of asbestos can be obtained from your local public health unit.

Renovation and development

Asbestos: A guide for householders and the general public, Environmental Health Standing Committee (enHealth), Australian Health Protection Principal Committee, Canberra, 2013 (available at:

www.health.gov.au/internet/publications/publishing.nsf/Content/asbestos-toc~asbestos-about).

Asbestos Awareness website (Asbestos Education Committee)

www.asbestosawareness.com.au

Choosing and working with a principal certifying authority: A guide for anyone planning to build or subdivide, 2011 (Building Professionals Board)

www.bpb.nsw.gov.au/sites/default/files/public/Finalbuildingappbroch.pdf

Practical guidance

Code of practice on how to manage and control asbestos in the workplace (catalogue no. WC03560) published by SafeWork NSW

www.safework.nsw.gov.au/_data/assets/pdf_file/0015/15216/how-to-manage-control-asbestos-workplace-code-of-practice-3560.pdf

Code of practice on how to safely remove asbestos (catalogue no. WC03561) published by SafeWork NSW

www.safework.nsw.gov.au/_data/assets/pdf_file/0016/15217/how-to-safely-remove-asbestos-code-of-practice-3561.pdf

Tenants

Tenants rights Fact sheet 26 Asbestos and lead, 2010 (Tenants NSW)

www.tenants.org.au/publish/factsheet-26-asbestos-lead/index.php

Tenants – Housing NSW tenants

Asbestos fact sheet, 2010 (Housing NSW)

www.housing.nsw.gov.au/NR/rdonlyres/F4E1131F-2764-4CB1-BC07-98EB6C594085/0/Asbestos.pdf

Appendix C – Definitions

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

- *Code of practice on how to manage and control asbestos in the workplace* (catalogue no. WC03560) published by SafeWork NSW
- *Code of practice on how to safely remove asbestos* (catalogue no. WC03561) published by SafeWork NSW
- *Contaminated Land Management Act 1997*
- *Environmental Planning and Assessment Act 1979*
- *Emergency Pollution and Orphan Waste Clean-Up Program Guidelines 2008*
- *Protection of the Environment Operations Act 1997*
- *Waste classification guidelines part 1 classifying waste 2008*
- *NSW Work Health and Safety Act 2011*
- *NSW Work Health and Safety Regulation 2011.*

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

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

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

- a. actinolite asbestos
- b. grunerite (or amosite) asbestos (brown)
- c. anthophyllite asbestos
- d. chrysotile asbestos (white)
- e. crocidolite asbestos (blue)
- f. tremolite asbestos
- g. a mixture that contains 1 or more of the minerals referred to in paragraphs (a) to (f).

asbestos containing material (ACM) means any material or thing that, as part of its design, contains asbestos.

asbestos-contaminated dust or debris (ACD) means dust or debris that has settled within a workplace and is, or is assumed to be, contaminated with asbestos.

asbestos-related work means work involving asbestos that is permitted under the *Work Health and Safety Regulation 2011*, other than asbestos removal work.

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

asbestos removal work means:

- a. work involving the removal of asbestos or asbestos containing material, or
- b. Class A asbestos removal work or Class B asbestos removal work.

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

asbestos waste means any waste that contains asbestos. This includes asbestos or asbestos containing material removed and disposable items used during asbestos removal work including plastic sheeting and disposable tools.

certifying authority means a person who is authorised by or under section 85A of the *Environmental Planning and Assessment Act 1979* to issue complying development certificates, or is authorised by or under section 109D of the *Environmental Planning and Assessment Act 1979* to issue part 4A certificates.

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

Class A asbestos removal work means the removal of friable asbestos which must be licensed under clause 485 of the *Work Health and Safety Regulation 2011*. This does not include: the removal of ACD that is associated with the removal of non-friable asbestos, or ACD that is not associated with the removal of friable or non-friable asbestos and is only a minor contamination.

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

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

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

- a. a certification in relation to the specified VET course for asbestos assessor work, or
- b. a tertiary qualification in occupational health and safety, occupational hygiene, science, building, construction or environmental health.

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

complying development certificate

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

contamination of land means the presence in, on or under the land of a substance at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment

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

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

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

development means:

- a. the use of land
- b. the subdivision of land
- c. the erection of a building
- d. the carrying out of a work
- e. the demolition of a building or work
- f. any other act, matter or thing referred to in section 26 of the *Environmental Planning and Assessment Act 1979* that is controlled by an environmental planning instrument.

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

emergency service organisation includes any of the following:

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

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

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

friable asbestos means material that:

- a. is in a powder form or that can be crumbled, pulverised or reduced to a powder by hand pressure when dry
- b. contains asbestos.

health means physical and psychological health.

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

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

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

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

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

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

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

licensed asbestos removalist means a person conducting a business or undertaking who is licensed under the *Work Health and Safety Regulation 2011* to carry out Class A asbestos removal work or Class B asbestos removal work.

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

NATA means the National Association of Testing Authorities, Australia.

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

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

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

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

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

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

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

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

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

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

respirable asbestos fibre means an asbestos fibre that:

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

specified VET course means:

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

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

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

waste includes:

- any substance (whether solid, liquid or gaseous) that is discharged, emitted or deposited in the environment in such volume, constituency or manner as to cause an alteration in the environment, or
- any discarded, rejected, unwanted, surplus or abandoned substance, or
- any otherwise discarded, rejected, unwanted, surplus or abandoned substance intended for sale or for recycling, processing, recovery or purification by a separate operation from that which produced the substance, or
- any process, recycled, re-used or recovered substance produced wholly or partly from waste that is applied to land, or used as fuel, but only in the circumstances prescribed by the regulations, or
- any substance prescribed by the regulations made under the *Protection of the Environment Operations Act 1997* to be waste.

waste facility means any premises used for the storage, treatment, processing, sorting or disposal of waste (except as provided by the regulations).

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

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

workplace a workplace is a place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work. Place includes: a vehicle, vessel, aircraft or other mobile structure, and any waters and any installation on land, on the bed of any waters or floating on any waters.

Appendix D – Acronyms

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

Appendix E – Relevant contacts

Council

1300 MRMBGE (676 243)

The above number will direct you to your closest Murrumbidgee Council office.

Email: mail@murrumbidgee.nsw.gov.au

Postal address: PO Box 96 Jerilderie NSW 2716

Coleambally Office

39 Brolga Place

Coleambally NSW 2707

T: 02 6954 4060

Darlington Point Office

21 Carrington Street

Darlington Point NSW 2706

T: 02 6960 5500

Jerilderie Office

35 Jerilderie Street

Jerilderie NSW 2716

T: 03 5886 1200

Development Enquiries

Contact the Planning & Environment staff located in the Coleambally or Jerilderie office.

Asbestos-related disease organisations (non-exhaustive)

Asbestos Diseases Foundation Australia Inc

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

Asbestos Diseases Research Institute

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

Australian Institute of Occupational Hygienists Inc.

Phone: (03) 9338 1635
Email: admin@aioh.org.au
Website: www.aioh.org.au

Dust Diseases Authority

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

Environment Protection Authority (EPA)

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

Licensed Asbestos Contractors

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

Asbestos Removal Contractors Association NSW

PO Box Q1882
Queen Victoria Building
NSW 1230
Email: email@arcansw.asn.au
Website: www.arcansw.asn.au

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

Civil Contractors Federation (CCF)

Phone: (02) 9009 4000
Email: ccfnsw@ccfnsw.com
Website: www.ccfnsw.com/

Local Government NSW

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

NSW Ombudsman

Murrumbidgee Council Model Asbestos Policy

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

Training providers (non-exhaustive)

TAFE NSW

Phone: 131 601
Website: www.tafensw.edu.au

Housing Industry Association (HIA)

Phone: (02) 9978 3333
Website: www.hia.com.au/

Local Government Training Institute

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

Comet Training

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

Master Builders Association (MBA)

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

SafeWork NSW

SafeWork NSW Information Centre Phone: 13 10 50
SafeWork NSW – Asbestos/Demolition Hotline Phone: (02) 8260 5885
Website: www.safework.nsw.gov.au

Appendix F – Waste management facilities that accept asbestos wastes

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

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

Waste management facilities in the LGA that accept asbestos waste

Jerilderie Common Tip – Rifle Range Road Jerilderie. Please contact the office on 03 5886 1200 to arrange a quote and time for disposal. Please note only asbestos removed from within the LGA is accepted.

Waste management facilities in other areas that accept asbestos wastes

A list of licensed landfills that may accept asbestos waste from the public is available on the EPA website at: www.epa.nsw.gov.au/managewaste/house-asbestos-land.htm

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

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

Appendix G – Asbestos-related legislation, policies and standards

- *Contaminated Land Management Act 1997*
- *Code of practice on how to manage and control asbestos in the workplace* (catalogue no. WC03560) published by SafeWork NSW
- *Code of practice on how to safely remove asbestos* (catalogue no. WC03561) published by SafeWork NSW
- *Demolition work code of practice 2015*
- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2000*
- *Local Government Act 1993*
- *Local Government (General) Regulation 2005*
- *Protection of the Environment Operations (General) Regulation 2009*
- *Protection of the Environment Operations (Waste) Regulation 2014*
- *Protection of the Environment Operations Act 1997*
- *State Environmental Planning Policy No. 55 – Remediation of Land*
- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*
- *NSW Work Health and Safety Act 2011*
- *NSW Work Health and Safety Regulation 2011*
- *Workers' Compensation (Dust Diseases) Act 1942.*

Appendix H – Agencies roles and responsibilities

NSW organisations

Department of Planning and Environment (DPE)

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

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

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

Dust Diseases Authority (DDA)

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

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

Environment Protection Authority (EPA)

EPA's role is to regulate the classification, storage, transport and disposal of waste in NSW, including asbestos waste. The waste regulatory framework includes the *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Operations (Waste) Regulation 2014*. Clauses 77 through to 81 of the *Protection of the Environment Operations (Waste) Regulation 2014* set out the special requirements relating to the transportation and disposal of asbestos waste.

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

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

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

Heads of Asbestos Coordination Authorities (HACA)

The HACA is chaired by SafeWork NSW with senior officials from:

- Department of Industry
- Department of Planning and Environment
- Dust Diseases Authority
- Environment Protection Authority
- Local Government NSW
- Ministry of Health
- Office of Emergency Management
- Office of Local Government.

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

Local Government NSW (LGNSW)

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

NSW Department of Industry

The NSW Department of Industry, Skills and Regional Development (known as the NSW Department of Industry) leads the state government's contribution to making NSW:

- a fertile place to invest and to produce goods and services, and thereby
- create jobs and opportunities for our citizens

The NSW Department of Industry also has responsibilities for:

- skill formation and development to match industry demand
- partnering with stakeholders in stewardship and sustainable use of the state's natural resources; and
- supporting economic growth in the regions.

Within the Division of Resources & Energy in the Department, the Geological Survey of NSW teams of field geologists, geophysicists, mineral geoscientists and palaeontologists and geospatial specialists produce a range of maps. Geological mapping records the distribution of rock types and location of structures at or near the Earth's surface. The maps have applications to land use assessment, engineering construction, environmental management and natural hazard risk assessment.

The Geological Survey of NSW prepared the state-wide mapping of naturally occurring asbestos (NOA) in NSW for the Heads of Asbestos Coordination Authorities.

NSW Ministry of Health

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

NSW Ombudsman

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

Office of Fair Trading and the Building Professionals Board (BPB)

NSW Fair Trading safeguards the rights of all consumers and advises business and traders on fair and ethical practice. NSW Fair Trading provides services directly to individuals and businesses to create a fair, safe and equitable marketplace.

NSW Fair Trading is establishing a Loose-Fill Asbestos Implementation Taskforce responsible for overseeing and implementing the NSW Government Voluntary Purchase and Demolition Program for properties containing loose-fill asbestos insulation. The Loose-Fill Asbestos Implementation Taskforce will be in place until work is completed on the purchase and demolition of all properties that choose to participate in the Program.

The Building Professionals Board (BPB) is now part of Fair Trading and oversees building and subdivision certification. The BPB's role involves providing practice advice and educational programs to assist certifying authorities (private and council) in carrying out their role. The BPB certifies and audits both private and council certifiers. Further information about the BPB may be found at: www.bpb.nsw.gov.au

Office of Local Government

The Office of Local Government is responsible for local government across NSW. The Office's organisational purpose is to 'Strengthen Local Government' and its organisational outcome is 'Fit for the future councils leading strong communities'.

The Office has a policy, legislative, investigative and program focus in matters ranging from Local Government finance, infrastructure, governance, performance, collaboration and community engagement. The Office strives to work collaboratively with the Local Government sector and is the key adviser to the NSW Government on Local Government matters.

SafeWork NSW

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

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

The SafeWork NSW website provides a wide range of asbestos resources, support networks and links at: www.SafeWorkNSW.nsw.gov.au/newlegislation2012/health-and-safety-topics/asbestos/Pages/default.aspx

National 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 under its legislation, including:

- reporting on the implementation of the National Strategic Plan on Asbestos Awareness and Management (NSP); reviewing and amending the NSP as required and promoting the NSP
- 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. Registration forms are online at <https://www.asbestossafety.gov.au/national-asbestos-exposure-register>.

The agency 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, available online at <https://www.asbestossafety.gov.au/search-disposal-facilities>

Councils interested in finding out more about the agency, updating information listed on the disposal database, or receiving information, flyers or brochures for distribution within the LGA should contact the agency at enquiries@asbestossafety.gov.au.

National Association of Testing Authorities (NATA)

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

NSW (Head Office) and ACT

Phone: (02) 9736 8222

National Toll Free: 1800 621 666

Website: www.nata.asn.au

Environmental Health Committee (enHealth)

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

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

Safe Work Australia

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

Phone: (02) 6121 5317

Email: info@swa.gov.au

Website: www.safeworkaustralia.gov.au

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

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

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

Emergency management

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

Naturally occurring asbestos

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

Residential settings

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

Site contamination

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

Waste

Scenario	Lead organisation	Other regulators
Waste temporarily stored on-site	SafeWork NSW (worksites) EPA and Local council (non-worksites)	
Waste transported by vehicle	EPA	SafeWork NSW
Waste disposed of onsite	Council or EPA as illegal dumping or pollution of land if no valid council development consent	Local council (consent required to dispose onsite) (section 149 property certificate and development assessment process)
Waste going to landfill site	EPA (advice)	Local council (if managing licensed landfill)
Waste to be transported interstate	EPA	
Waste for export	Department of Immigration and Border Protection	SafeWork NSW Department of Employment

Workplaces

Scenario	Lead organisation	Other regulators
Asbestos installed/supplied after 2003 (illegally)	SafeWork NSW	
Risks to the health of workers	SafeWork NSW	
Asbestos management and asbestos going to be removed	SafeWork NSW NSW Department of Industry (mine sites)	
Risks to the health of the public from worksites	SafeWork NSW (Risks to workers) Local council (Risks to the wider public) Department of Planning and Infrastructure (part 3A approvals) EPA (<i>Protection of the Environment Operations Act 1997</i> licensed sites)	
Waste stored temporarily on-site at worksites	SafeWork NSW	
Transport or waste disposal issues	EPA	SafeWork NSW Local council
Asbestos contaminated clothing going to a laundry	SafeWork NSW	EPA Local council
Contaminated land not declared under the <i>Contaminated Land Management Act 1997</i>	Local council	EPA
'Significantly contaminated' land declared under the <i>Contaminated Land Management Act 1997</i>	EPA	Local council

Appendix J – Asbestos containing materials

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

Asbestos containing materials	Approximate supply dates
Cement sheets	Imported goods supplied from 1903 locally made 'fribrolite' from 1917
Cement roofing / lining slates	Imported goods supplied from 1903 locally made 'fribrolite' from 1917
Mouldings and cover strips	Available by 1920s and 1930s
Super-six (corrugated) roofing	Available by 1920s and 1930s – 1985
'Tilex' decorative wall panels	Available by 1920s and 1930s
Pipes and conduit piping	Available by 1920s and 1930s
Motor vehicle brake linings	Available by 1920s and 1930s
Striated sheeting	Available from 1957
'Asbestolux' insulation boards	Available from 1957
'Shadowline' asbestos sheeting for external walls, gable ends and fences	Available from 1958 – 1985
Vinyl floor tiles impregnated with asbestos	Available up until 1960s
Asbestos containing paper backing for linoleum	Available up until 1960s
'Durasbestos' asbestos cement products	Available up until 1960s
'Tilex' marbletone decorative wall panels	Available from early 1960s
'Tilex' weave pattern decorative wall panels	Available from early 1960s
'Hardiflex' sheeting	Available from 1960s – 1981
'Versilux' building board	Available from 1960s – 1982
'Hardiplank' and 'Hardigrain' woodgrain sheeting	Available from mid 1970s – 1981
Loose-fill, fluffy asbestos ceiling insulation	During the 1960s and 1970s, pure loose-fill asbestos was sold as ceiling insulation for residential and commercial premises. A Canberra based company known as 'Mr Fluffy' installed insulation in at least 1,000 homes in the ACT and is also understood to have installed insulation into homes in NSW.
Asbestos rope gaskets for wood heaters. Heater and stove insulation	Dates of supply availability unknown but prior to 31 December 2003
Compressed fibro-cement sheets	Available from 1960s – 1984
Villaboard	Available until 1981
Harditherm	Available until 1984
Highline	Available until 1985
Coverline	Available until 1985
Roofing accessories	Available until 1985
Pressure pipe	Available until 1987

Sources:

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

NSW Taskforce Report: *Loose-Fill Asbestos Insulation in NSW Homes* (2015)

www.fairtrading.nsw.gov.au/biz_res/ftweb/pdfs/Tenants_and_home_owners/Loose_Fill_Abestos_Taskforce_Report.pdf (accessed October, 2015).

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

A

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

Arc shields in lift motor rooms or large electrical cabinets

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

Asbestos ceiling tiles

Asbestos cement conduit

Asbestos cement electrical fuse boards

Asbestos cement external roofs and walls

Asbestos cement in the use of form work for pouring concrete

Asbestos cement internal flues and downpipes

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

Asbestos cement pieces for packing spaces between floor joists and piers

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

Asbestos cement render, plaster, mortar and coursework

Asbestos cement sheet

Asbestos cement sheet behind ceramic tiles

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

Asbestos cement sheet internal walls and ceilings

Asbestos cement sheet underlay for vinyl

Asbestos cement storm drain pipes

Asbestos cement water pipes (usually underground)

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

Asbestos containing pegboard

Asbestos felts

Asbestos marine board, eg marinate

Asbestos mattresses used for covering hot equipment in power stations

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

Asbestos roof tiles

Asbestos textiles

Asbestos textile gussets in air conditioning ducting systems

Asbestos yarn

Autoclave/steriliser insulation

B

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

Bituminous adhesives and sealants

Boiler gaskets

Boiler insulation, slabs and wet mix

Brake disc pads

Brake linings

C

Cable penetration insulation bags (typically Telecom)

Calorifier insulation

Car body filters (uncommon)

Caulking compounds, sealant and adhesives

Ceiling insulation (which may have moved into wall cavities, cornices and sub-floor areas)

Cement render

Chrysotile wicks in kerosene heaters

Clutch faces

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

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

D

Door seals on ovens

E

Electric heat banks – block insulation

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

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

Electrical switchboards see Pitch-based

Exhausts on vehicles

F

Filler in acetylene gas cylinders

Filters: beverage wine filtration

Fire blankets

Fire curtains

Fire door insulation

Fire-rated wall rendering containing asbestos with mortar

Fire-resistant plaster board, typically on ships

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

Flexible hoses

Floor vinyl sheets

Floor vinyl tiles

Fuse blankets and ceramic fuses in switchboards

G

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

Gaskets: chemicals, refineries

Gaskets: general

Gauze mats in laboratories/chemical refineries

Gloves: asbestos

H

Hairdryers: insulation around heating elements

Header (manifold) insulation

I

Insulation blocks

Insulation in ceilings, which may have spread to wall cavities, cornices and sub-floor areas

Insulation in electric reheat units for air conditioner systems

L

Laboratory bench tops

Laboratory fume cupboard panels

Laboratory ovens: wall insulation

Lagged exhaust pipes on emergency power generators

Lagging in penetrations in fireproof walls

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

Limpet asbestos spray insulation

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

M

Mastik

Millboard between heating unit and wall

Millboard lining of switchboxes

Mortar

P

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

Packing material on window anchorage points in high-rise buildings

Paint, typically industrial epoxy paints

Penetrations through concrete slabs in high rise buildings

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

Plaster and plaster cornice adhesives

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

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

R

Refractory linings

Refractory tiles

Rubber articles: extent of usage unknown

S

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

Sealant or mastik on windows

Sealants and mastik in air conditioning ducting joints

Spackle or plasterboard wall jointing compounds

Sprayed insulation: acoustic wall and ceiling

Sprayed insulation: beams and ceiling slabs

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

Stoves: old domestic type, wall insulation

T

Tape and rope: lagging and jointing

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

Tilux sheeting in place of ceramic tiles in bathrooms

Trailing cable under lift cabins

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

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

V

Valve and pump insulation

W

Welding rods

Woven asbestos cable sheath

Sources:

Environmental health notes number 2 guidelines for local government on asbestos, 2005 (Victorian Department of Human Services). www.health.vic.gov.au/environment/downloads/hs523_notes2_web.pdf

NSW Taskforce Report: Loose-Fill Asbestos Insulation in NSW Homes (2015)

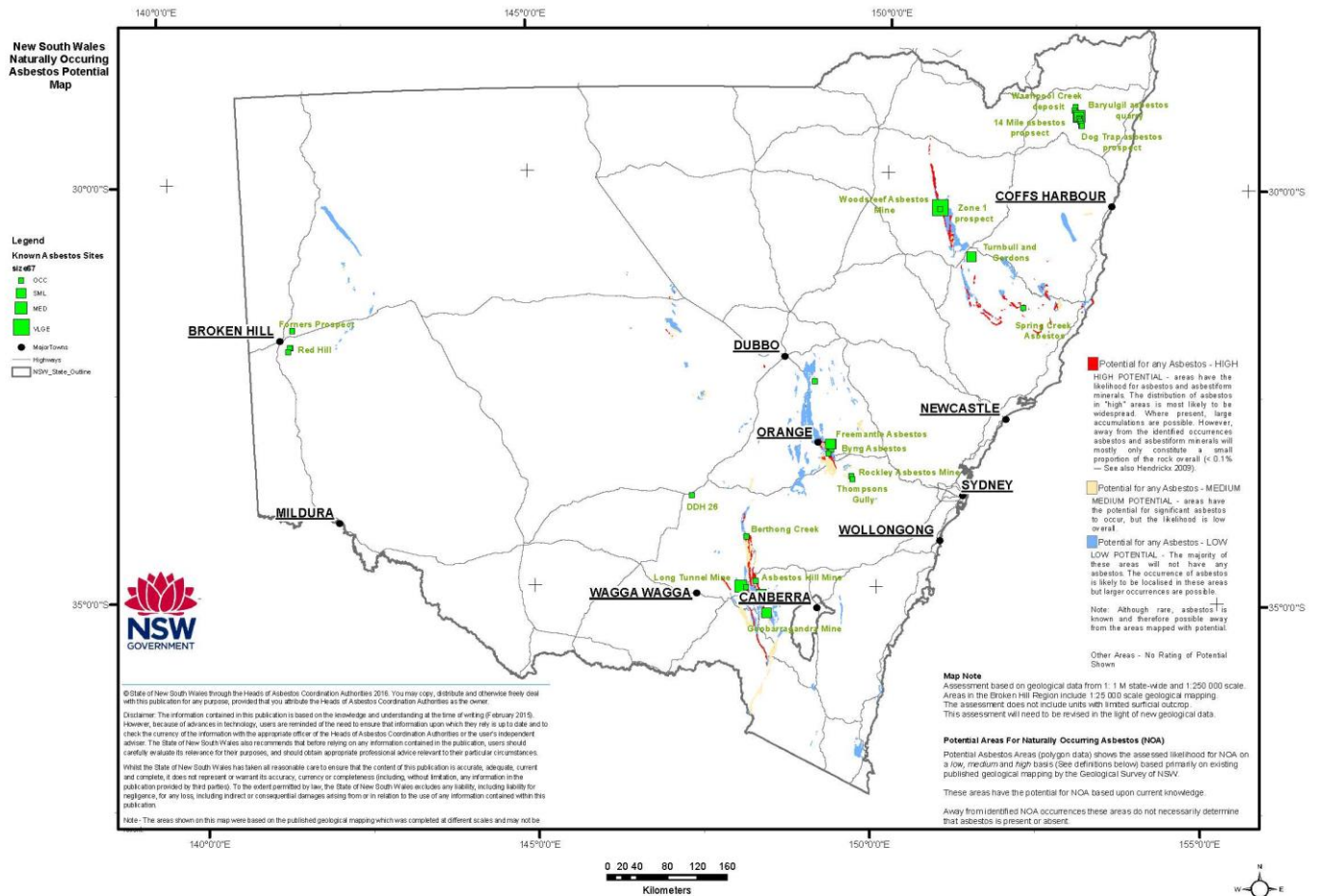
www.fairtrading.nsw.gov.au/biz_res/ftweb/pdfs/Tenants_and_home_owners/Loose_Fill_Abestos_Taskforce_Report.pdf (accessed October, 2015).

Appendix K – Asbestos licences

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

An asbestos removal contractor's licence can be verified by contacting SafeWork NSW's Certification Unit on 13 10 50.

Appendix L – Map



MURRUMBIDGEE COUNCIL

2020/2021 COMMUNITY SERVICES BUDGET AS AT 31/8/2020

	BUDGET INCOME	BUDGET EXP	INCOME 31/8/2020	%	EXP 31/8/2020	%
HOME MODIFICATIONS						
CHSP Grant Funding	\$80,901.58		\$20,225.40	25.0%		
Client Contributions - Maintenance	\$7,956.64		\$525.00	6.6%		
Client Contributions - Modifications	\$45,000.00		\$3,232.64	7.2%		
Wages		\$37,735.20			\$4,325.90	11.5%
Wages Oncosts		\$15,094.08			\$1,730.36	11.5%
Contractors - Maintenance		\$11,028.94			\$900.00	8.2%
Contractors - Modifications		\$70,000.00			\$19,301.41	27.6%
	\$133,858.22	\$133,858.22	\$23,983.04	17.9%	\$26,257.67	19.6%
COMMUNITY TRANSPORT						
CHSP Grant Funding	\$51,803.30		\$12,950.83	25.0%		
Client Contributions	\$20,800.00		\$1,270.00	6.1%		
DVA Client Contributions	\$2,200.00		\$0.00	0.0%		
Transport for Health	\$15,000.00		\$980.98	6.5%		
Transport for NSW	\$10,000.00		\$1,212.60	12.1%		
Full Cost Recovery Transport(Packages)	\$3,634.11		\$928.50	25.5%		
Wages		\$31,026.72			\$5,912.69	19.1%
Wages Oncosts		\$12,410.69			\$677.36	5.5%
Bus Hire		\$0.00			\$0.00	0.0%
Volunteer Support - CHSP		\$30,707.60			\$6,605.75	21.5%
Provision of Service - DVA		\$2,090.00			\$574.70	27.5%
Provision of Service - Transport fHealth		\$14,250.00			\$2,306.80	16.2%
Provision of Service - Transport fNSW		\$9,500.00			\$104.30	1.1%
Provision of Service - Packages		\$3,452.40			\$1,738.70	50.4%
	\$103,437.41	\$103,437.41	\$17,342.91	16.8%	\$17,920.30	17.3%
RESPIRE						
CHSP Grant Funding	\$30,300.20		\$7,575.05	25.0%		
Client Contributions	\$3,800.00		\$0.00	0.0%		
Wages - Darlington Point		\$10,901.28			\$1,091.95	10.0%
Wages Oncosts - Darlington Point		\$4,360.51			\$436.78	10.0%
Wages - Coleambally		\$12,578.40			\$2,478.88	19.7%
Wages Oncosts - Coleambally		\$5,031.36			\$804.06	16.0%
Morning Tea/Craft Supplies		\$1,228.65			\$302.26	24.6%
	\$34,100.20	\$34,100.20	\$7,575.05	22.2%	\$5,113.93	15.0%
MEALS ON WHEELS						
CHSP Grant Funding	\$24,108.35		\$8,402.31	34.9%		
Client Contributions - Respite Meals	\$3,371.33		\$0.00	0.0%		
Client Contributions - Frozen Meals	\$3,840.00		\$447.00	11.6%		
Wages - Darlington Point		\$4,192.80			\$0.00	0.0%
Wages Oncosts - Darlington Point		\$1,677.12			\$0.00	0.0%
Wages - Coleambally		\$12,578.40			\$672.05	5.3%
Wages Oncosts - Coleambally		\$5,031.36			\$81.33	1.6%
Frozen Meals - NMOW		\$3,840.00			\$318.75	8.3%
Respite Meals		\$4,000.00			\$0.00	0.0%
	\$31,319.68	\$31,319.68	\$8,849.31	28.3%	\$1,072.13	3.4%
TOTAL BUDGET	\$302,715.51	\$302,715.51	\$57,750.30	19.1%	\$50,364.03	16.6%



Project Brief

Destination Inspiration Events

28/08/2020

Background

Destination Riverina Murray (DRM) and Murray Regional Tourism (MRT) have partnered to deliver a series of 5 events across the Riverina Murray region plus a mentoring program to support the capacity and capabilities of tourism industry operators towards the development of new product.

DRM and MRT will host 5 events in November 2020, designed to motivate and inspire the development of new tourism product. New tourism product can be defined as either new ventures that are starting from scratch or expansions or improvements to existing offerings. The events will be pitched at a higher level than traditional industry development workshops and it is envisaged that a portion of the audience will consist of people who are not currently operating in the industry and are considering a new tourism venture. Examples might include farmers looking to develop accommodation on their property or investors who are looking to invest in a great idea.

DRM and MRT are committed to delivering the events and have partnered with the host LGAs to enhance the event program and to integrate local messages and case studies that the local destinations would like to share.

Participants at the Destination Inspiration Event Series who want to take their idea to the next step will be encouraged to express their interest in participating in a one-on-one mentoring program. The 6-month program will have spaces for up to 15 participants and is designed to provide a pathway for people to put their idea into practice and become involved in the tourism industry.

The Destination Inspiration Event Series and Mentoring Program is supported by the Commonwealth Government's Building Better Regions Fund.

Objectives

1. To motivate and inspire the development of new tourism product or the enhancement of existing tourism product.
2. To educate and inform participants about what consumers expect from tourism product and what is considered best practice.
3. For people to leave the event thinking "I've got a great idea. If they can do it, I can too. I'm going to take the next step."
4. To provide participants with resources and support channels to make it happen.
5. To increase the amount of high quality / hero tourism product and experiences in the Riverina Murray region.

Event Locations and Dates

We are hosting 5 events at the following locations:

- Griffith, November 16, 2020
- Wagga Wagga, November 17, 2020.
- Albury, November 24, 2020*.
- Moama, November 25, 2020*.
- Mildura, November 26, 2020.*

*Subject to the removal of border restrictions. Should border restrictions prevent Victorian participants from right across the Murray region attending, the events will be rescheduled to February 2020 with mentoring application dates amended accordingly.

It is currently anticipated that participants will pay approx. \$40 to attend the event. We are aiming to source funding to cover this cost so it is either free or a minimal cost to attend. Participants will be provided with a digital toolkit including:

- DNSW resources including the Develop, Promote, Sell series and resources from Visit Victoria.
- An action list to consider progression through the DNSW export ready program.
- An invitation to apply for the Mentoring Program.
- How to do it resources.

Event Program - Speakers

- Each event is anchored by a panel of tourism operators (local and national) who have done exceptional things in the tourism space – people who have developed a tourism business from the ground up, who have experienced challenges and setbacks along the way but who are now thriving. These operators will share their stories and deliver their key insights, lessons and learnings in order to inspire the participants to create their own tourism business.
- Tourism Australia will speak about the Signature Experiences of Australia Program, explaining what kind of Australian experiences are sold to the world, and what consumers expect from an Australian travel experience.
- Destination NSW and Visit Victoria will provide practical knowledge and resources to help turn a business idea into reality.
- Karen Oliver from KO Tourism will discuss the Mentoring Program she will be facilitating on behalf of DRM and MRT, to assist successful applicants to develop the plans, documentation and procedures required to kick start a new business.

Event Program - Format

The proposed program for each event is outlined below, noting this is subject to change. The events will run from 10.30am – 5.30pm.

Time	Item	Time allocated
10.30 - 11.00	Tea, coffee, morning tea on arrival	30
11.00 - 11.15	DRM/MRT intro and welcome (in partnership with host LGA)	15
11.15 - 12.00	TA and Signature Experiences (Karen Fitzgerald and Kate Shilling)	45
12.00 - 12.15	Questions	15
12.15 - 12.25	New industry video	10
12.25 - 12.30	Intro Industry Panel	5
12.30 - 1.30	Expert Panel of inspirational tourism operators	60
1.30 - 2.15	Q+A	45
2.15 - 2.35	Working (late) lunch	20
2.35 - 3.05	DNSW - how to do it, practical tips and resources	30
3.05 - 3.15	Questions	10
3.15 - 3.45	Visit VIC – how to do it, practical tips and resources	30
3.45 - 4.00	Questions	10
4.00 - 4.05	DRM/MRT introduce Mentoring Program	5
4.05 - 4.25	KO Tourism – Mentoring Program	15
4.25 - 4.30	DRM/MRT wrap up	5
4.30 - 5.30	Drinks and canapes	60

Destination Inspiration Mentoring Program:

The purpose of the mentoring program is to unearth and increase new product opportunities in our region and to support industry operators towards developing their new tourism product. KO Tourism (Karen Oliver) has been engaged to facilitate the mentoring program, in line with a specific brief set by DRM and MRT, that aligns with Destination NSW's Product Development Program: NSW First. 15 participants will be supported through a 6 month program of specific outcomes and outputs, tools and support to help develop their idea and bring it to market. The Mentoring Program is designed to provide a pathway for people to put their idea into practice and become involved in the tourism industry. The mentoring program will be developed as follows:

- EOI process for applications open 16 November and close mid December
- Applicants will be shortlisted and interviewed in Jan 2021
- Successful applicants notified in Jan 2021
- Mentoring Program will begin in March and finish in August 2021
- 15 participants across the Riverina Murray region
- \$450 ex gst per participant

- Opportunity for participants in the program to be sponsored by their LGA (subject to them going through the application process and being selected as a successful applicant for the mentoring program)

Mentoring Program Format:

PROJECT STAGE - Summary	DESCRIPTION	NOTES	KEY OUTCOMES AND OUTPUTS
Destination Inspiration Events	5 events.	Griffith, Wagga, Albury, Moama, Mildura.	55 pax per event.
EOI Application Process	Open 16 November and close mid December. Applicants shortlisted, interviewed and notified in Jan 2021.		15 participants.
Mentoring Program Begins March 2021 Concludes August 2021	PHASE 1: ESTABLISH <ul style="list-style-type: none"> • Background and history of the business • Business health check • Business and marketing plan review • Situation analysis - market, destination, visitation trends, existing customer data • Initial definition of product concept • Goal setting. 	Delivered in person and on premises (3 hour meeting), Gain an in-depth knowledge of the business/concept and build rapport with the participant.	Phase 1 Output: <ul style="list-style-type: none"> • Document vision and business objectives • Map out mentoring plan, product development roadmap and timeline.
	PHASE 2: DEVELOP <ul style="list-style-type: none"> • Understanding the customer - customer profile, customer journey map, customer value proposition • SWOT analysis • Competitor analysis • Pricing, resource plan and financial analysis • Planning and regulation • Risk assessment • Strategic alignment • Business model • Investment/resource plan 	4 X 90 minute sessions via telephone or videoconference	Phase 2 Output: <ul style="list-style-type: none"> • Business case assessing the viability of the product concept.
	PHASE 3: PROMOTE <ul style="list-style-type: none"> • Marketing strategy and action plan • Marketing materials - content (imagery, copy, collateral etc.) • Creating a sales pitch • Distribution strategy - pricing and sales channels • Service design blueprint • Experience standards and staff training materials. 	2 x 90 minute sessions via telephone or videoconference	PHASE 3 OUTPUT: <ul style="list-style-type: none"> • Marketing and distribution strategy.

	<p>PHASE 4: SELL</p> <ul style="list-style-type: none"> • Ensuring the concept is tested prior to launch • Setting up metrics for measuring customer feedback • Identifying product refinements post launch • Identifying opportunities for working with the travel trade to become export ready. If a new product is not scheduled to be launched, this phase will focus on delivering other outcomes, such as investment plans, detailed design, preparing for grant applications or Quality Tourism accreditation. 	2 x 90 minute sessions via telephone or videoconference	<p>PHASE 4 OUTPUT:</p> <ul style="list-style-type: none"> • Post project review with participant and DRM/MRT.
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Project Measurement and KPIs:

- 55 people per event = 275 total.
- 15 participants through the Mentor Program.
- 2 new businesses established within 24 months of the Mentoring Program completion, and 2 business expansions or improvements within 12 months.



Newell Highway Promotions Committee

Mission Statement & Aims

The NHPC was established to develop, market and promote the Newell Highway as a touring route linking Victoria and South Australia, through Central NSW to Queensland.

Background

The Newell Highway Promotions Committee (NHPC) was established in 1977 to encourage travellers to use the Newell Highway as a no fuss, congestion free and interesting route into and through NSW.

Since 1977 the Committee has grown to incorporate all Local Government Areas (LGA's) along the Highway as well as adjoining LGA's in the Highway corridor.

The Committee currently has the following financial members:

1. Greater Shepparton
2. Tocumwal
3. Finley
4. Deniliquin
5. Jerilderie
6. Narrandera Shire
7. Temora
8. West Wyalong
9. Villages of Cabonne
10. Forbes
11. Parkes & Region
12. Peak Hill
13. Narromine
14. Dubbo
15. Gilgandra
16. Warrumbungle Shire
17. Narrabri Shire
18. Inverell
19. Moree Plains
20. Goondiwindi

Members are the Tourism Managers or nominated employee from each Local Government Area/ Local Tourist Association (LGA/ LTA).

The Newell Highway straddles two different NSW destination networks (Riverina Murray NSW & Country & Outback NSW), and goes over the border in to Queensland and Victoria.

The group aims to meet approximately 4 times a year.

Finance & Resources

Historically there has not been a membership cost to join the NHPC. Local Government Areas/ Local Tourist Associations (LGA's/ LTA's) purchase pages in the Newell Highway destination guide, which secures their current membership of the committee for the term of the guide.



Newell Highway Promotions Committee

The cost of brochure pages to LGA's/ LTA's is therefore offered at a subsidised rate based on the assumption that the Tourism Managers/ employed representatives from each area will contribute in-kind knowledge, resourcing and coordination of activities to ensure the success of the group and its activities. LGA/ LTA's are permitted to on-sell listings within their pages to their local tourism operators. In addition to this, full and half page display ads are sold to corporate supporters at a commercial rate. Any profit/ surplus generated from the production of the guide then form the budget for distribution and other marketing activities.

The Committee traditionally forms an Executive, and it is the Executive that lead the Committee in undertaking key activities. Ideally the executive positions would be rotated and shared though the core members to ensure a sense of fairness and equity of contribution of members.

Key activities

The key activities of the NHPC have been to promote the Newell Highway as a preferred route and the destinations along the Highway by:

- ◆ Development of the Newell Highway Destination Guide (every 18-24 months)
- ◆ Distribution of the guide in key markets - Queensland, Victoria, South Australia and New South Wales via Visitor Information Centres and travel bureaus (eg. RACV's)
- ◆ Development and maintenance of <http://www.newellhighway.org.au/> website & respond to visitor enquiries made via this platform
- ◆ Coordinate Newell Highway stand at caravan consumer shows in key markets being: Melbourne, Brisbane and Adelaide
- ◆ Facilitate the presence of the Newell Highway guide at Sydney and Newcastle Caravan & Camping shows via other networks
- ◆ Representation on the Newell Highway Taskforce - designed to lobby for road route upgrades and safety improvements

With greater resourcing (via either member contribution or paid outsourcing), more activities from the Business Plan could be undertaken.



Newell Highway Promotions Committee

2020 Members Survey

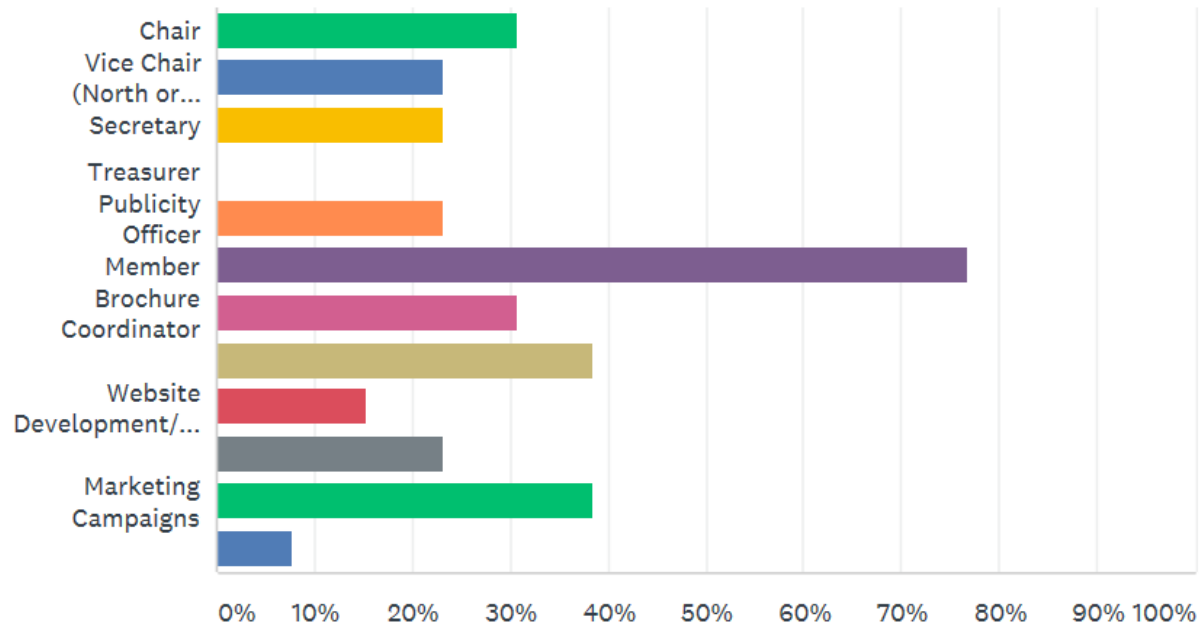
A Newell Highway Promotions Committee member survey was recently conducted to discover current members feedback, ideas, solutions and recommendations.

A summary of the survey findings are detailed below:

Location of responders to survey

- ◆ Goondiwindi
- ◆ Narrabri
- ◆ Wurrumbungle
- ◆ Gilgandra
- ◆ Dubbo
- ◆ Parkes
- ◆ Bland Shire
- ◆ Lockhart
- ◆ Murrumbidgee (Jerilderie)
- ◆ Berrigan
- ◆ Greater Shepparton

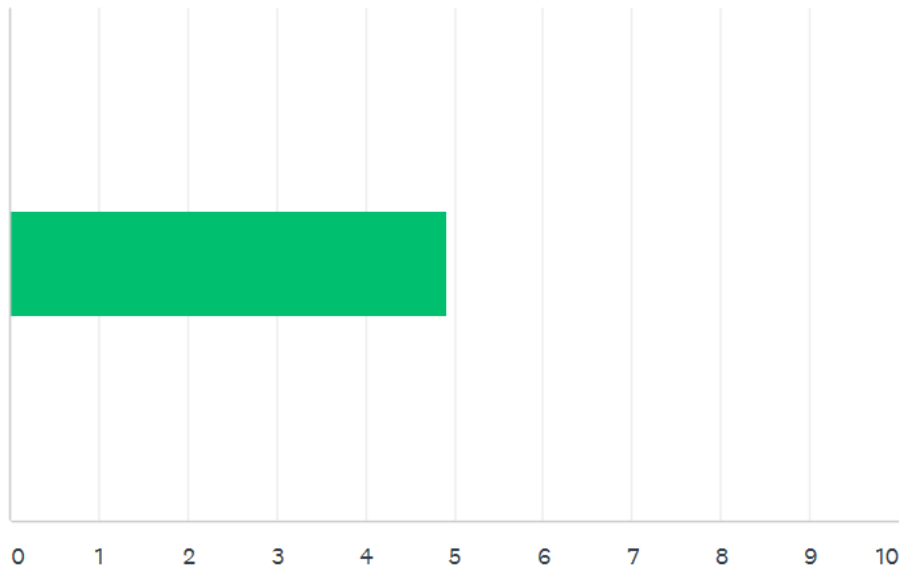
What position has you or your LGA/LTA held on this committee?





Newell Highway Promotions Committee

As a member of the NHPC, on a scale of 1 to 10 how satisfied are you with its current operations?



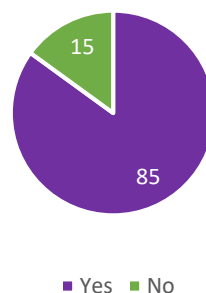
What do you consider are the benefits of the NHPC?

- ◆ Four respondents stated the brochures are helpful & informative for their community and events
- ◆ Collaborative marketing
- ◆ Three respondents stated regional opportunities and collaboration including networking and sharing information
- ◆ Cooperative marketing and tourism development to leverage our location on this major inland monitoring corridor
- ◆ Opportunity for collective lobbying for funding and upgrades
- ◆ Two respondents stated opportunity for collaborative marketing cost

In your opinion, is the NHPC still relevant to your organisation's objectives/strategic direction?

- ◆ 85% voted yes
- ◆ 15% voted no

Is the NHPC still relevant to your organisation's objectives/strategic direction?

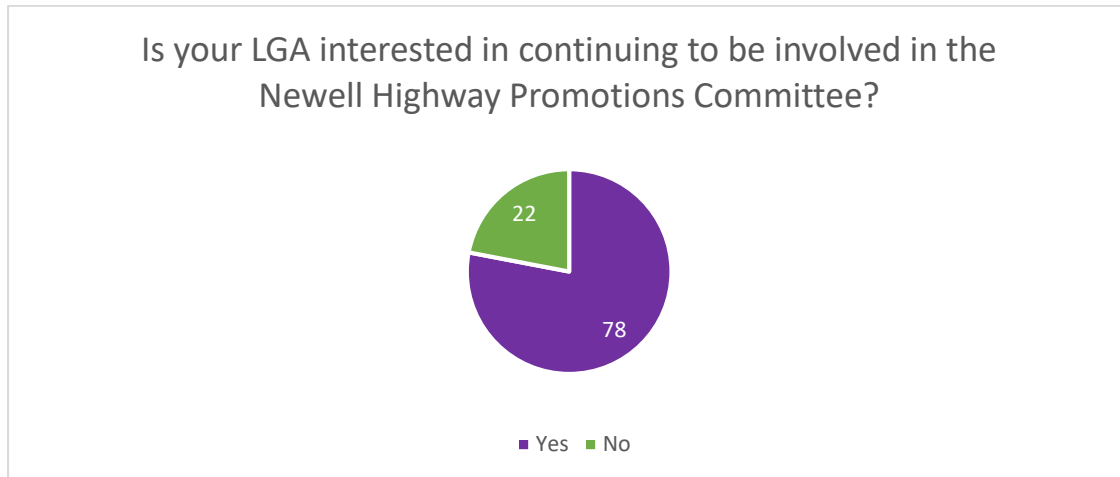




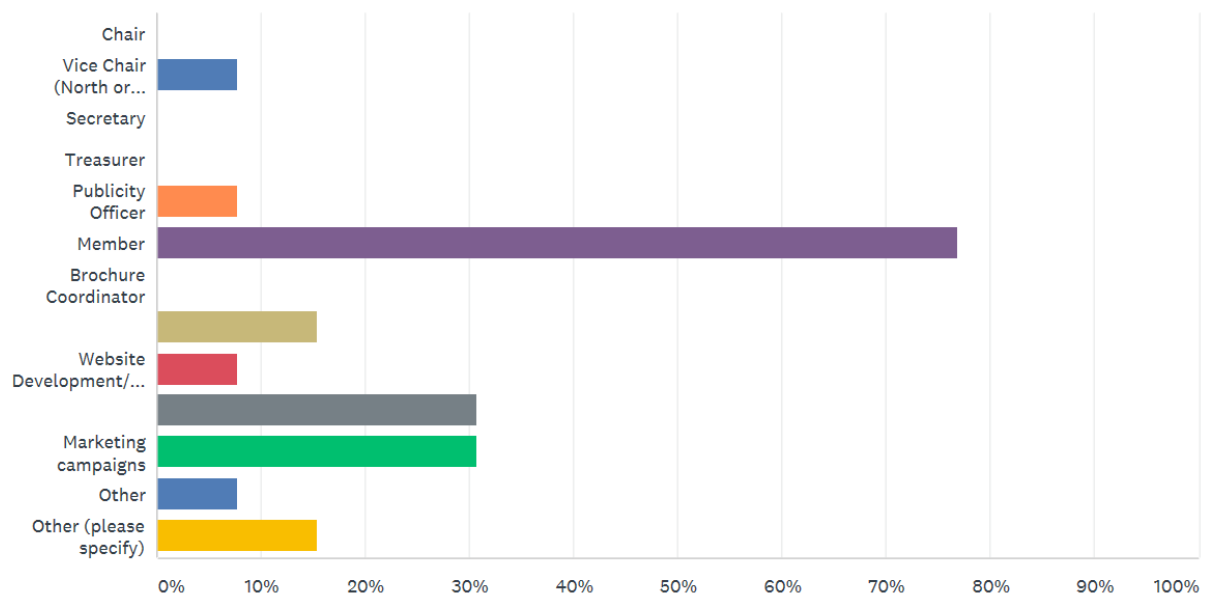
Newell Highway Promotions Committee

Is your LGA interested in continuing to be involved in the Newell Highway Promotions Committee?

- ◆ 78% voted yes
- ◆ 22% voted no



In what capacity would your LGA or organisation consider being involved in the future?

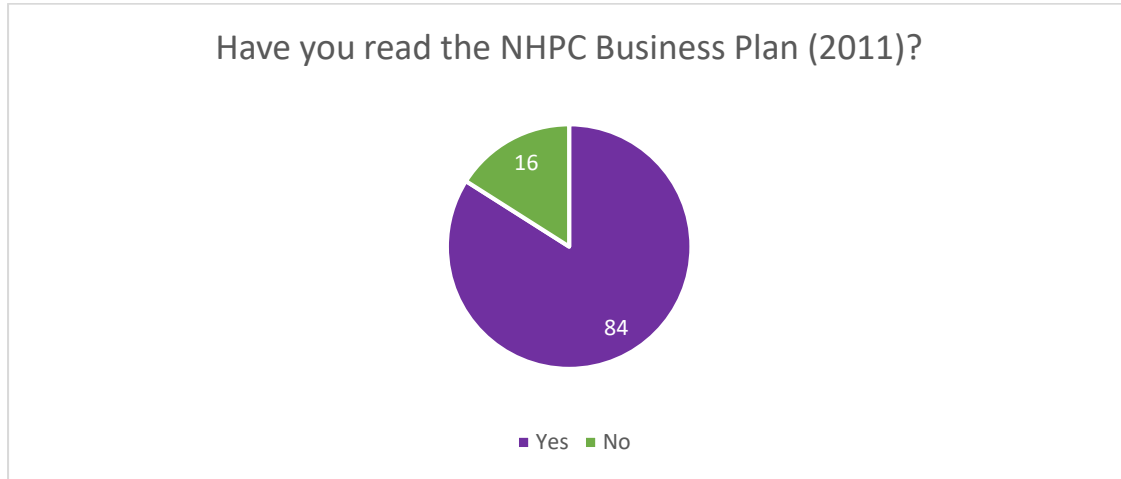




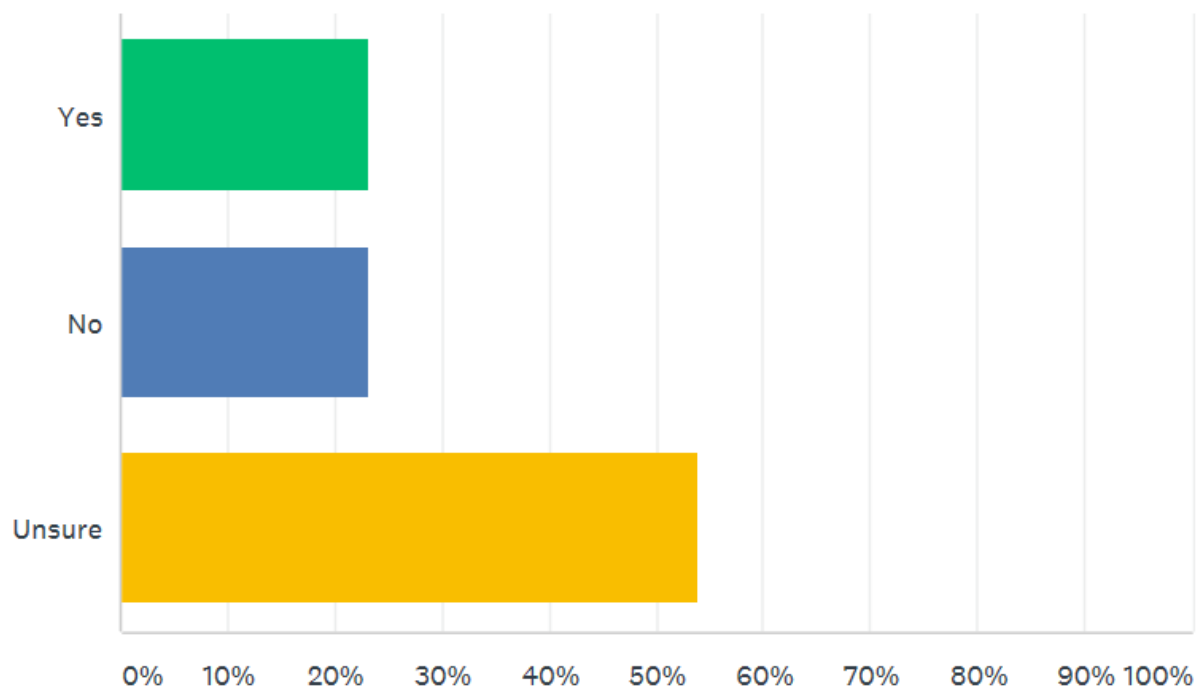
Newell Highway Promotions Committee

Have you read the NHPC Business Plan (2011)?

- ◆ 84% Yes
- ◆ 16% No



Do you feel that the strategic direction and actions of the NHPC Business Plan are still relevant?

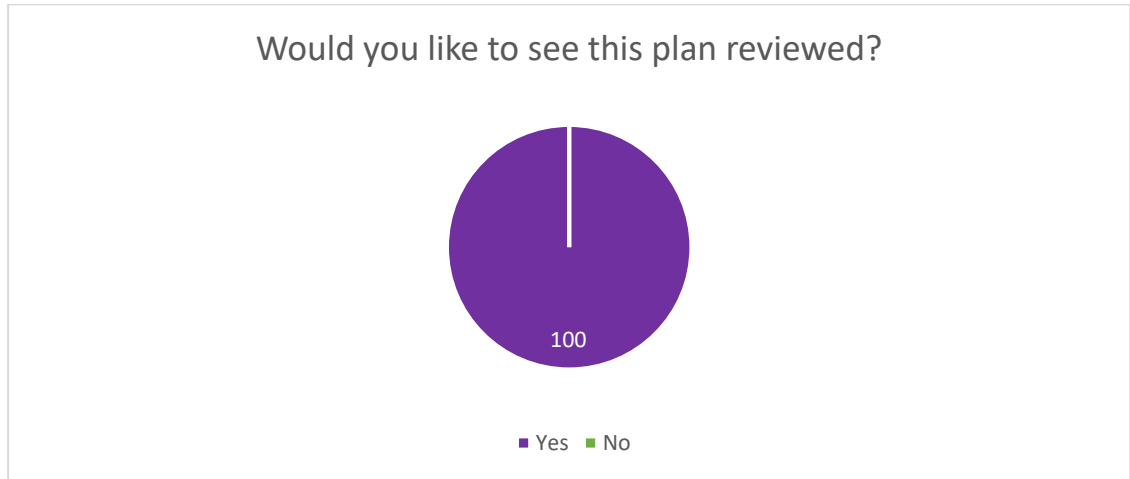




Newell Highway Promotions Committee

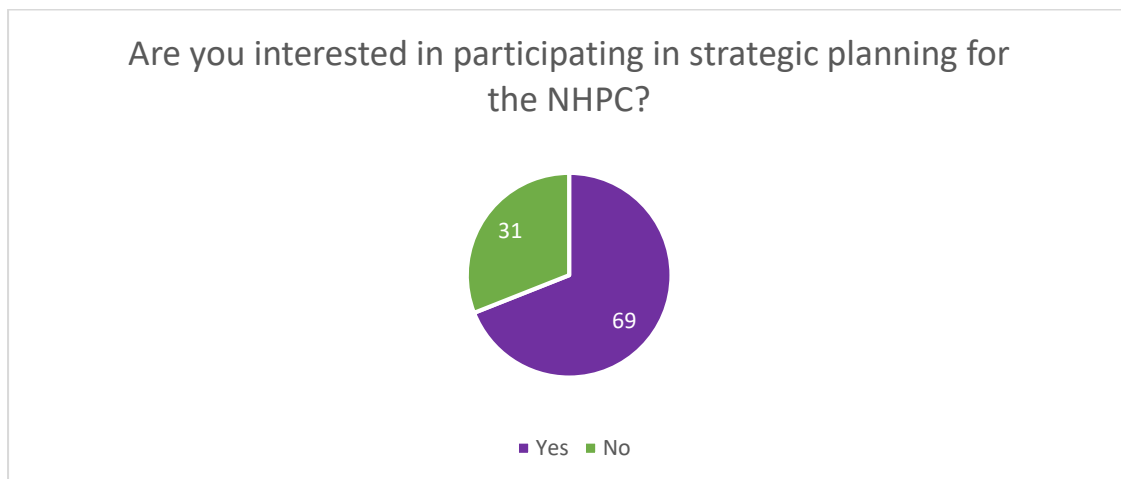
Would you like to see this plan reviewed?

- ◆ 100% voted Yes



Are you interested in participating in strategic planning for the NHPC?

- ◆ 69% yes
- ◆ 31% no





Newell Highway Promotions Committee

Do you have any suggestions or ideas to sustainably structure the organisation into the future?

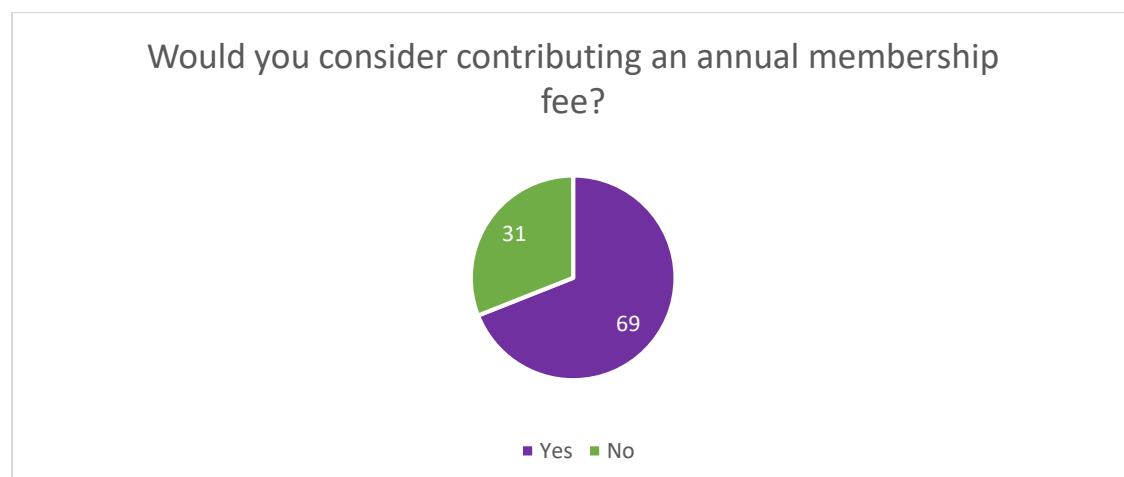
- ◆ Seven respondents requested cluster groups with some recommending one person to represent each cluster group
- ◆ Rather than split into smaller groups achieving small operational outcomes, our preference is for larger tourism organisation (e.g. Regional Tourism Australia, or another regional or State tourism body) to take the leadership and operational management of this important regional tourism route.
- ◆ Not sure about cluster groups - could become quite fragmentary.
- ◆ Only have LGAs where the Newell Highway runs through them in the structure

What are your thoughts around resourcing the structure - funding models, paid resources vs volunteers etc.?

- ◆ Four respondents unsure of how it currently works
- ◆ Volunteers, but if with a smaller more regionally focussed group, Council's may be more willing to provide the resources.
- ◆ Volunteers can only do so much. It's always the same smaller Council's contributing most and many others not contributing. It seems unfair. But I also recognise that Council's have their own responsibilities and work to carry out and its difficult to dedicate time to regional initiatives.
- ◆ I think it would be worth looking into some paid consultancy support for strategic planning, marketing/branding advice and campaign coordination funded via an annual membership contribution based on population.
- ◆ Prefer to work on a fee for service basis with tangible outcomes (e.g. deliver brochure with 100,000 copies, manage website etc.). - Volunteers potentially suit the current investment of Council's, however it is unlikely to resolve the issue of sustainability and limits the capacity to manage the quality of outcomes. - Creating projects and seeking grant funding including contracting out the work would lessen the load on local Council resources.
- ◆ I think it is worth considering briefing an external agency to execute marketing or administrative activities to take the pressure off committee members and volunteers.

Would you consider contributing an annual membership fee in addition to the brochure funding model to bolster the committee's financial position enabling more development/promotional activities?

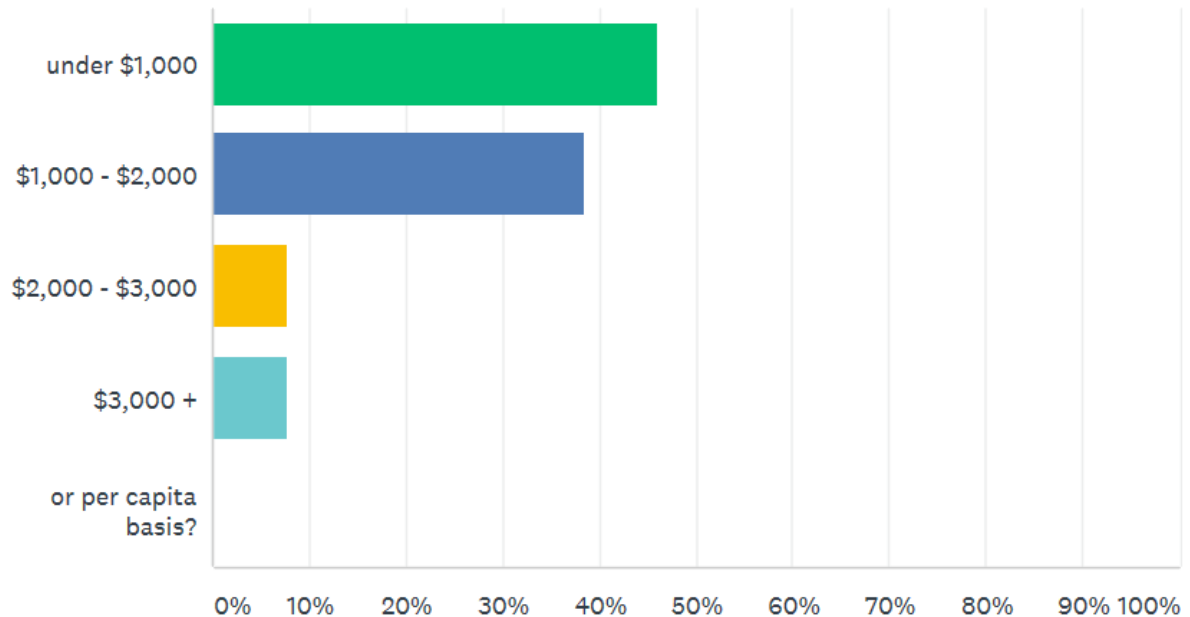
- ◆ 69% Yes
- ◆ 31% No





Newell Highway Promotions Committee

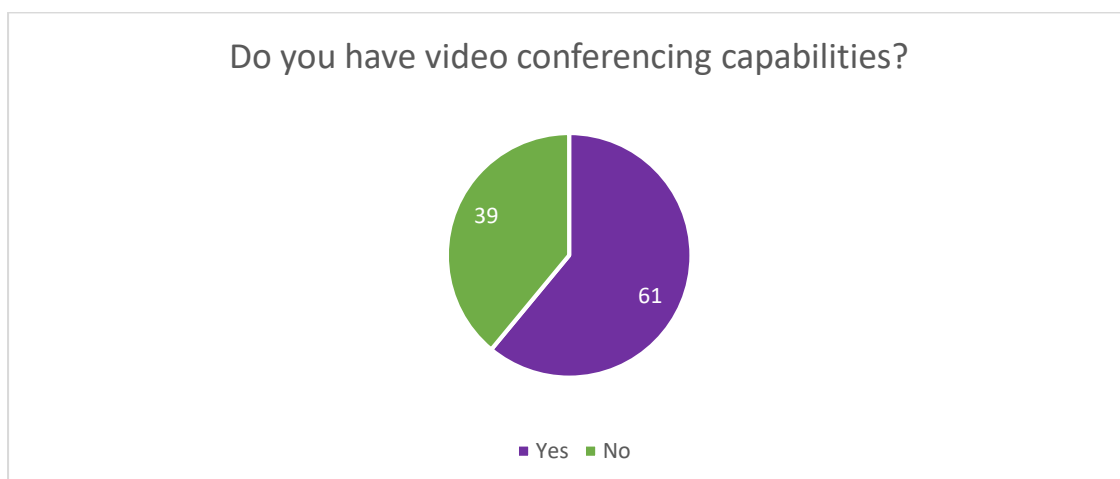
What would you consider an annual membership fee?



Given the vast distance of members, video conferencing would be an ideal solution to conduct meetings. Does your organisation have a video conferencing membership that the NHPC could utilise?

- ◆ 61% No
- ◆ 39% Yes

(*NOTE THAT THIS WAS PRE-COVID AND MAY HAVE CHANGED)





Newell Highway Promotions Committee

Do you have any other comments you would like to share?

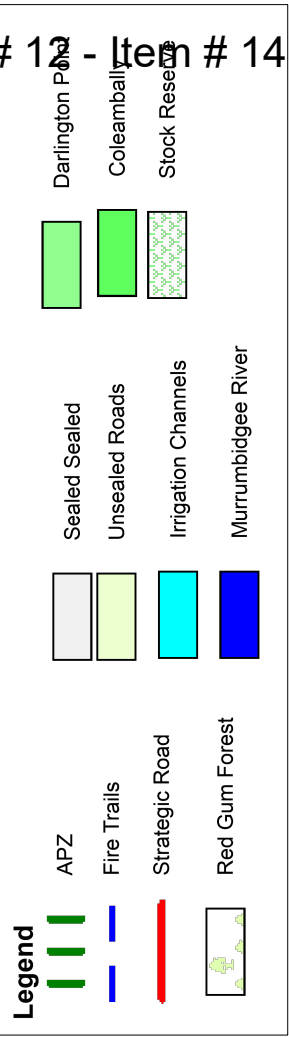
- ◆ I hope that everyone feels passionately about keeping this initiative going and making it relevant.
- ◆ It would be good to see some member LGAs who haven't occupied key roles in the past and are key destinations on the Newell to put their hand up for leadership positions.
- ◆ Our involvement going forward would likely be in partnership with Southern Queensland Country Tourism (SQCT). SQCT are Goondiwindi's regional tourism body (part funded by LGA membership and part funded by Qld State government), they are a team of tourism experts and represent our LGA as well as our neighbouring LGAs.
- ◆ Review of Business Plan if being undertaken by this group we would suggest should not be in current form, needs to be simplified.
- ◆ As a region that is based at the intersection of five major highways it is our experience that highway route groups have a reputation in the broader tourism sector as having limited resources and focus. Aligning the activities to a regional or State body, provides a much broader strategic approach and an opportunity for greater buy-in and access to resources/ funding from key bodies.
- ◆ While Lockhart Shire is not situated on the Newell Highway, we welcome the opportunity to participate in the brochure
- ◆ I think the print volume for the guide should also be considered if another guide is developed, is the current number of copies printed feasible for distribution and cost effective storage within the life span of the guide? The website needs re-visiting to update content, the previous version of the guide is still loaded on there
- ◆ Think the group just needs a bit of a refresh to get going again and drive tourism along the Newell
- ◆ Berrigan Shire is a member Council of the Murray Regional Tourism Board and is also a "member" of the DNSW regional tourism organisation Riverina Murray. Whilst there is some merit in the Newell Highway Group it would be an extension of our resources both human and financial to promise to become an active part of this reformed group. Berrigan Shire Council does not have a dedicated tourism officer so tourism in all its formats falls into the scope of Economic Development which is common in southern NSW. We would be happy to contribute where we can but cannot make a firm commitment.

APZ & Fire Trails Darlington Point

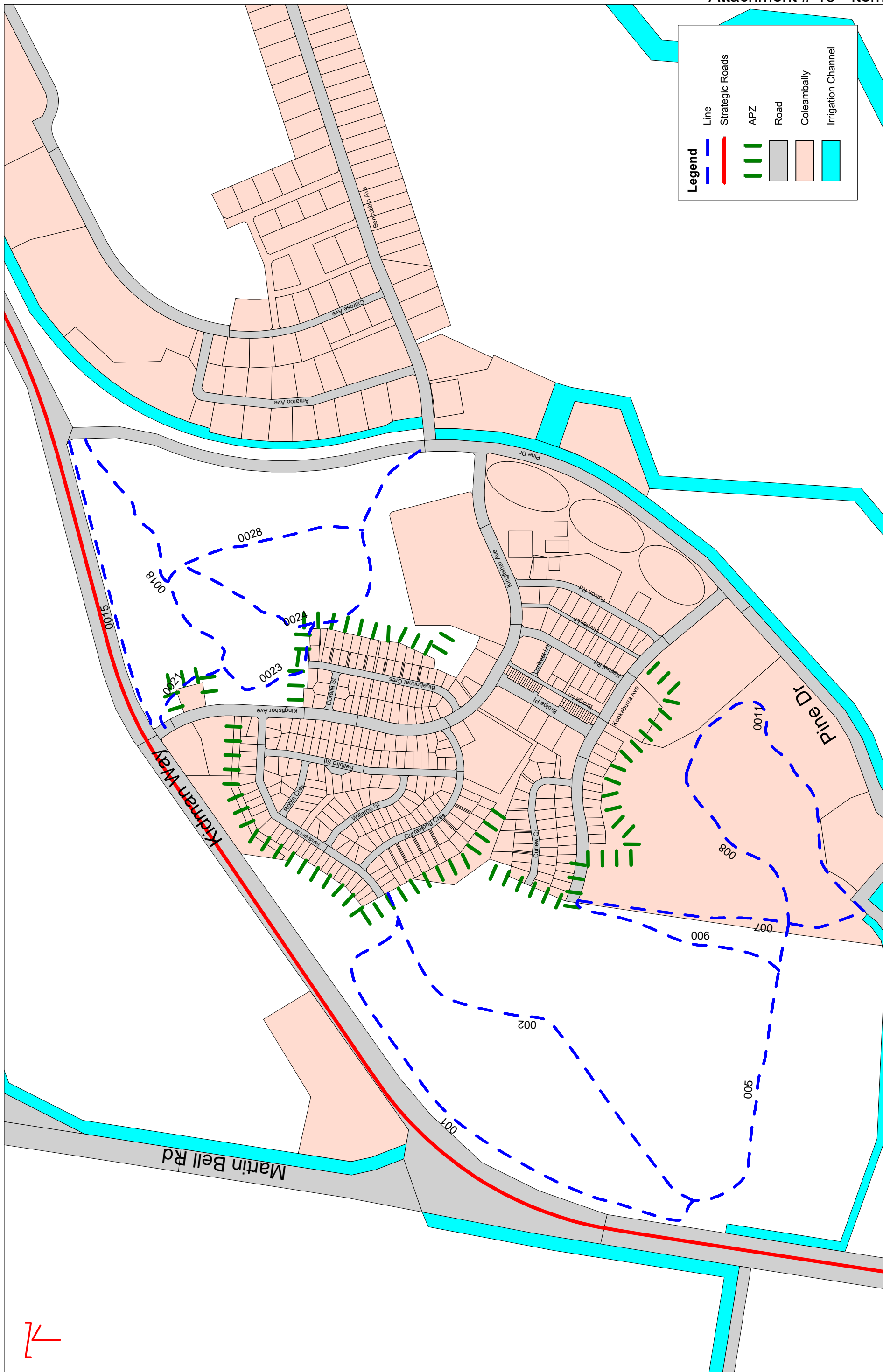


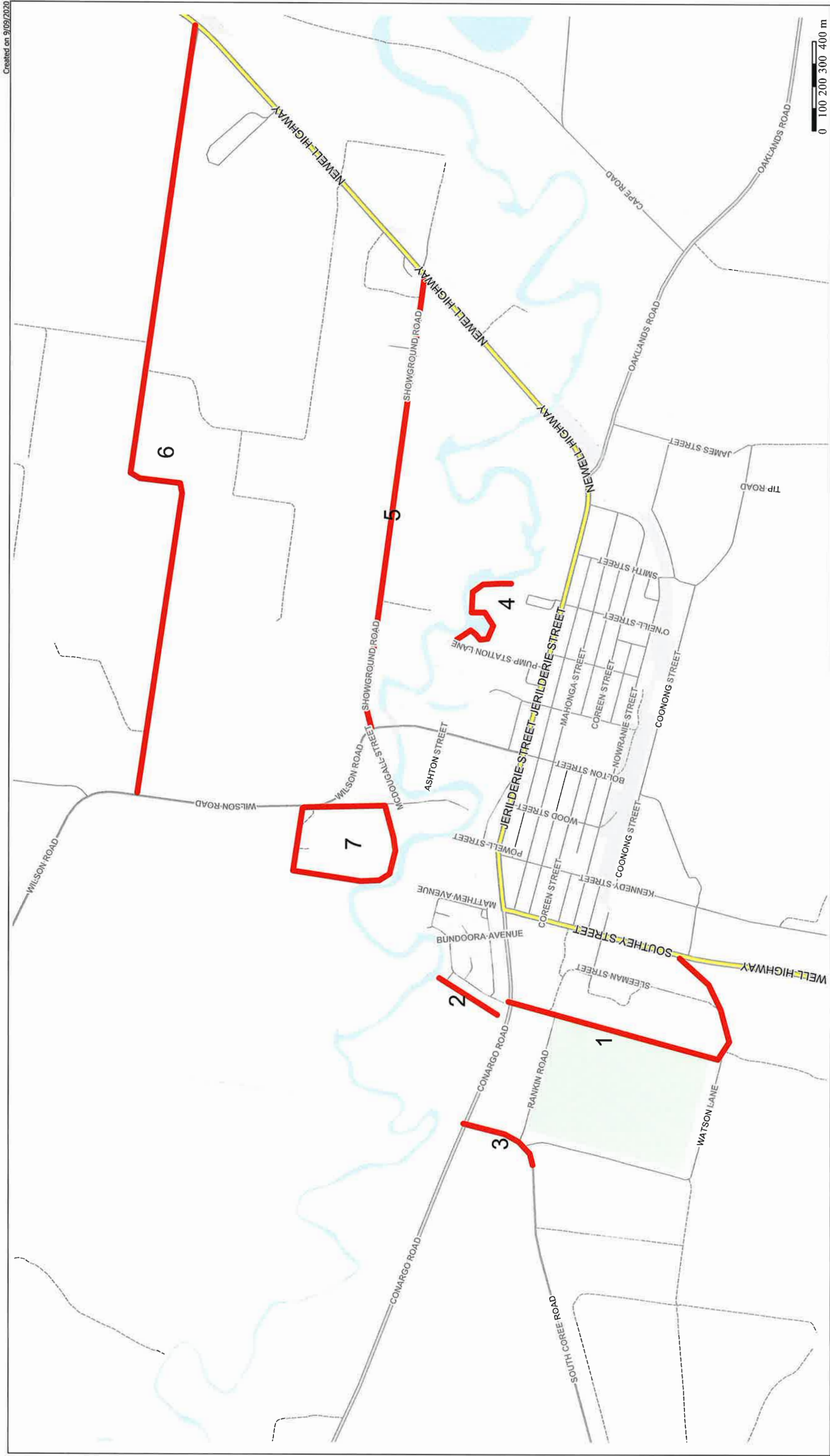
Map prepared by Stephen Goodsall October 2013
Copy right Land and Property Information

Attachment # 12 - Item # 14



Scale: 1:10,000





Created on 9/09/2020

Important Notice!
This map is not a precise survey document. Accurate locations can only be determined by a survey on the ground.
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Projection: GDA94 / MGA zone 55
Date: 9/09/2020
Drawn By: Justin Williams

Fire Hazard and Fire Brakes Jerilderie

Map Scale: 1:15824 at A3

Fire Hazard and Fire Brakes Jerilderie

Drawn By: Justin Williams

Project/Ref: CD0464 / NGA none 35

Date: 9/09/2020 - 0:01 PM

Important Notice!

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Important Notice!
This map is not a precise survey document. Accurate locations can only be determined by a survey on the ground.
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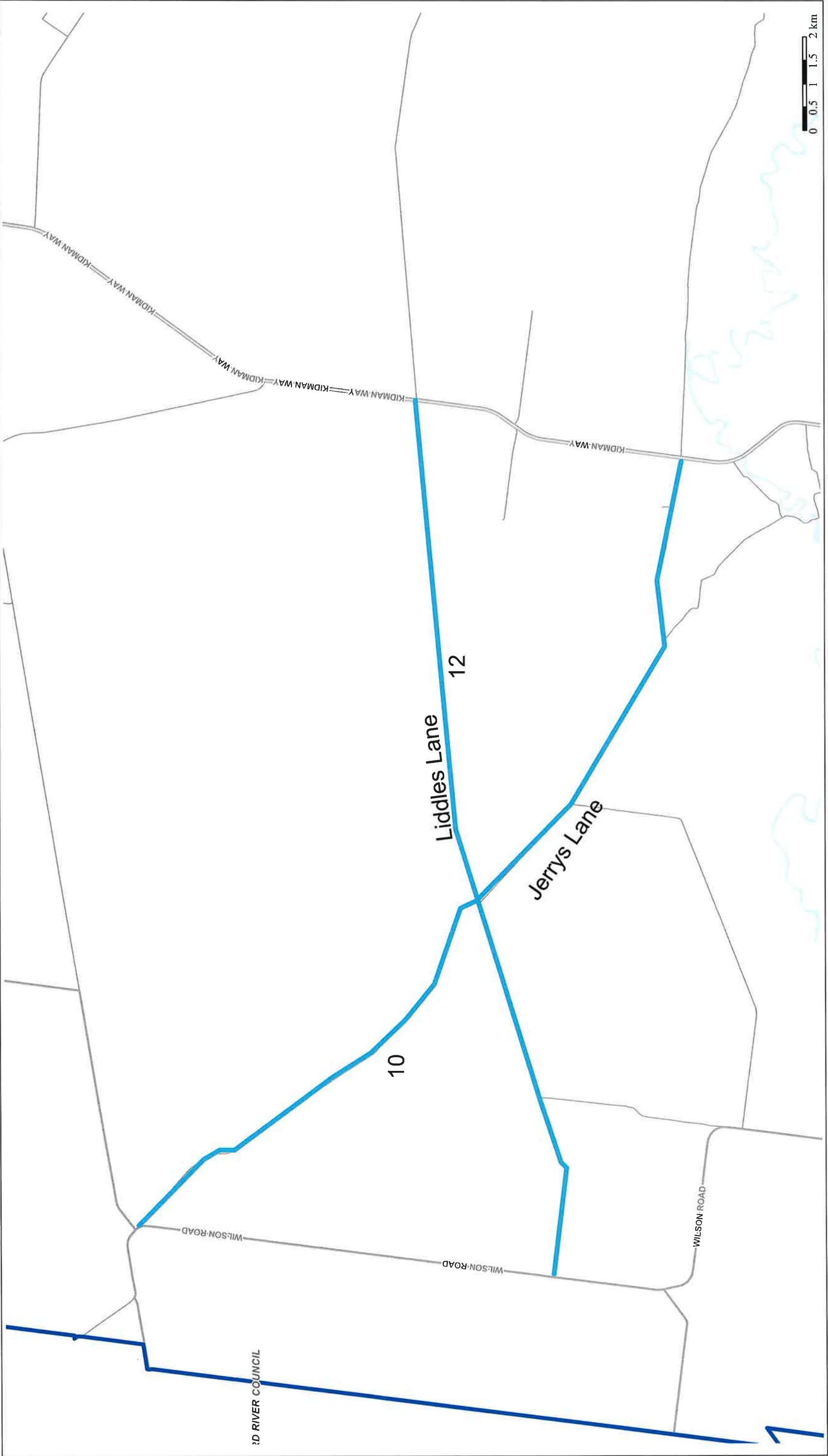
Projection: GDA94 / MGA zone 55

Date: 9/09/2020

Drawn By: Justin Williams

Fire Hazards and Fire Brakes Jerilderie

Map Scale: 1:117897 at A3



1 Darlington Point Depot - Maintenance Grading Sched
Printed Tue 15/09/20



September 2020

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
	1 Britts Road	2	3 Sheppard Lane	4	5	6
7	8	9	10 Euroley	11	12	13
Muntz Lane		Kent Road	Morley Road		Gaston Road	
14	15	16	17 Main Car	18	19	20
Gaston Road		O'Neil Road		Pike Lane		
Banandra Road						
21	22	23	24 Cocky's Lane	25	26	27
Commins Road						
	Citrus Drive	Forge Road				
28	29	30				
	McGrath Road					

Please note this document is subject to change



Overflow Tasks

ID	Name	Start	Finish
26	Argoon Road	Wed 16/09/20	Thu 17/09/20
12	Mellington Road	Fri 25/09/20	Fri 25/09/20
50	Fire Trails Coleambally	Mon 21/09/20	Thu 24/09/20
51	Fire Trails Darlington Point	Fri 25/09/20	Wed 30/09/20



October 2020

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
			1	2	3	4
				Old Morundah Road		
5	6	7	8	9	10	11
	Main Canal Road	Jim Cattnach Road	Boondilla Road			
Old Morundah Road						
12	13	14	15	16	17	18
		Ercildoune Road				
19	20	21	22	23	24	25
	Harvey's Well Road					
26	27	28	29	30	31	
Ryan Road		Durnam Road		Bonnars Lane		



Overflow Tasks

ID	Name	Start	Finish
31	Maclay Road	Mon 12/10/20	Mon 12/10/20