

Berrigan Shire Council Preferred Tree Species List

Adopted by Council

1.0 Introduction

In accordance with Council's Tree Management Policy, preferred species is defined as the trees that Council would select for planting after considering various factors including environmental, proximity to infrastructure, and ongoing maintenance.

The following procedure outlines how Council assesses trees and their proposed locations to determine the most appropriate species. The Preferred Species List lists possible trees according to their size and includes tree characteristics to assist in determining site suitability.

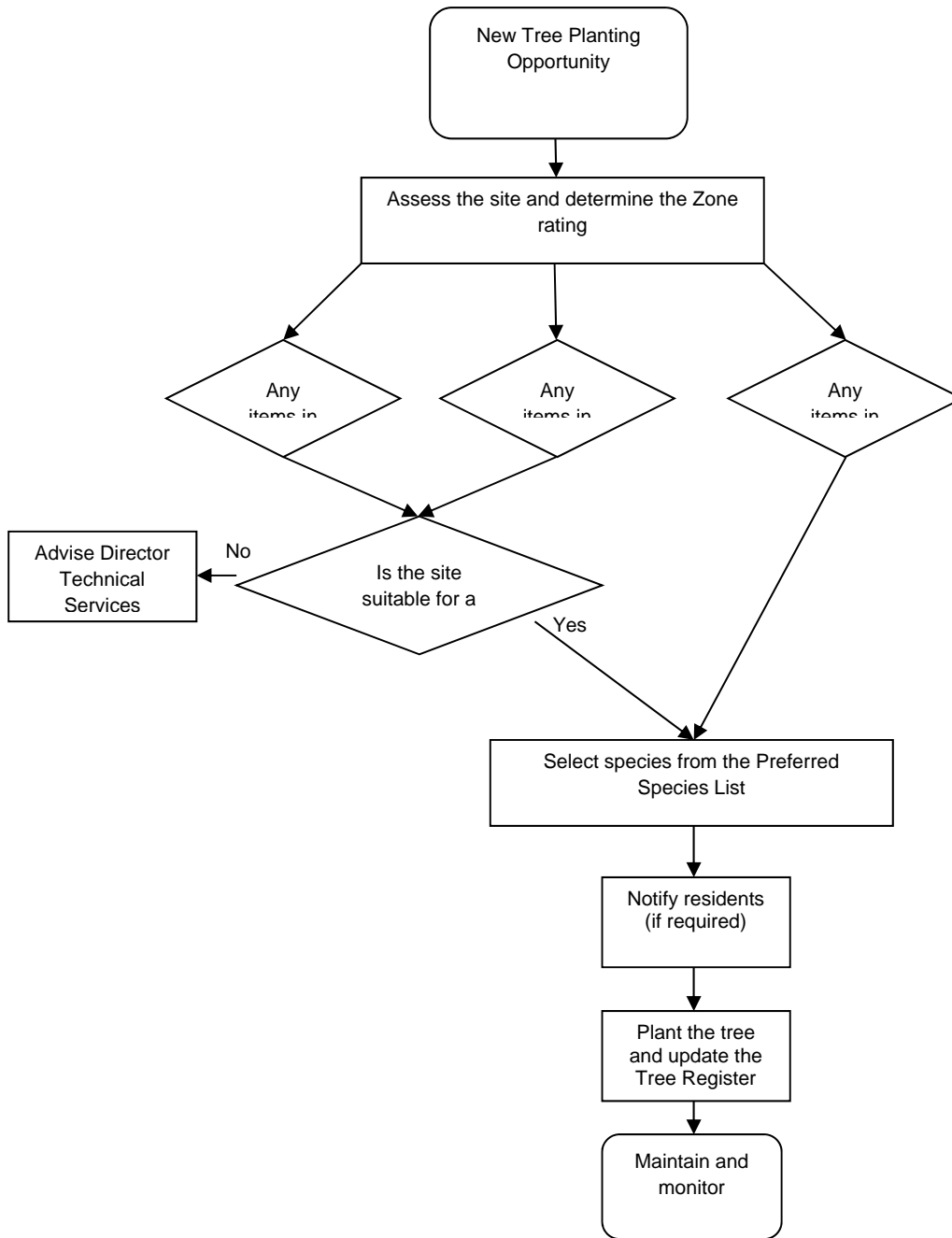
2.0 Zone Areas

When assessing the site and determining the type of tree to plant, consideration must be given to the following risk zones:






Site Characteristic	Zone A <i>Most constraints (High to Very High Risk)</i>	Zone B <i>Moderate constraints (Medium Risk)</i>	Zone C <i>Fewest constraints (Low Risk)</i>
Electrical and telecommunications	<ul style="list-style-type: none"> • Uninsulated low and high voltage wires; • Bushfire prone area 	<ul style="list-style-type: none"> • Bundled cables; • Insulated cables 	<ul style="list-style-type: none"> • No powerlines
Below ground services – typical layouts	<ul style="list-style-type: none"> • Fibre optic cables; • High voltage power 	<ul style="list-style-type: none"> • Bundled cables; • Insulated cables; • Water conduits; • Sewer conduits 	<ul style="list-style-type: none"> • No powerlines; • No conduits
Slope	<ul style="list-style-type: none"> • Steep slope 	<ul style="list-style-type: none"> • Moderate slope 	<ul style="list-style-type: none"> • Generally flat ground
Paved areas	<ul style="list-style-type: none"> • Paved area; • Sealed surface • Brick pavers 	<ul style="list-style-type: none"> • Partially paved areas; • Non reinforced concrete 	<ul style="list-style-type: none"> • Grassy area
Verge width	<ul style="list-style-type: none"> • Less than 3.0m 	<ul style="list-style-type: none"> • From 3 to 4m 	<ul style="list-style-type: none"> • 4m or wider
Building set back	<ul style="list-style-type: none"> • None 	<ul style="list-style-type: none"> • Less than 6m 	<ul style="list-style-type: none"> • 6m or greater
Street lighting	<ul style="list-style-type: none"> • Over pedestrian crossings; • Traffic intersections 	<ul style="list-style-type: none"> • Street lighting other than crossings and intersections 	<ul style="list-style-type: none"> • No street lighting
Signage (i.e. traffic signs)	<ul style="list-style-type: none"> • Arterial roads; • High density residential streets 	<ul style="list-style-type: none"> • Medium density residential streets; • Arterial roads in rural zones 	<ul style="list-style-type: none"> • Low density rural/residential streets
Traffic	<ul style="list-style-type: none"> • Large volumes of heavy vehicles 	<ul style="list-style-type: none"> • Heavy vehicles in moderate volumes 	<ul style="list-style-type: none"> • Residential traffic in low volumes; • Cul-de-sacs
Soils	<ul style="list-style-type: none"> • Severely compacted; • Shallow; • Reactive clay; • Acid sulphate; • Poor drainage 	<ul style="list-style-type: none"> • Moderately compacted; • Urban fill; • Moderate drainage 	<ul style="list-style-type: none"> • Undisturbed soil; • Deep profile; • Medium texture; • Good natural drainage
Water table	<ul style="list-style-type: none"> • High 	<ul style="list-style-type: none"> • Moderate depth 	<ul style="list-style-type: none"> • Deep water table






Identify the zone and the constraints that exist at the identified site, and then select a tree from the Preferred Species List, that is suitable to that Zone, climatic conditions, wildlife habitat, landscaping principles, and aesthetic value. For example if you have identified an area for tree planting where fibre optic cables are present, you would not be planting trees that have been identified in the Preferred Species List that have extensive root systems.

2.1 New Tree Assessment Flow Diagram








3.0 Preferred Species List




SMALL TREES – LESS THAN 10M											
Image	Botanical Name	Common Name	Deciduous/ Evergreen	Site Suitability							
				Zone (A,B,C)	Nature Strip			Under Powerlines	Underground Services	Drought Tolerant	Frost Tolerant
					Suitability	Ultimate Height	Ultimate Width				
	<i>Eucalyptus eximia "Nana"</i>	Dwarf Yellow Bloodwood	E		Yes	8m	6m	Yes	No - >6m	Moderate	Moderate
Notes: Spring flowering. Tolerates a wide range of soils.											
	<i>Lagerstromia indica</i>	Crepe Myrtle	D		Yes	6 - 8m	5 – 6m	Yes	Yes but >4.0m	High	High
Notes: Tree can adapt to a range of soils and prefers full sun.											
	<i>Pistacia chinensis</i>	Chinese Pistachio	D		Yes	10m	10m	Yes	Yes but >3.5m	High	High
Notes: Adapts to most soil textures.											
	<i>Acacia acinacea</i>	Gold Dust Wattle	E		Yes	2m	1.5m	Yes	Yes	High	High
Notes: Fast growing flowering shrub and adaptable to most soil types but sensitive to waterlogging.											
	<i>Eriostemum myoporoides</i>	Long Leaf Waxflower	E		Yes	2m	2m	Yes	Yes	High	High
Notes: Hardy shrub with long flowering season – tolerant of cold and drought. Dislikes root disturbance.											





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Image	Botanical Name	Common Name	Deciduous/ Evergreen	Site Suitability							
				Zone (A,B,C)	Nature Strip			Under Powerlines	Underground Services	Drought Tolerant	Frost Tolerant
					Suitability	Ultimate Height	Ultimate Width				
	<i>Melaleuca incana</i>	Grey Honey Wattle	E		Yes	3m	2m	Yes	Yes	High	High
	Notes: Small weeping type shrub with bottlebrush type flowers. Tolerant of drought and prefers well drained soils and sunny positions.										
	<i>Callistemon citrinus</i>	Crimson bottlebrush	E		Yes	3m	2m	Yes	Yes but >2.0m	Moderate	Moderate
	Notes: Very hardy plants requiring minimal maintenance with bright red flowers										
	<i>Myoporum montanum</i>	Water Bush (or sometimes Western Boobialla)	E		Yes but depends on width	3m	8m	Yes	>4.0m	High	High
	Notes: Species vary in size and are quite spreading										
	<i>Eremophila maculata</i>	Spotted Emu Bush	E		Yes	2m	2m	Yes	Yes	Low	Low
	Notes: Tolerant of periodic flooding and saline environments										
	<i>Senna artemisioides</i>	Silver Cassia	E		Yes	3m	3m	Yes	Yes	High	High
	Notes: Fast-growing, useful low level cover in windbreaks. Important understory component for biodiversity. Bright yellow flowers.										




Preferred Tree Species List





MEDIUM TREES – 10 – 20 METRES IN HEIGHT											
Image	Botanical Name	Common Name	Deciduous/ Evergreen	Site Suitability							
				Zone (A,B,C)	Nature Strip			Under Powerlines	Underground Services	Drought Tolerant	Frost Tolerant
					Suitability	Ultimate Height	Ultimate Width				
	<i>Eucalyptus eximia</i>	Yellow Bloodwood	E		Yes	10 - 12m	4 – 6m	No	No	High	Low – particularly when young
	Notes: Spring flowering gum. Fast growing. Able to succeed on poor, gravelly or sandy soils.										
	<i>Hymenosporum flavum</i>	Native Frangipani	E		Yes	6 – 10m	4 – 6m	No	Yes but >4.0m	Moderate	Moderate
	Notes: Adaptable species tolerating a range of soil conditions										
	<i>Jacaranda mimosaeifolia</i>	Jacaranda	D		Yes	15m	10m	No	No – extensive root system >6.0m	Moderate	Low
	Notes: Prefers rich well drained soils. Needs protection from frost when young. Suitable for parks not streetscapes.										
	<i>Nyssa sylvatica</i>	Tupelo	D		Not suitable near footpaths	11m	6m	Yes	No - >6m	Low	Moderate
	Notes: Slow growing tree with a high tolerance of wet soils and flooding.										
	<i>Pyrus spp</i>	Ornamental Pear (varieties)	D		Yes	10m	10m	Yes – but need to assess all varieties	Yes but >6.0m	Moderate	High
	Notes: Moderate tolerance of waterlogged sites. Hardy plant.										





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				Zone (A,B,C)	Nature Strip			Under Powerlines	Underground Services	Drought Tolerant	Frost Tolerant
					Suitability	Ultimate Height	Ultimate Width				
	<i>Ulmus parvifolia</i>	Chinese Elm	D		Yes	10m	11m	No	Yes but >6.0m	Moderate	High
Notes: Adaptable tree capable of growing well in a wide variety of sites. Performs best in well drained soils, but will tolerate compacted conditions.											
	<i>Gleditsia triacanthos</i>	Honey locust	D		Yes	10 - 15m	8 – 10m	Yes	No > 10m	Moderate	High
Notes: Hardy, very adaptable and easy to grow. Tolerant of a wide range of soil conditions											
	<i>Acer x freemanii</i>	Jeffersred' Autumn Blaze Maple	D		Yes	13	10	No	No	Moderate	Low
Notes: Well structured, adaptable tree. Suitable to car parks, amenity areas around buildings, street and park plantings.											





MEDIUM TREES – 10 – 20 METRES IN HEIGHT											
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				Zone (A,B,C)	Nature Strip			Under Powerlines	Underground Services	Drought Tolerant	Frost Tolerant
					Suitability	Ultimate Height	Ultimate Width				
	<i>Melaleuca lanceolata</i>	Moonah	E		Yes	7m	5m	Yes	No	Moderate	Moderate
	Notes: Good for use in gardens and parks. Can be used as a windbreak or for shade. Low maintenance and fast growing										
	<i>Geijera parviflora</i>	Wilga	E		Yes	9m	8m	Yes	No	High	Moderate
	Notes: Very good shade and shelter tree but very slow growing										
	<i>Acmena smithii</i>	Lilly Pilly	E		Yes but need to keep in mind that this tree bears fruit	15m	5m	No	No >20m	Low	High
	Notes: Suitable for streetscapes – fruit attracts birds and other wildlife. Tree can also be pruned into a hedge.										
	<i>Pittosporum phylliraeoides</i>	Butterbush	E		No	6m	2 – 4m	Yes	>6.0m	Moderate	High
	Notes: Slow growing but long living suitable for parks and gardens										





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					Nature Strip			Under Powerlines	Underground Services	Drought Tolerant	Frost Tolerant
					Suitability	Ultimate Height	Ultimate Width				
	<i>Corimbia ficifolia</i>	Red-flowering gum	E		Yes	10m	5m	Yes	No	Moderate	Low
	Notes: Hardy and fast growing and rarely requires pruning – does not like waterlogged sites.										
	<i>Fraxinus oxycarpa</i>	Desert Ash	D		Yes	15m	12m	No	No >20m	High	High
	Notes: Fast growing tree which has invasive potential for native sites.										
	<i>Acacia iteaphylla</i>	Willow-leaved wattle or Flinders Range wattle	E		Yes	5m	5m	Yes	No	High	Moderate
	Notes: Once established this tree has a low water requirement. Early pruning will encourage bushiness in later stages.										

LARGE TREES – GREATER THAN 20 METRES											
Image	Botanical Name	Common Name	Deciduous/ Evergreen	Zone (A,B,C)	Site Suitability						
					Nature Strip			Under Powerlines	Underground Services	Drought Tolerant	Frost Tolerant
					Suitability	Ultimate Height	Ultimate Width				
	<i>Callitris glauca</i>	White Cypress Pine	E		Not for pedestrian areas – seed cones	20 – 30m	5 – 6m	No	Yes but >3.5m – has the potential for an invasive root system	High	High
Notes: Prefers well drained sandy soils and has a low salt tolerance											
	<i>Eucalyptus albens</i>	White Box	E		No	18 – 25m	12 – 15m	No	No - >20m	Moderate	Moderate
Notes: Will grow in a range of soils but uses a large amount of ground water. A very useful tree for erosion control with large spreading roots.											
	<i>Eucalyptus citriodora</i>	Lemon scented gum	E		No	15 -30m	10-25m	No	No	Moderate	Moderate
Notes: Must be pruned in early stages to remove wayward limbs and to promote vertical growth to avoid limb failure.											
	<i>Eucalyptus leucoxylon ssp. Pruinosa</i>	Yellow Gum	E		No	15-25m	5-10m	No	No >6m	High	High
Notes: This tree has many different forms and varieties – moderately fast growing and excellent shade, shelter and wind erosion control.											

LARGE TREES – GREATER THAN 20 METRES											
Image	Botanical Name	Common Name	Deciduous/ Evergreen	Site Suitability							
				Zone (A,B,C)	Nature Strip			Under Powerlines	Underground Services	Drought Tolerant	Frost Tolerant
					Suitability	Ultimate Height	Ultimate Width				
	<i>Eucalyptus maculata</i>	Spotted gum	E		No	35m	10m	No	No	Moderate	Low
	Notes: Fast growth but does require some formative pruning to address limb failure in advanced trees.										
	<i>Eucalyptus melliodora</i>	Yellow Box	E		No	20 – 30m	8 – 10m	No	No	High	High
	Notes: Fast growing tree not suitable to shady areas or small compact areas. Does not tolerate water-logging.										
	<i>Eucalyptus microcarpa</i>	Grey Box	E		No	25m	8 – 10m	No	No	High	High
	Notes: Suitable for park areas – it is a good shade tree and is useful as an upper canopy tree in windbreak plantings.										
	<i>Eucalyptus sideroxylon</i>	Mugga Ironbark	E		Yes	10 – 25m	Up to 15m	No	No	High	Moderate
	Notes: Black barked tree with white, pink or red flowers – good ornamental street tree.										

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					Suitability	Ultimate Height	Ultimate Width				
	<i>Grevillia robusta</i>	Silky Oak	E		No	18 – 35m	5 – 14m	No	No >20m	High	Moderate
	Notes: Fast growing tree with golden orange bottlebrush flowers										
	<i>Acacia salicina</i>	Willow wattle	E		Yes	5 – 12m	10m	Yes	No - <4.0m	Moderate	Moderate
	Notes: Fast growing tree suitable for erosion control.										
	<i>Acacia pendula</i>	Weeping Myall or Boree	E		Yes	6 – 12m	4 – 6m	No	No - <4.0m	High	High
	Notes: Hardy tree which can tolerate drought and occasional flooding. Slow to moderate growth rate.										
	<i>Melaleuca stypheliodes</i>	Prickly-leaved Paperbark	E		Yes	8 – 10m	6 – 8m	No	No - <4.0m	Moderate	Moderate
	Notes: Hardy native tree with prickly foliage and profuse flowers during spring/summer										

LARGE TREES – GREATER THAN 20 METRES											
Image	Botanical Name	Common Name	Deciduous/ Evergreen	Site Suitability							
				Zone (A,B,C)	Nature Strip			Under Powerlines	Underground Services	Drought Tolerant	Frost Tolerant
					Suitability	Ultimate Height	Ultimate Width				
	<i>Melaleuca armilaris</i>	Bracelet honey myrtle	E		Yes	8m	7m	Yes	No - <3.5m	High	Low
	Notes: Fast growing and adaptable to most soils. Pruning required to keep it healthy.										
	<i>Casuarina cunninghamiana</i>	River She-Oak	E		Yes	15 – 35m	6m	No	No	High	Low
	Notes: Slow growing tree. Use as a windbreak.										
	<i>Metrosideros excelsa</i>	Pohutakawa (New Zealand Christmas Tree)	E		Yes	12 – 25m	9 – 12m	No	No - > 6m	Moderate	Low
	Notes: Can survive in a range of soil types with unusual root system. Has been known to have invasive roots.										
	<i>Platanus orientalis 'Digitata'</i>	Cut Leaf Plane	D		No – has prickly fruit and root systems can lift and damage footpaths and kerbing	25 – 30m	20m	No	No >10m	Moderate	High
	Notes: Will tolerate exposed sites. Not prone to insects that cause obvious damage to foliage. Seen to have good tolerance of pruning and can handle root disturbance.										



Berrigan Shire Council

Asbestos Management Plan

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1. Introduction

The Berrigan Shire Council (Council) is responsible for many buildings and structures within the Shire's four towns of Barooga, Berrigan, Finley and Tocumwal. These buildings are identified on Council's *Corporate and Community Services Asset Management Plan* and whilst they are public accessible buildings, they also act as Council controlled worksites for Council staff. In accordance with the *Work Health and Safety Act 2011*, Council has a legal responsibility to ensure the health and safety of its workers and others in the workplace.

The purpose of the Asbestos Management Plan (AMP) is to address Council's legal obligation under the *Work Health and Safety Act 2011*, the *Work Health and Safety Regulations 2011* and the *Code of Practice – How to manage and control asbestos in the Workplace*. The AMP is designed to effectively manage and minimise asbestos related health risks to personnel working on, visiting or utilising Council buildings and/or structures.

The AMP is to be read in conjunction with the Asbestos Register which has been prepared by Safe Work and Environments for Council's individual facilities; and supporting documentation for the removal and disposal of asbestos and asbestos containing material.



2. Definitions

References to words below have the following defined meaning:

Asbestos: The fibrous form of those mineral silicates belonging to the serpentine or amphibole groups of rock-forming minerals, including actinolite, amosite (brown asbestos), anthophyllite, chrysotile (white asbestos), crocidolite (blue asbestos) and, tremolite or any mixture containing one or more of the mineral silicates belonging to the serpentine and amphibole groups.

Asbestos containing material (ACM): Any material, object, product or debris that contains asbestos.

Asbestos Register: A register recording the type, condition and location of all asbestos and asbestos containing materials for all premises under Council's control.

Asbestos work: Work undertaken in connection with a work process in which exposure to asbestos may occur and includes any work process involving the use, application, removal, mixing or other handling of asbestos or asbestos containing material.

Bonded or non-friable asbestos material: Materials that contain asbestos in a bonded matrix (may consist of cement or various resin/binders and cannot be crushed by hand when dry).

Competent person: A person possessing adequate qualifications, such as suitable training and sufficient knowledge, experience and skill, for the safe performance of the specific work.

Control Level: The airborne concentration of a particular substance which, if exceeded, indicates a need to implement a control, action or other requirement. Control levels are occupational hygiene "best practice" and are not health-based standards.

Control Monitoring: Means air monitoring, measuring the level of airborne asbestos fibres in an area during ACM removal work. Control monitoring is designed to assist in assessing the effectiveness of control measures. Its results are not representative of actual occupational exposures, and should not be used for that purpose.

Dust and debris (ACD): Visible particles, fragments or chunks of material, large and heavy enough to have settled in the work area, that are likely to have originated from ACM.

Friable (Asbestos): Means ACM which, when dry, is or may become crumbled, pulverised or reduced to powder by hand pressure.

This may include ACM that have been subjected to conditions that leave them in a state where they meet the definition, such as weathering, physical damage, water damage, etc. Hierarchy of hazard control measures taken to minimise risk to the



lowest level reasonable practicable in the descending order of Elimination, Substitution, Isolation, Engineering controls, Administrative controls, and PPE.

Licence: a licence granted by SafeWork NSW to carry on the business of licensed work under the *Work Health and Safety Regulation 2011*.

Licensed work: Means one of the following:

- a) Class A – Asbestos removal licence allows the licence holder to remove friable asbestos and non-friable asbestos and asbestos contaminated dust (ACD);
- b) Class B – Asbestos removal licence allows the licence holder to remove non-friable asbestos and ACD associated with the removal of non-friable asbestos. It is required for the removal of more than 10m² of non-friable asbestos or ACM, or ACD associated with the removal of more than 10m² of non-friable asbestos;
- c) Asbestos Assessor – licence is required for air monitoring, clearance inspections or the issuing of clearance certificates for Class A asbestos removal work, where a Class A licence is required.

Person conducting business or undertaking (PCBU): A PCBU conducts a business or undertaking alone or with others. The business or undertaking can operate for profit or not-for-profit. The definition of a PCBU focuses on the work arrangements and the relationships to carry out the work. In addition to employers, a PCBU can be a corporation, an association, a partnership or sole trader. A volunteer organisation which employs any person to carry out work is considered a PCBU.

Worker: A worker is anyone who carries out work for a PCBU and includes:

- An employee
- A contractor or sub-contractor
- An employee of a contractor or sub-contractor
- An employee of a labour hire company
- An apprentice or trainee
- A student gaining work experience
- An outworker
- A volunteer



3. Legislative Requirements

This AMP has been prepared in accordance with the following legislation:

- *Work Health and Safety Act 2011*
- *Work Health and Safety Regulations 2011*
- *Code of Practice – How to Manage and Control Asbestos in the Workplace*
- *Code of Practice – How to Safely Remove Asbestos*



4. What Is Asbestos?

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

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

Since 31 December, 2000, using all forms of asbestos has been banned.

4.1 Health Effects

Asbestos is formed in fibre bundles and, as it is further processed or disturbed, the fibre bundles become progressively finer and more hazardous to health. The small fibres are the most dangerous. They are invisible to the naked eye and, when inhaled, penetrate the deepest part of the lungs (respirable fibres).

Significant health risks may arise from the inhalation of airborne asbestos fibres. Compared with straight amphibole fibres such as amosite or crocidolite, chrysotile fibres are curly and less likely to penetrate the deepest parts of the lung.

Breathing in fibres brings a risk of asbestosis, lung cancer and mesothelioma. Evidence suggests that asbestos causes gastrointestinal and laryngeal cancers in humans, but to a far lesser extent than lung cancer. Usually, asbestos-related diseases have a delay or latency period of 20 to 40 years between first exposure and the onset of symptoms and detection of the disease. Asbestos-related diseases can appear or progress even after a person is no longer exposed.

4.2 Application of Asbestos in Buildings

As ACM has been used extensively throughout the building industry, asbestos is still present in numerous workplaces. The asbestos related health risk to the occupants of buildings/workplaces which contain asbestos is negligible. Whilst ACM located within a workplace presents a hazard they do not present a risk if the asbestos is undisturbed and no asbestos fibres are released into the air.

Commonly, asbestos has been used in the following:

- Asbestos cement sheets
- Pipes for construction
- Casing for water and electrical/telecommunication services
- Electrical switchboards
- Wall and ceiling insulation
- Paint
- Insulation to boiler/heating pipes
- Insulation to fire doors



5. Objectives

Ultimately, the Berrigan Shire Council's aim is for asbestos-free facilities and workplaces. In the interim, Council intends to manage asbestos hazards based on identification, assessment prioritisation of risk and control of asbestos.

Generally, the Council will:

- Using the services of a qualified contractor, survey all Council controlled properties to ascertain the presence or absence of asbestos;
- Maintain a register containing the location or suspected location of asbestos;
- Assess potential health risks and implement control measures;
- Remove or control asbestos materials that pose an immediate health risk;
- Regularly review and monitor identified areas to ensure they are in good condition and do not pose an immediate health risk.

In working towards an asbestos free Council, the objectives of the Asbestos Management Plan are to:

- Perform a risk assessment on all identified asbestos containing materials;
- Implement appropriate control measures based on the risk assessment;
- Where removal is not necessary, aim to label all identifiable asbestos containing materials in accordance with the Council's Asbestos Register;
- Establish a review and monitoring process whereby all control strategies are assess on an annual basis to ensure effectiveness;
- Establish procedures where asbestos awareness is paramount prior to any works commencing on Council controlled buildings/structures;
- Ensure, as far as possible, that no persons whether employed, contracted, utilizing or visiting Council facilities are exposed to the risk of inhalation of airborne asbestos fibres;
- That all personnel are fully informed of the control strategies that have been established by Council.



6. Asbestos Management

6.1 Council Responsibilities

The *Work Health and Safety Regulations 2011* outline specific obligations to managing and controlling asbestos and ACM at the workplace. This relates to all Council controlled facilities and Council's responsibilities are summarised below:

- Council must ensure, so far as is reasonably practicable, that exposure of a person at the workplace to airborne asbestos is eliminated, except in an area that is enclosed to prevent the release of respirable asbestos fibres and negative pressure is used. If this is not reasonably practicable the exposure must be minimised so far as is reasonably practicable.
- Council must ensure the exposure standard for asbestos is not exceeded at the workplace;
- Council must ensure health monitoring is provided to a worker who is carrying out licensed removal work, other ongoing asbestos removal work or asbestos-related work and there is risk of exposure when carrying out that work;
- Council must ensure the health monitoring is carried out under the supervision of a registered medical practitioner and information as specified in the *Work Health and Safety Regulations 2011* is provided to that medical practitioner;
- Council must pay all expenses for health monitoring, obtain reports and keep records of all health monitoring;
- Council must ensure that information, training and instruction provided to a worker is suitable and adequate and that it is provided in a way that is readily understandable by any person to whom it is provided;
- Council must ensure that, if a worker is either carrying out asbestos-related work or may be involved in asbestos removal work, they are trained in the identification and safe handling of asbestos and ACM and the suitable control measures;
- Council must not use, or direct or allow a worker to use, certain equipment on asbestos and ACM;
- Council must, if there is uncertainty as to whether work is asbestos-related work, assume asbestos is present or arrange for an analysis of a sample to be undertaken to determine if asbestos or ACM is present;
- Council must give information as specified in the *Work Health and Safety Regulations 2011*, to a person who is likely to be engaged to carry out asbestos-related work;
- Council must ensure the asbestos-related work area is separated from other work areas at the workplace, signs are used to indicate where the asbestos-



related work is being carried out and barricades are used to delineate the asbestos-related work;

- Council must ensure a competent person carries out air monitoring of the work area if there is uncertainty as to whether the exposure standard is likely to be exceeded;
- Council must ensure that asbestos waste is contained and labelled correctly before it is removed, and is disposed of as soon as practicable;
- Council must ensure where personal protective equipment (PPE) is used and contaminated with asbestos, such PPE is sealed, decontaminated, labelled and disposed of in accordance with the *Work Health and Safety Regulations 2011*. If this is not reasonably practicable, the PPE must be laundered in accordance with the *Work Health and Safety Regulations 2011*. PPE that is not clothing and cannot be disposed of must be decontaminated and kept in a sealed container until it is reused for the purposes of asbestos-related work;
- Council must ensure, so far as is reasonably practicable, that all asbestos or ACM at the workplace is identified by a competent person or assume its presence;
- Council may identify asbestos or ACM by arranging a sample of the material to be analysed;
- Council must ensure the presence and location of asbestos or ACM identified (or assumed to be identified) at the workplace is clearly indicated (by a label if reasonably practicable);
- Council must ensure an asbestos register is prepared, maintained, reviewed and kept at the workplace. It must be readily available to workers, their health and safety representatives and other persons;
- Council must ensure, when management or control of the workplace or facility is relinquished, a copy of the asbestos register is given to the person assuming management or control;
- Council must, where asbestos has been identified at the workplace, ensure an asbestos management plan is prepared, maintained and reviewed. It must be accessible to workers, their health and safety representatives and other persons;
- Prior to demolition or refurbishment work commencing, Council must review the asbestos register and ensure all asbestos that is likely to be disturbed is identified and removed so far as is reasonably practicable;
- Council must provide a copy of the asbestos register to the person carrying out the demolition or refurbishment work before the work commences;



- Where Council is to carry out the demolition or refurbishment work, Council must, prior to the works commencing:
 - *Obtain a copy of the asbestos register for the workplace from the person with management or control;*
 - *If an asbestos register is not available, ensure the structure or plant to be demolished or refurbished has been inspected by a competent person to determine if any asbestos or ACM is fixed to or installed (or assume its presence);*
 - *Where asbestos is determined to be fixed to or installed, tell the occupier, owner (if at a domestic premises) or the person with management or control in any other case;*
 - *Ensure asbestos at domestic premises that is likely to be disturbed by the demolition or refurbishment is identified and, if reasonably practicable, removed before the work commences;*
 - *If an emergency occurs at a domestic premises where asbestos is identified (or assumed) and it must be demolished, ensure there is a procedure to reduce the risk of the exposure to asbestos to below the exposure standard, and notify SafeWork NSW of the emergency.*

6.2 Control of Asbestos Hazards

The control of asbestos hazards should be via the most appropriate method available and applicable to particular circumstances. Based upon the assessment of the condition of the asbestos, it's potential to suffer damage or mechanically degrade, and the likelihood of exposing people to airborne asbestos, the following control strategies will be adopted:

- Leave in situ
- Encapsulation or sealing
- Enclosure
- Removal

6.2.1 Leave in situ (defer action)

The identification of asbestos in a building or plant does not automatically necessitate its removal. Asbestos in a stable condition and not prone to mechanical damage can generally remain in situ. Council will adopt this strategy based on recommendations from the Asbestos Surveys and subsequent re-inspections. The asbestos will be inspected on a regular basis to ensure its integrity is maintained, labelled with an appropriate warning, and must be removed under controlled conditions prior to demolition or refurbishment works that may disturb the asbestos.

6.2.2 Encapsulation or Sealing



Encapsulation refers to the coating of the outer surface of the asbestos material by the application of a sealant compound that usually penetrates to the substrate and hardens the material. Sealing is the process of covering the surface of the material with a protective coating impermeable to asbestos. Encapsulation or sealing helps protect the asbestos from mechanical damage, and is designed to reduce the risk of exposure by inhibiting the release of asbestos fibres into the airborne environment, and increase the length of serviceability of the product. Council will make use of the encapsulation or sealing method where directed in recommendations from the Asbestos Surveys, if removal is not immediate achievable. It is not considered to be an acceptable alternative to repairing or removing severely damaged ACM, and will be subjected to regular re-inspections.

6.2.3 Enclosure

Enclosure involves installing a barrier between the asbestos material and adjacent areas. This is effective in inhibiting further mechanical damage to the asbestos. The type of barrier installed may include plywood or sheet metal products, constructed as boxing around the asbestos. Council will use this isolation method where removal or repair is not immediately achievable and enclosing the ACM is the safest alternative in the interim.

6.2.4 Removal

Removal of asbestos must be performed under controlled conditions, depending on the type of asbestos product to be removed. Removal is considered preferable to the other abatement options such as enclosure or encapsulation, as it eliminates the hazard from the workplace. The removal process, however, does pose an increased risk to personnel engaged in the removal, and may result in increased airborne fibre levels in adjacent occupied areas if the removal program is not strictly controlled.

Asbestos removal is generally an expensive exercise, and can cause major disruptions to building occupants. The removal of asbestos is considered appropriate when the asbestos product is deteriorated, has reached an unserviceable condition, or is at risk of being disturbed, and other control options are not feasible. Where demolition or refurbishment works are to occur, and this work is likely to impact on ACM, the asbestos must be removed under controlled conditions prior to the commencement of any site works.

Competent Council staff will be responsible for the removal of bonded asbestos that does not exceed 10m². Where the asbestos is identified as friable or the bonded asbestos amounts exceed 10m², Council will utilize the services of a licensed removalist.

6.2.4.1 Licensed Removal

Where contractors have been employed for licensed asbestos removal work, they must, prior to any works commencing, provide Council with:

- A copy of their Asbestos Removal Control Plan;
- Notify SafeWork NSW at least five days prior to works, of the intended removal works;
- Ensure signage and barricades are erected prior to the removal work, and ensure access to the area is limited;
- Ensure they have facilities available for decontamination.

Following Class B licensed removal work conducted by contractors, Council will arrange for an independent, competent person to conduct a clearance inspection and issue a Clearance Certificate.

The competent person will be appropriately trained as an Asbestos Assessor in accordance with SafeWork NSW requirements. To be independent, the competent person must not be involved in the removal of asbestos for that specific job and is not involved in the PCBU involved in the removal of the asbestos for that specific job.

Ideally, this will require the competent person to be independent of Council, however this is not always achievable or reasonably practicable. In instances where an independent competent person cannot be utilised to issue a Clearance Certificate, this task will be performed by qualified Council staff following approval from SafeWork NSW.

Refer to Appendix C – Visual Clearance Certificate.

Council has no identified friable asbestos in its facilities. However, will continue to inspect and assess facilities prior to any maintenance or demolition work. In instances where friable asbestos is found, Council will follow procedures in accordance with the *Work Health and Safety Regulations 2011*, and the *Code of Practice – How to Safely Remove Asbestos*.

6.3 Managing In Situ Asbestos

The management of in situ asbestos is important to ensure ACM is not damaged or deteriorated to such an extent that workers or visitors are unnecessarily exposed to airborne asbestos fibres. It is also the aim of Council to incorporate asbestos issued into internal works orders and building works contracts, designed to ensure that any asbestos that may be encountered during the work to be undertaken is dealt with in the appropriate manner.

6.3.1 Re-inspections

Re-inspections of ACM re to be conducted by competent personnel trained in the identification of ACM and the risk assessment processes. The inspections will involve visual assessment of the condition of the materials to determine whether that material remains in a satisfactory condition, or if deterioration has occurred



since the previous inspection. Such re-inspections will determine if any remedial action, such as encapsulation, isolation or removal of the ACM is required.

Re-inspections will be performed on an annual basis. Normally, re-sampling of materials would not be required during re-inspections. If however previously unidentified or undocumented asbestos, or materials suspected of containing asbestos are encountered during the re-inspection, sampling and analysis will need to be performed. The asbestos register, where necessary, will be updated and re-issued at the completion of the re-inspection work.

Refer Appendix A – Asbestos Management Plan Flowchart.



7. Information and Training

7.1 Employee Information and Training

Training and sharing of information is a pivotal element of this AMP.

Asbestos Identification training will be provided to all staff identified as having potential exposure to ACM during their normal course of work.

These positions include, but are not limited to:

- Water and Sewer Operators
- Concreting staff
- Landfill staff
- Asset Maintenance staff

In addition, Safe Work Method Statements and Standard Operating Procedures have been developed to ensure management of asbestos is in accordance with relevant legislation.

Additional staff will be identified to undergo training for Asbestos Removal in accordance with SafeWork NSW requirements. Where appropriately trained staff are not available to perform licensed removal work, licensed contractors will be employed.

7.2 Contractor Information

Contractors will be provided with an appropriate level of site specific training during the induction process to ensure that they are aware of the requirements of the AMP and also, that they are aware of any ACM that may impact upon their work. Site specific induction procedures will include where necessary, a copy of the relevant section(s) of the Council's Asbestos Register, asbestos management and personal protective requirements, with emphasis placed on the workers' responsibility.

7.3 Health Surveillance

For individuals that have been potentially exposed, or are involved in asbestos related work, Council has provided, and will continue to provide appropriate health surveillance through qualified practitioners.

Reports from the health surveillance must be made available, will be treated as a confidential record and will be included as part of the worker's file.

7.4 Incidents and Emergency Response

Under this AMP, an emergency occurs when:

- a) A structure or plant is structurally unsound, or
- b) Collapse of the structure or plant is imminent.



Emergency procedures on site will cover actions to be taken as a result of an event that affects the integrity of the structure or plant. These events include:

- Explosion
- Industrial Accident
- Failure of the structure or plant
- Earthquake
- Flood
- Fire

In order to ensure the health and safety of all concerned, emergency procedures are included in this AMP when potential asbestos exposure occurs as a result of an event that affects the integrity of the structure or plant.

Refer Appendix D – Emergency Response Procedures

All emergency procedures should take place as soon as possible after the event, with the first priority to stabilize the situation and to prevent further hazards or exposure. Any exposure or potential exposure must be reported to Council on its standard Incident Report Form (Workcover).

In addition, an investigation will be conducted in accordance with Council procedures and an Investigation Report completed.



8. Asbestos Surveys/Registers

Berrigan Shire Council employed Safe Work and Environments to conduct surveys on Council's assets, take samples to determine the presence or absence of asbestos, and advise on proposed control measures in accordance with the hierarchy of control. The results and supporting information from these surveys constitutes the Council's Asbestos Register. The information in the Asbestos Register is separated into each town and subsequently each building/facility, and includes:

- The date of the survey and report compilation
- Sample No.
- Results
- The availability of photo identification
- Description of the product
- Location within the building
- Asbestos type
- Condition
- Accessibility
- Airborne potential
- Exposure potential
- Risk score
- Action Priority
- Quantity
- Actions/Comments

The information from the surveys has been transferred onto the Asbestos Management Action Plan and listed in accordance with classified priority. High priority items requiring removal have been addressed, with Medium and Low priority items addressed gradually, and reviewed annually. Additional reviews will be conducted when:

- There is evidence that the risk assessment is no longer valid;
- A significant change is proposed in the place of work or in work practices or procedures to the area that the risk assessment relates;
- There is a change in the condition of the ACM; or
- The ACM has been removed, enclosed or sealed.

Further risk assessments will be in accordance with the methodology used an outline in the Asbestos Register and will be determined in accordance with the following risk factors:

- Condition of the material
- Friability of the material
- Airborne potential of the material
- Accessibility of the material, and
- Location of the material.



9. Labelling

9.1 Warning Signs

All areas of Council's workplace including plant, equipment and components that contain ACM shall, where reasonably practicable, be signposted with cautionary warning signs to ensure that the asbestos is not knowingly disturbed without correct precautions being taken. Signs should be located at all main entrances to the workplace or all entrances to the areas where asbestos is present.

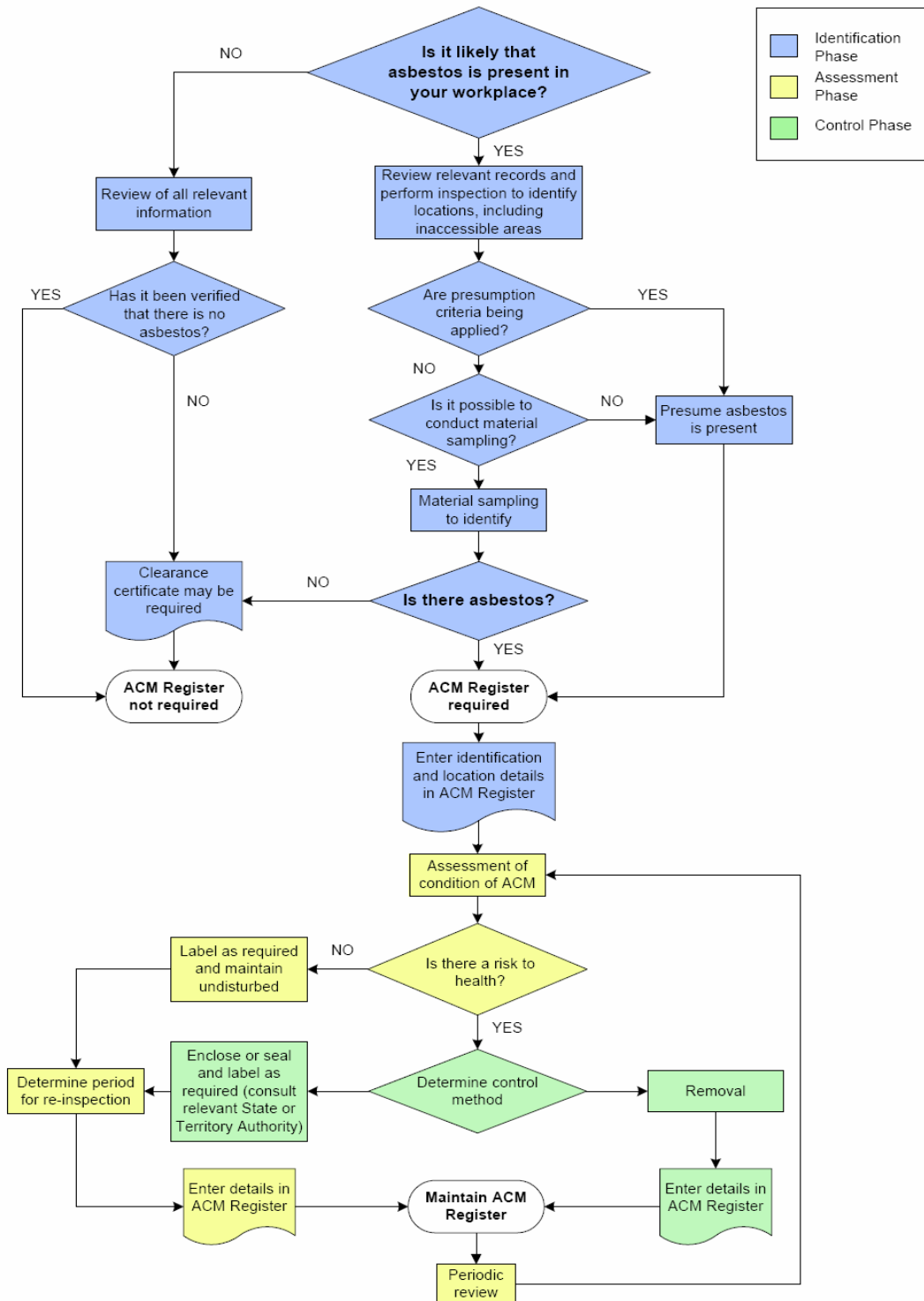
9.2 Labelling

In addition to warning signs, when a risk assessment has identified that the ACM may be disturbed or there is a potential health risk, the ACM must be labelled to warn of the presence of asbestos. The location of the label should be consistent with the location of the ACM as outlined by information in the Asbestos Register. A competent person should determine the number and positioning of labels required.

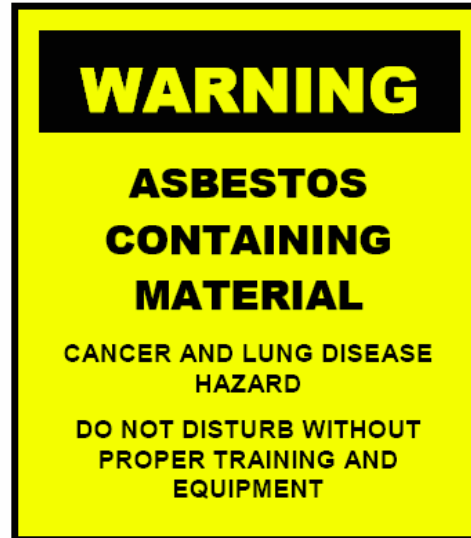
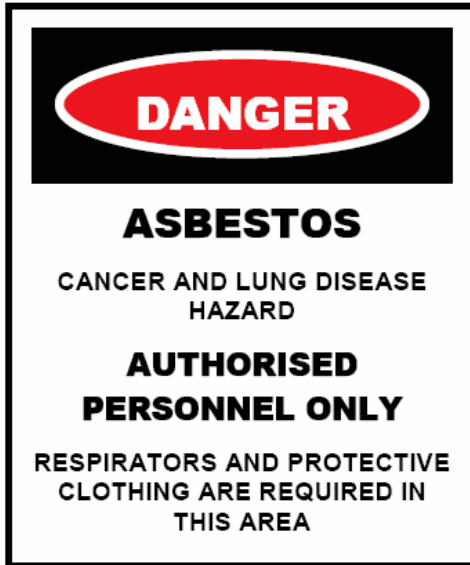
Labels used for this purpose must identify the material as containing asbestos and should comply with Australian Standard *AS1216:2006 Class Labels for Dangerous Goods*, and in accordance with the *Code of Practice – How to Manage and Control Asbestos in the Workplace*.

Refer Appendix B – Labelling Standards.

Appendix A – Asbestos Management Plan Flowchart



Appendix B – Labelling Standards





Appendix C



Visual Clearance Certificate (Class B Asbestos Removal)

A competent and independent person (refer to Council's Asbestos Management Plan) must conduct a visual inspection of the removal area following completion of asbestos removal work and issue a clearance certificate prior to re-occupancy by unprotected workers.

A clearance inspection can only be conducted after all asbestos-containing material (ACM) has been removed, wrapped and stored in a collection container and all asbestos fragments and dusts have been collected and sealed in the same manner. **Barriers and signage must remain in place until the competent person issues a visual clearance certificate.**

Assessor/Competent Person (Name)	
Date of Inspection	
Address of Work Site	
Location of Removal Area	
Name of Licensed Removalist	
Licence No.	

Visual Inspection Check List	Still Contaminated	Visually Clear	Initials
Building ledges			
Tops of rafters and purlins			
Top of wall girts			
Top of ducts and cable trays			
Surrounding roof areas			
Surrounding floors including cracks/crevices			
Drains, depressions and grassed surrounds			
Access equipment used during removal work			
Other areas as relevant			
Include relevant notes or observations by person inspecting work area			
1.			
2.			
3.			

Clearance Declaration

I declare that:

- the former enclosure, asbestos removal work area and the surrounding area are free from any visible asbestos;
- the transit route and waste routes are free from any asbestos, and
- all asbestos in the scope of the removal work has been removed and any known asbestos is intact.

.....
Signature of licensed assessor/competent person

.....
Assessor licence number (if applicable)

.....
Name of licensed assessor/competent person



Appendix D – Emergency Procedures

1. Stop Work

- Cease all work activities and evacuate to the Emergency Assembly Area.

2. Restrict access to affected area and shut off air-conditioning systems if applicable.

- Restrict access to the area or site by closing doors, taping off access points and installing temporary signage to prevent site or building occupants or members of the public from entering the immediate area, and to prevent any further disturbance of asbestos materials in the area.
- Air handling systems should be shut off where relevant.

3. Notify Council staff

- Notify the General Manager or in the absence of, notify the Development Manager or Enterprise Risk Manager;
- Complete an Incident Notification Form and forward to Payroll/HR Officer.

4. Enforce PPE requirements if accessing area

- Until the presence of asbestos is confirmed, asbestos is assumed to be present. If entry into the area is required, ensure:
 1. Disposable coveralls are worn,
 2. Boots (without laces)
 3. Respiratory Protective Equipment
 4. Disposable gloves
- All disposable equipment should be disposed of in accordance with disposal procedures;
- All other equipment should be wiped down with cleaning rags disposed of in accordance with disposal procedures.

5. Council staff to initiate procedures

- Access the Asbestos Register to identify asbestos amount and type located in the affected building;
- The building is to be assessed by Council Building Surveyor and Engineer to arrange a risk assessment and advise of appropriate control strategies (follow PPE procedures);



- Contact a licensed asbestos removalist and arrange removal works as soon as it is safe to do so;
- Contact SafeWorkNSW

6. Licensed Asbestos Removalist to conduct asbestos removal works.

- Asbestos Removalist to provide details in accordance with Council's Asbestos Management Plan.

7. Conduct asbestos fibre air monitoring and independent visual inspection.

- Arrange for contracted asbestos fibre air monitoring to occur and issue clearance certificate;
- Arrange for competent person to conduct visual inspection and issue clearance certificate.

(Adopted by Council)



Policy

70 ASSET MANAGEMENT POLICY

Strategic Outcome: Good government

Date of Adoption: 18/05/2016

Date for Review: 21/07/2021

Responsible Officer: Director Technical Services

1.0 Purpose

To set guidelines for implementing consistent asset management processes throughout Berrigan Shire Council.

2.0 Objective

To ensure adequate provision is made for the long-term management and replacement of major technical and physical assets, (including land and property) by:

- Ensuring that Council's services and infrastructure are provided in a sustainable manner, with the appropriate levels of service to residents, visitors and the environment.
- Establishing processes that integrate asset management and community strategic planning with Council corporate and long-term financial planning.
- Creating an environment where all Council employees take an integral part in overall management of Council assets by creating and sustaining asset management awareness throughout the Council.
- Meeting legislative requirements for asset management.
- Ensuring resources and operational capabilities are identified and responsibility for asset management is allocated.
- Demonstrating transparent and responsible asset management processes that align with demonstrated best practice.

3.0 Scope

This policy applies to all Council activities.

4.0 Policy

4.1 Background



Policy

4.1.1 Council is committed to implementing a systematic core approach to asset management. The elements of this approach prescribed in the *International Infrastructure Manual* include:

- Best available information and random condition/performance sampling
- A simple risk assessment to identify critical assets
- Longterm cashflow predictions for asset maintenance, rehabilitation and replacement, based on local knowledge of assets and options for meeting current levels of service.
- Improvement and transition over time, within Council resources, toward the development of advanced asset management plans.

4.1.2 Advance asset management plans are characterised by:

- Systematic monitoring and analysis of the physical condition of all assets
- The integration of asset management with corporate risk management processes
- Adoption by Council of levels of service developed after consultation with the community and with explicit links to the Community Strategic Plan and Council's Resourcing Strategy
- An improvement program that includes performance indicators that report upon:
 - Environmental sustainability of the assets performance;
 - Utilisation rates;
 - Social and economic value i.e.: return on investment
 - Effectiveness of Improvements.

4.1.3 Council owns and uses approximately \$214,931,000 of non-current assets to support its core business of delivery of service to the community.

4.1.4 Asset management practices impact directly on the core business of Council and appropriate asset management is required to achieve Council's 4 year Corporate Plan / Delivery Program and Community Strategic Plan objectives

4.1.4 A strategic approach to asset management will ensure that the Council delivers the highest appropriate level of service through its assets. This will provide positive impact on;

- Members of the public and staff;
- Council's financial position;
- The ability of Council to deliver the expected level of service and infrastructure;
 - The political environment in which Council operates; and
 - The legal liabilities of Council.

4.2 Principles



Policy

4.2.1 A consistent Asset Management Strategy must exist for implementing systematic asset management and appropriate asset management best-practice throughout all Departments of Council.

4.2.2 All relevant legislative requirements together with political, social and economic environments are to be taken into account in asset management.

4.2.3 Asset management and risk management principles will be integrated within existing planning and operational processes.

4.2.4 An inspection regime will be used as part of asset management to ensure agreed service levels are maintained and to identify asset renewal priorities.

4.2.5 Asset renewals required to meet agreed service levels and identified in infrastructure and asset management plans and long term financial plans will, within the reasonable limits of Council's available budget, be funded in the annual budget estimates

4.2.6 Systematic and cyclic reviews will be applied to all asset classes to ensure that the assets continue to support Council strategic planning and operations.

4.2.7 Systematic and cyclic reviews will be applied to all asset classes to ensure that the assets are managed, valued and depreciated in accordance with appropriate best practice and applicable Australian Standards.

4.2.8 Future life cycle costs will be reported and considered in all decisions relating to new services and assets, and or upgrading and re-development of existing services and assets.

4.2.9 Future service levels, asset rehabilitation and disposal, as part of a transition to advanced asset management planning, will be determined in consultation with the community.

5.0 Legislation

Local Government Act 1993.
Regulations under the Act.



Policy

86 CONTAMINATED LAND MANAGEMENT

File Reference No: 11.108.3

Strategic Outcome: Sustainable natural and built landscapes

Date of Adoption: 20/07/2016

Date for Review: 21/07/2021

Responsible Officer: Development Manager

1. POLICY

This policy, known as the Contaminated Land Management Policy, outlines requirements relating to the use and / or development of land that is or may be contaminated.

This policy has been developed under the provisions of the *Contaminated Land Management Act*¹ (CLM Act), it's associated State Environmental Planning Policy No. 55 – Remediation of land² and the Managing Land Contamination – Planning Guidelines³ in regards to the principles of:

- i Ensuring that changes of land use, or new development proposals, will not increase the risk to human health or the environment;
- ii Avoiding inappropriate restrictions on land use; and
- iii Providing information to support decision making and to inform the community.

1.1 LAND TO WHICH POLICY APPLIES

All land in the Berrigan Shire Local Government Area (LGA).

1.2 TERMS AND DEFINITIONS

Terms and definitions are set out in Appendix 1.

1.3 PURPOSE

This policy provides a framework for the management of contaminated or potentially contaminated land in the Berrigan Shire LGA. The policy identifies how the management of contaminated land is integrated into Council's planning and development processes.

¹ Contaminated Land Management Act 1997

<http://www.legislation.nsw.gov.au/maintop/view/inforce/act+140+1997+cd+0+N>

¹ State Environmental Planning Policy No. 55 – Remediation of Land

http://www5.austlii.edu.au/au/legis/nsw/consol_reg/seppn55ol537/

¹ Managing Land Contamination – Planning Guidelines

http://www.epa.nsw.gov.au/resources/clm/gu_contam.pdf



Policy

1.5 OBJECTIVES

The integration of contaminated land management into the local planning and development control process will enable Council to:

- Ensure that the Council exercises its functions in relation to the development of contaminated land with a reasonable standard of care and diligence and that decisions are made in good faith;
- Ensure that the likelihood of land contamination is considered as early as possible in the planning and development control process;
- Ensure that planning and development decisions take into account available information relating to the likelihood of land contamination;
- Link decisions about the development of land with the information available about contamination possibilities;
- Ensure that any development of contaminated land will not result in unacceptable levels of risk to human health or the environment;
- Avoid inappropriate restrictions on the development of contaminated land;
- Ensure that site investigations and remediation work are carried out in a satisfactory manner, and where appropriate, are independently verified by site audits;
- Facilitate the provision of consistent and reliable information to the public about land contamination;
- Ensure that ongoing responsibility for management and monitoring of contaminated land is clearly and legally assigned;
- Ensure that the community is not unduly disadvantaged by increased health and environmental risks or increased management costs when accepting the dedication of public assets;
- Adopt a policy approach that will provide strategic and statutory planning options based on the information about contamination; and
- Exercise statutory planning functions with a standard of care.

1.6 POLICY APPLICATION

This policy applies to the following planning functions of Council:

- The preparation and amendment of Local Environmental Plans
- The preparation, approval and amendment of Development Control Plans
- The preparation and adoption of Plans of Management for Community Land
- The determination of Development Applications
- The modification of Development Consents;
- The determination of activities pursuant to Part 5 of the Environmental Planning and Assessment Act 1979; and
- The storage and sharing of contaminated land information through Section 149 certificates.



Policy

1.7 GUIDELINES

This policy has been developed from the State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) and in conjunction with the *Contaminated Land Management Act 1997* (CLM Act) and Berrigan Shire Local Environment Plan 2013

Effective management of contaminated land in land-use planning is necessary in managing the risk of harm potentially posed by land contamination to human health and the environment.

In the content of land contamination, councils are the planning and consent authorities and are thereby expected to act in “good faith” and in accordance with the requirements of the NSW CLM Act. “Good faith” provisions also extend to the subordinate State Environmental Planning Policy No.55 – Remediation of Land (SEPP 55), and its Planning Guidelines.

Councils have responsibilities under the *Environmental Planning and Assessment Act*⁴ (EP&A Act) in regard to the early identification of contaminated sites, the consideration of land contamination issues in planning functions, data and information management regarding land contamination, and to inform the public on contamination matters (e.g. Section 149 planning certificates).

Under the CLM Act, the EPA regulates contaminated sites where the contamination is significant enough to warrant regulation. Contaminated sites that are not regulated by the EPA are managed by local councils through land-use planning processes.

1.8 CHANGE MANAGEMENT

This policy will require management and review every 4 years or as legislation and regulations are updated. Any change must be made in accordance with the relevant legislation and regulations applicable at the time, and/or any regulatory changes.

2. OBLIGATIONS

2.1 DUTY TO REPORT

The CLM Act 1997 requires persons to notify the Environment Protection Authority (EPA) if they become aware that their activities have contaminated land so as to present an unacceptable risk to human health or the environment.

The Act also requires landowners to notify the EPA if they become aware that their land has been contaminated so as to present an unacceptable risk of harm to human health or the environment. This requirement applies whether the contamination occurred before or during the current owner’s tenure of the land and the notification must be made as soon as practicable after becoming aware of the risk (See Appendix 2 – Activities that may cause contamination).

To assess this risk, the land owner and or persons who have caused the contamination should consult Guidelines on the Duty to Report Contamination under the *Contaminated Land Management Act 1997*.⁵

Section 60 of the CLM Act imposes a duty on owners of land, and persons who have contaminated land, to immediately notify the EPA when they become aware that contamination presents a significant risk of harm.

⁴ Environmental Planning and Assessment Act
<http://www.legislation.nsw.gov.au/viewtop/inforce/act+203+1979+first+0+N>

⁵ Guidelines on the Duty to Report Contamination under the *Contaminated Land Management Act*
<http://www.epa.nsw.gov.au/clm/150164-land-contamination.htm>



Policy

According to the Guidelines on the Duty to Report Contamination under the *Contaminated Land Management Act 1997*, a person is taken to be aware of the contamination if it is considered that they are aware or should have reasonably become aware of the contamination. Factors taken into account in determining when a person should reasonably have become aware of the contamination are;

- i The persons' abilities, including their experience, qualifications and training
- ii Whether the person could reasonably have sought advice that would have made them aware of the contamination
- iii The circumstances of the contamination.

2.2 CONSULTANTS

Contaminated land consultant certification schemes have been developed to ensure any consultants dealing with contaminated sites have the necessary competencies to carry out the work. The certifications outlined below are recognised by the EPA and certify that a contaminated land consultant has achieved an acceptable minimum standard of competency:

- Site Contamination Practitioners Australia (SCPA); and
- Environment Institute of Australia and New Zealand's (EIANZ) Contaminated Land Assessment Specialist Certified Environmental Practitioner (CLA Specialist CEnvP)

Where reports are required to be submitted to the EPA and/or Council they must comply with the requirements of the CLM Act to be prepared, or reviewed and approved, by a certified SCPRA or EIANZ CLA Specialist CEnvP Practitioner. This requirement includes reports associated with a:

- Preliminary investigation order
- Management order
- Voluntary management proposal
- Ongoing maintenance order
- Duty to report contamination

Where required to be submitted to Council, reports must be prepared in accordance with the current relevant guidelines approved under the CLM Act and in accordance with SEPP 55. Council will require the following to be submitted:

- Preliminary investigation
- Detailed investigation
- A Remediation Action Plan
- Validation, monitoring and remediation reporting

The front cover of a submitted report must include the details of the consultant's certification. For a CLA Specialist CEnvP this involves affixing the CEnvP logo and for SCPA the certified practitioner is to affix their seal.

As the contaminated land consultant certification schemes are new, there is a 24 month transition period to enable consultants to become certified. Any requirements for reporting undertaken after 1 July 2017 must be prepared, or reviewed and approved, by a certified consultant.

3. COUNCIL RECORDS AND INFORMATION MANAGEMENT

Council has a responsibility to provide information regarding land use history, land contamination and remediation.



Policy

The SEPP 55 Guidelines emphasises the importance of local government information systems in ensuring that adequate information is available to Council staff and the community in relation to both actual and potential land contamination.

Council also has a statutory responsibility to include certain information regarding land contamination on planning certificates issued under Section 149(2) of the EP&A Act.

Council's records regarding contaminated land are dynamic and will change over time as land is investigated, remediated and validated, and as new sites of potential contamination are identified. Existing records in relation to contaminated land should be kept on individual property files for each parcel of land. To assist Council in the management of information the following is (without limitation) records for individual parcels of land (where available / known):

- a) Site contamination reports submitted to Council (i.e. Preliminary Investigation, Detailed Investigation, Remedial Action Plans Validation and Monitoring Reports);
- b) Site Audit Statements received;
- c) EPA declarations and orders issued under the CLM Act (Including voluntary investigation management proposals approved by the EPA);
- d) Development Applications for Category 1 remediation works;
- e) Prior notification to Council of Category 2 remediation works;
- f) Notification of completion of Category 1 and Category 2 remediation work;
- g) Information regarding previous or current land uses which are likely to have resulted in land contamination; and
- h) Written complaints to Council about contamination.

Notations may be made on Council's property information system in relation to investigations and remediation work carried out for individual properties. This will assist staff to identify land that has been fully remediated or remediated for specific land uses. Some properties listed on the information system may be subject to legal notices under legislation administered by the EPA. The public should also consult with the EPA for up-to-date information on any such land in the local government area.

4. PLANNING (SECTION 149) CERTIFICATES

Under Section 149 of the EP&A Act a person may request a planning certificate that contains advice on land contamination matters about a property from Council. For example, a planning certificate would show the existence of a council policy to restrict the use of land.

Such matters relating to land contamination that must be included on section 149(2) planning certificates are as set out in section 59(2) of the CLM Act will also include:

- a) Whether Council has adopted a policy to restrict the use of land due to the risk of land contamination;
- b) Whether the land is an investigation area or remediation site;
- c) Whether the land is subject to an investigation order or remediation order; and
- d) Whether a site audit statement of the land is held by Council.

Council is formally advised whenever a notice is issued under the CLM Act and accordingly annotates its planning certificates. Section 149(2) planning certificates will not include specific information about actual or potential contamination (such as the types, extent and level of contamination) on a parcel of land.



Policy

Council may also elect to provide additional information of a factual nature on S.149(5) certificates regarding the contamination status of a property.

Procedure

1. ABOUT THIS PROCEDURE

The procedure applies to a planning process in which there is a need to consider a potential or known contaminated site in the development application or a planning proposal process. It is premised on SEPP 55 Planning Guidelines and sets out steps to ensure decisions are made in good faith, adequately manage harm and that the land is appropriate for its intended use.

A separate procedure exists for the management of data and information relating to potential or to known contaminated land, including managing notifications from the NSW EPA, Site Assessment Statements, consultant reports, historical land use information, etc (See Appendix 12).

2. COUNCIL'S PROCEDURE FOR CONSIDERING LAND CONTAMINATION ISSUES FOR PLANNING PROPOSALS

All land subject to a planning decision must be considered as to whether the issue of contamination is relevant. If it is, investigations may be required to provide information about the land to enable that function to be carried out in good faith.

An initial evaluation is an assessment of readily available factual information. Its purpose is to determine whether contamination is an issue that requires further investigation prior to the preparation of the plan, or determination of the matter and whether a site investigation process is required to be carried out.

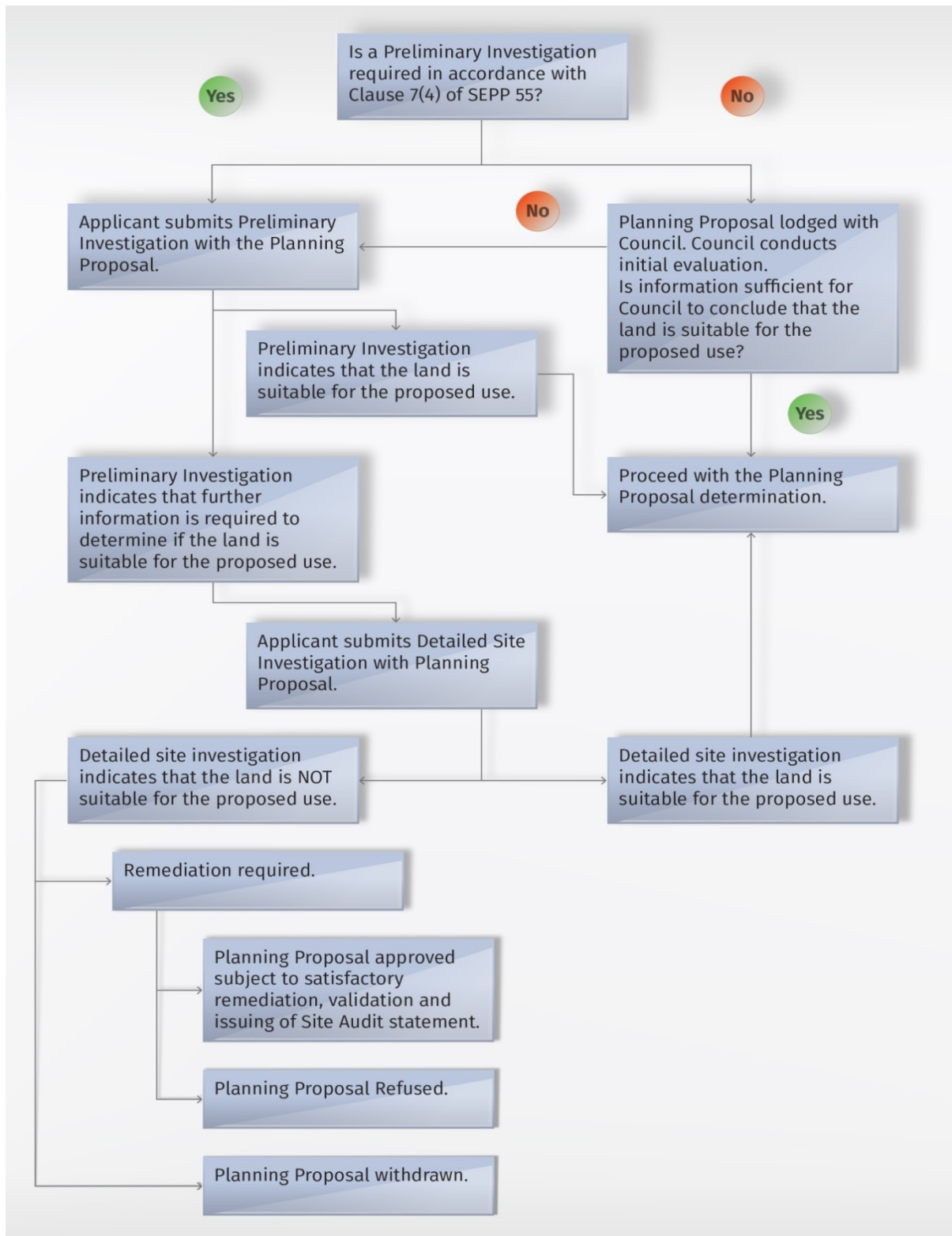
The preliminary investigation is to identify any past or present potentially contaminating activities and to provide a preliminary assessment of site contamination. The preliminary investigation typically contains a detailed appraisal of the site history and a report based on visual site inspection and assessment.

The detailed site investigation is undertaken by an experienced and certified consultant at the cost of the applicant, and should be undertaken in accordance with the guidelines made or approved by the EPA under Section 105 of the CLM Act.



Policy

Figure 1: Preliminary Investigation process for planning proposals





Policy

2.1 INITIAL EVALUATION

An initial evaluation is to comprise an assessment of readily available factual information. Its purpose is to determine whether contamination is an issue that requires further investigation prior to the preparation of the plan, or to determine the matter and whether a site investigation process is required.

The initial evaluation will be based on readily available factual information and should be carried out regardless of the nature of the proposed use or the current use. This information may include:

- the current zoning and permissible land uses;
- records from previous zoning;
- historical land uses;
- aerial photographs;
- development and building applications; and
- property files and information provided by the applicant or other information available to Council.

Council may also carry out a site inspection of the land as part of the initial evaluation process.

As part of the initial investigation, applicants may request Council undertake a search of its records to determine previous approved developments at the site.

If Council is satisfied that the initial evaluation concludes that contamination is not an issue, then Council may not require any further investigation.

If, after an initial evaluation, there is nothing to suggest that the land might be contaminated, or that further enquiry is warranted, Council and the proponent may process without further reference to this policy. However; if there are indications that:

- the land is or may be contaminated; or
- there is insufficient information on which to make a decision;

a site investigation process is to be carried out in accordance with the Contaminated Land Planning Guidelines.

Insufficient information on which to a make a decision exists if there are significant gaps in historical information for a site, or if land uses are not described in sufficient detail to identify the presence or absence of possible contaminating land uses during periods in which such uses could be lawfully carried out.

The circumstances in which a site investigation process is required also include those specified in clause 6 and 7 of SEPP 55 – Remediation of Land. In accordance with these clauses, Council will require a preliminary investigation to be submitted with zoning and rezoning applications or a subdivision or development application where the land concerned is:

- Land that is within an investigation area;
- Land on which a potentially contaminating land use is being, or is known to have been carried out;
- Land on which it is proposed to carry out development for residential, educational, recreational, child care purposes or for a hospital;
- Where there is no knowledge or incomplete knowledge as to whether potentially contaminating development has been carried out on the land; and



Policy

- Where it would have been lawful to carry out such development on the land during any period in respect of which there is no knowledge or incomplete knowledge.

See Appendix 5: Council procedure for Initial Evaluation for steps on undertaking this process.

2.2 PRELIMINARY INVESTIGATION

The objectives of a preliminary investigation are to identify any past or present potentially contaminating activities and to provide a preliminary assessment of site contamination. The preliminary investigation typically contains a detailed appraisal of the site history and a report based on visual site inspection and assessment.

Where contaminating activities are suspected to have had an impact on the land, sampling and analysis will be required to confirm and support any conclusion reached from the site history appraisal.

When undertaking a preliminary investigation, landowners should consider that the information gained should be in accordance with the Guidelines on the Duty to Report Contamination under the *Contaminated Land Management Act 1997* and may include:

- Description of activities that have occurred on the site
- Any large gaps in history that might hide a use
- Reliability of sources
- Historical permissible uses that may have occurred on site where there is a gap in land history
- Does that site pose a significant threat to human health or the environment?
- Does information conform to the relevant EPA guidelines?

As part of the preliminary investigation, applicants may request Council search its records to determine previous approved developments at the site.

Council will require further investigation (preliminary investigation) to be conducted and results submitted with planning proposals where it is found through the initial evaluation that the land concerned is:

- Land that is or that has been notified to the EPA under s60, or is regulated by the EPA under any other section, of the CLM Act;
- Land on which activities referred to in Appendix 2 are being undertaken, or are known to have been carried out; or
- Land on which there is incomplete knowledge about whether activities referred to in Appendix 2 are being, or are known to have been carried out, and if the proposed development involved residential, educational, recreational, child care or hospital purposes.

Where an initial evaluation by Council identified that the land was previously used for agricultural or horticultural purposes, Council may request a preliminary investigation to be undertaken to determine the history of the property. If the preliminary investigation shows that the land was only used for broad acre agriculture then the application may, in most cases, proceed. Although it is likely that herbicides and pesticides were used for broad acre farming, the likelihood of elevated levels of residual pesticides in the soil would be low. However, if investigations show that the land was used for intensive agriculture or horticulture, or if there are any other reasons for Council to be concerned about contamination or misuse of potential contaminants then a further investigation may be required.

Council may also require further investigation when:

- There are reasonable grounds to believe that the land is contaminated because of its history, condition, or other factual information known (where it is available);
- The site has been investigated or remediated but there is insufficient information available about the nature and extent of contamination or remediation, or whether these circumstances have changed;



Policy

- Where the land use changes to a more sensitive land use;
- There are restrictions on, or conditions attached to, the use of the site by regulatory or planning authority that are, or may be related to contamination, but there is insufficient information available about the nature and extent of contamination;
- Council records have demonstrated that the site is associated with pollution incidents or illegal dumping of waste; or
- The site is adjoining land that has been associated with activities that may cause contamination listed in Appendix 2 and it is likely that this may have contaminated the subject site.

The preliminary site contamination investigation shall be reported in accordance with the requirements of the NSW EPA Guidelines for Consultants Reporting on Contaminated Sites. The applicant is responsible for engaging a suitably certified, qualified and experienced consultant to undertake the preliminary site contamination investigation and is responsible for all costs borne in engaging the consultant and the works involved.

If after the preliminary investigation Council is satisfied that contamination is not an issue, then any further investigation may not be required.

See Appendix 6: Council procedure for Preliminary Site Investigation for steps on undertaking this process.

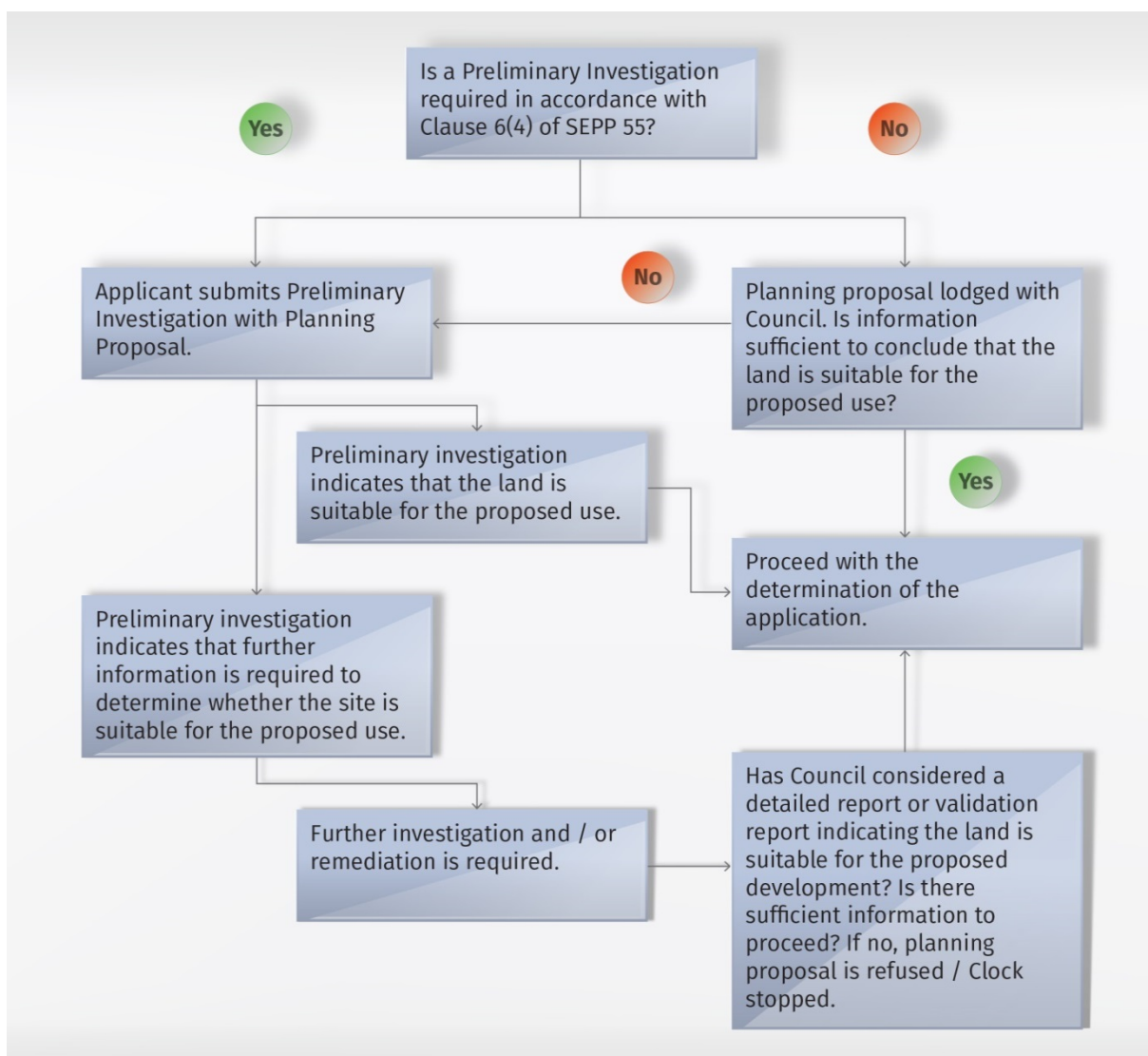


Policy

2.3 DETAILED INVESTIGATION

If the result of the preliminary investigation demonstrates the potential for, or existence of, contamination that may preclude the land from being suitable for the proposed zone or use, Council may require a detailed contamination investigation, which is described below. In some cases, the preliminary and detailed investigations may be combined (e.g. where it is known that the land is contaminated or that the land has been used for a potentially contaminating activity).

Figure 2: Consideration of planning proposals





Policy

The detailed site contamination investigation is to be undertaken, in accordance with the guidelines made or approved by the EPA under Section 105 of the CLM Act, by a suitably certified, qualified and experienced consultant at the cost of the applicant. The objectives of a detailed site investigation are to:

- Define the extent and degree of contamination;
- Assess the potential risk posed by contaminants to human health and the environment; and
- Obtain sufficient information for the development of a Remedial Action Plan (if necessary).

The detailed site contamination investigation shall state whether the site is suitable for the proposed use and for all other purposes permissible in the zone if it can be made suitable through remediation.

If remediation is required, the report should also list the feasible remediation options available to make the site suitable for any purpose permitted within that zone. If a feasible option is available, the planning proposal can proceed with certain provisions.

If site contamination investigations show that the site is contaminated, but there are feasible remediation options, Council may include provisions in a local environmental plan or development control plan to ensure that remediation is addressed prior to the redevelopment of the land.

Section 4 outlines the process for remediation and validation prior to development in accordance with the approved planning proposal.

If the detailed site investigation shows that the site is contaminated, but there are no options to remediate, Council may not allow the planning proposal to proceed.

In the event that a detailed site investigation report is required to be assessed by Council, Council may hire a third party consultant to assess the investigations on Council's behalf, at the applicant's expense.

See Appendix 7: Council procedure for Detailed Site Investigation for steps on undertaking this process.

3. COUNCIL'S PROCEDURE FOR CONSIDERING LAND CONTAMINATION ISSUES FOR DEVELOPMENT APPLICATIONS

3.1 GENERAL

Section 79C of the EP&A Act requires Council to consider the suitability of the site for the proposed development when assessing development applications. This includes any risk from contamination to public health and environment.

Council will not grant consent to the development of any land unless there has been consideration of whether the land is contaminated, and;

- If the land is contaminated, Council is satisfied that the land is suitable in its contaminated state (or will be suitable after remediation) for the purposes of the proposed development; and
- If the land requires remediation to be made suitable for any purpose for which the development is proposed, Council is satisfied that the land will be remediated before the land is used for that purpose.

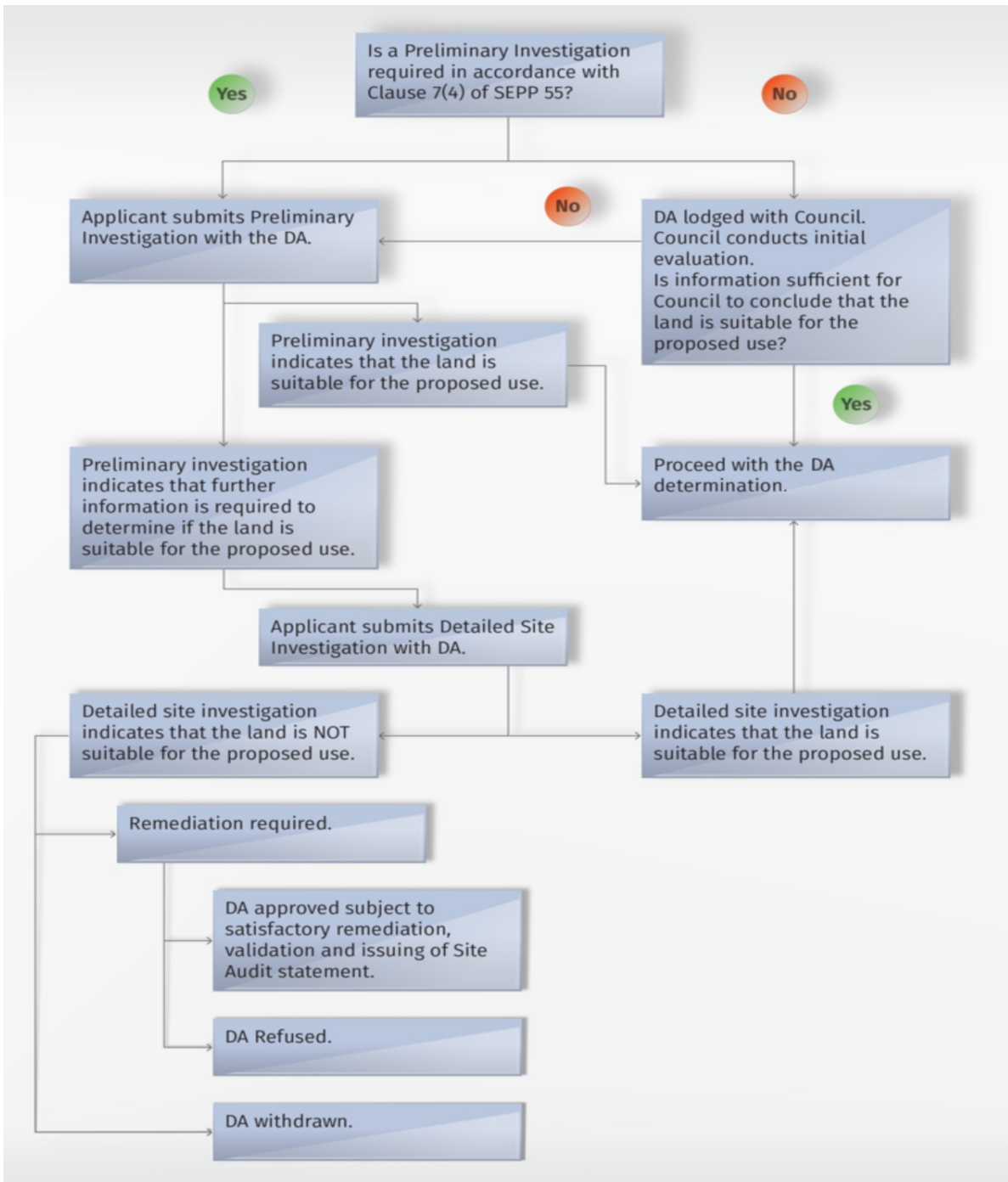
Upon lodging a development application for a change of use, the applicant can also become liable for the clean-up of any contamination on the site prior to their proposal being authorised. This is because when a change of use is approved, it can result in an increased risk of harm, even if the contamination itself does not change.



Policy

The following sections outline situations when Council will require site contamination information to be submitted with applications.

Figure 3: Preliminary Investigation process for development applications





Policy

3.2 INITIAL EVALUATION

Council will conduct an initial evaluation as part of the assessment process for a development application to determine if contamination is likely to be an issue and whether sufficient information is available to make a decision in good faith.

The initial evaluation will be based on readily available, factual information provided by the applicant and any other available information (e.g. previous contamination investigations, previous zoning and land use and restrictions relating to contamination issued by the EPA). For that purpose, the contamination may be within a building/structure or other structure on the land, rather than only within the soil of that land.

Where an initial evaluation by Council identified that the land was previously used for agriculture or horticulture purposes, Council may request a preliminary investigation to be undertaken to determine the history of the property. If the preliminary investigation shows that the land was only used for broad acre agricultural then the application may proceed. Although it is likely that herbicides and pesticides were used for broad acre farming, the likelihood for elevated levels of residual pesticides in the soil would be low. However, if investigations show that the land was used for intensive agriculture or horticulture, or if there are any other reasons for Council to be concerned about contamination or misuse of potential contaminants then a further investigation may be required.

See Appendix 5: Council procedure for Initial Evaluation for steps on undertaking this process.

3.3 PRELIMINARY INVESTIGATION

The objectives of a preliminary investigation are to identify any past or present potentially contaminating activities and to provide a preliminary assessment of site contamination. The preliminary investigation typically contains a detailed appraisal of the site history and a report based on visual site inspection and assessment.

Council will require further investigation where it is found through the initial evaluation that the land concerned is:

- Land that is within an investigation area that has been notified as such by the EPA;
- Land on which activities referred to in Appendix 2 are being, or are known to have been carried out; or
- Land on which there is incomplete knowledge about whether activities referred to in Appendix 2 are being carried out, and if the proposed development involved residential, educational, recreation, child care or hospital purposes.

Council may also require further investigation when:

- There are reasonable grounds to believe that the land is contaminated because of the land's history, condition, or other information known (where it is available);
- The site has been investigated or remediated but there is insufficient information available about the nature and extent of contamination or remediation, or where these circumstances have changed;
- The land use has changed to a more sensitive land use;
- There are restrictions on, or conditions attached to the use of the site by a regulatory or planning authority that are, or may be related to contamination, but there is insufficient information available about the nature and extent of contamination;
- Council records have demonstrated that the site is associated with pollution incidents or illegal dumping of wastes; or



Policy

- The adjoining land has been associated with activities that may cause contamination listed in Appendix 2 and is likely that this may have contaminated the subject site.

The preliminary site contamination investigation shall be carried out in accordance with the requirements of the *NSW EPA Guidelines for Consultants Reports on Contaminated Sites*. The applicant is responsible for engaging a suitably qualified and experienced consultant to undertake the preliminary site contamination investigation and is responsible for all costs borne in engaging the consultant.

As part of the preliminary investigation, applicants may request Council undertake a search of its records to determine previous approved developments at the site.

If after the preliminary investigation Council is satisfied that contamination is not an issue, then any further investigation may not be required.

See Appendix 6: Council procedure for Preliminary Investigation for steps for undertaking this process.

3.4 DETAILED INVESTIGATION

If the results of the preliminary investigation demonstrate the potential for, or existence of, contamination which may preclude the land from being suitable for the proposal, Council may require a detailed contamination investigation, which is described below. In some cases, the preliminary and detailed investigations may be combined (e.g. where it is known that the land is contaminated or that the land has been used for an activity that could cause contamination).

The lodgement of a development application may trigger the management and/or remediation of any significant contamination on the site prior to the development being authorised. The detailed site contamination investigation is to be undertaken by a suitably certified, qualified and experienced consultant (at the cost of the applicant) in accordance with the guidelines made or approved by the EPA under Section 105 of the CLM Act.

The objectives of a detailed site investigation are to:

- Define the extent and degree of contamination;
- Assess the potential risk posed by contaminants to human health and the environment; and
- If necessary, obtain sufficient information for the development of a Remedial Action Plan.

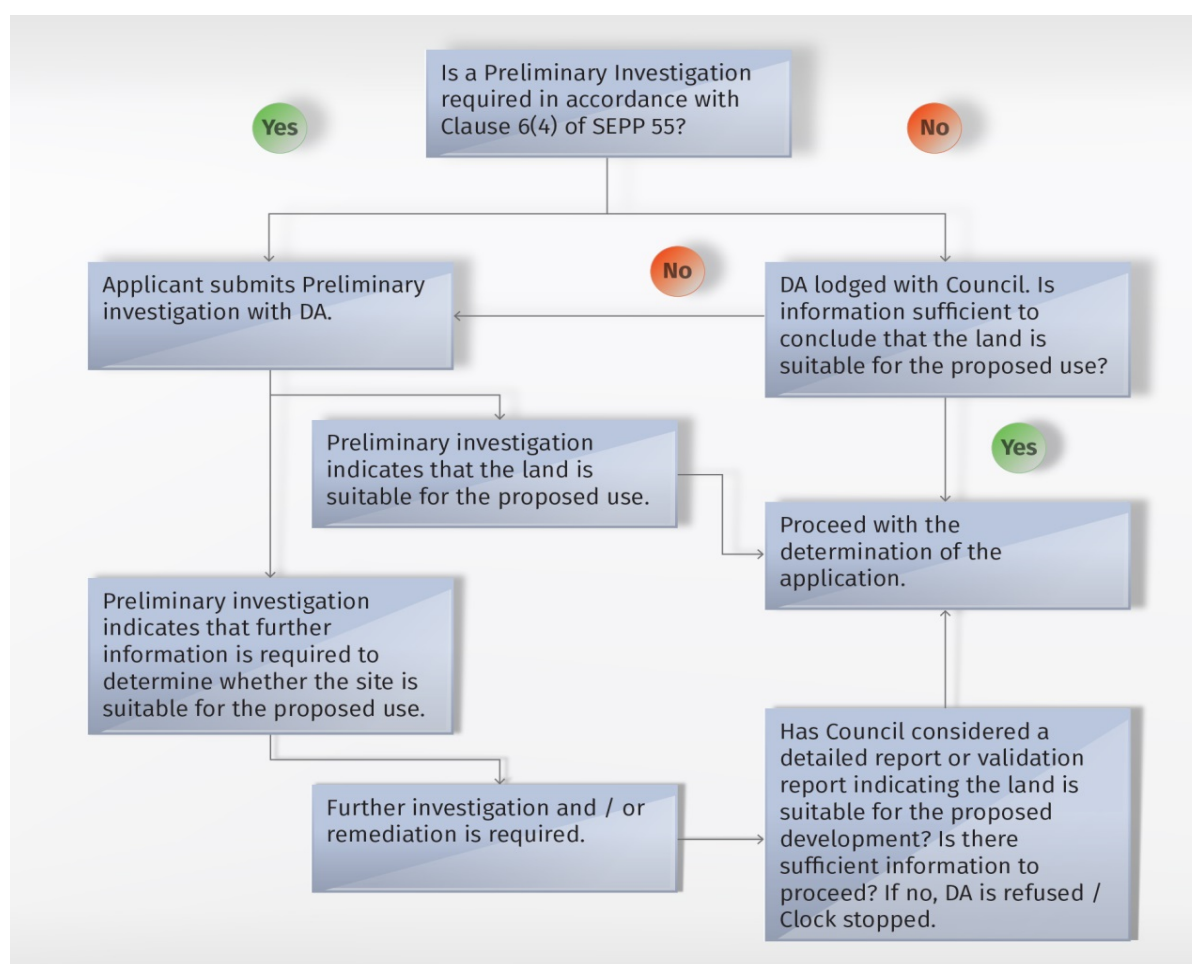
The detailed site contamination investigation shall state whether the site is suitable for the proposed use and for all other purposes permissible in the zone, or if remediation is necessary. If remediation is required, a remediation action plan will need to be prepared for Council outlining the feasible remediation options available to make the site suitable for the proposed use.

If the detailed site contamination investigation states (and Council is satisfied) that the site is suitable for the proposed use, then Council may determine the development application through Council's usual procedures.



Policy

Figure 4: Consideration of development applications



If the results of the detailed site contamination investigation demonstrated the existence of contamination that may preclude the land from being suitable for the proposed use, the applicant may choose to either withdraw the application or to remediate the land. Council's response will then depend on whether the remediation work constitutes Category 1 or Category 2 remediation work. A detailed explanation of what constitutes Category 1 remediation or Category 2 remediation is provided in Section 4.5 and 4.6 respectively.

If the remediation proposed is Category 1 remediation work (i.e. remediation work that requires development consent), Council may:

- Require the applicant to amend the application (if already submitted) to include a remediation proposal; or
- Require a new development application for the remediation to be submitted before the application is considered for the final use of the site.

If the proposed remediation is Category 2 remediation work (i.e. remediation work that does not require consent), Council may;



Policy

- Impose conditions on the development consent for the use, requiring the site to be remediated and validated either before other work commences or before occupation of the site; or
- Issue deferred commencement consent for the use of the site, and require the site to be remediated and validated before other work commences.

If the investigation finds that the land is unsuitable for the proposed use and may not be appropriately remediated, or the applicant does not wish to remediate:

- The proposal may be modified to a use that is suitable for the land without remediation, provided a new development application is not required; or
- The application may be withdrawn; or
- The application should be refused.

See Appendix 7: Council procedure for Detailed Investigation for steps outlining this process.

4. REMEDIATION PROCESSES

4.1 REMEDIATION

A Remedial Action Plan (RAP), is documentation describing remedial actions that should be prepared for all remediation proposals. A formal RAP must be developed by an experienced and certified consultant and be submitted to Council for all Category 1 remediation work (i.e. remediation work that required development consent). The RAP should also contain an environmental management plan and workplace health and safety plan for the remediation works and shall be submitted to Council prior to DA approval.

The objectives for the RAP are to:

- Set remediation objectives;
- Determine the most appropriate remedial strategy; and
- Identify necessary approvals that need to be obtained from any other regulatory authorities.

Remedial Action Plans are to be consistent with the SEPP 55 Planning Guidelines and all remediation is to be carried out in accordance with the EPA guidelines made under the CLM Act. The applicant is responsible for engaging an experienced and certified consultant to prepare the RAP and for all associated costs, including any remediation works as well as site audit costs if requested by Council.

The previous Figure 3 outlines the relationships between the Planning System and the CLM Act, and the role of Council and the EPA in the process of site remediation.

See Appendix 8: Council procedure for Remediation for steps for undertaking this process.

4.2 VALIDATION AND MONITORING REPORT

The objective of the validation and monitoring report is to demonstrate that the objectives of the RAP have been achieved and that any conditions of development consent in regard to contaminated land have been complied with.

Council will require a validation and monitoring report to be submitted by the applicant after remediation works have been completed, and prior to the commencement of any development works. Council will place a condition on the development consent requiring the submission and approval of a validation and monitoring report prior to the issue of a construction certificate, or if a construction certificate is not required, prior to occupying the site, or within a specified timeframe as stipulated in conditions of consent. The validation report will be required to be submitted to the satisfaction of the Council.



Policy

Alternatively, Council may issue a deferred commencement or staged consent for the proposed use or development, requiring that remediation and validation is undertaken prior to any other work commencing.

Ideally the same certified consultant should undertake the site investigation, remediation and validation of the site. The Validation Report must confirm that the remediated site complies with the clean-up criteria set for the site in the RAP and be prepared in accordance with the *EPA Guidelines for Consultants Reporting on Contaminated Sites*.

Council may require independent review of the remediation and validation by an EPA accredited auditor.

4.3 VOLUNTARY REMEDIATION

Section 60 of the CLM Act places a duty on the owner and the polluter of contaminated land to report contamination to the EPA.

Owners of land that has been identified as being contaminated or potentially contaminated may wish to voluntarily undertake investigation and/or remediation at any time, regardless of whether they intend to carry out development, or apply for a planning proposal regarding that land.

Investigation by the owner must be undertaken in accordance with the relevant EPA guidelines by an experienced and certified consultant. Remediation must be carried out according to the NSW legislation and the process outlined in this Policy. Requirements for remediation are provided below in Section 4.4.

Council will consider the results of any investigation or remediation prior to providing a planning certificate for the property.

See Appendix 9: Council procedure for Voluntary Remediation for steps for undertaking this process.

4.4 REQUIREMENTS FOR REMEDIATION

In some situations remediation work itself has the potential for environmental impact and the planning process must ensure that these impacts are adequately identified and mitigated. Remediation work is classified as either Category 1 remediation work (i.e. remediation that requires development consent), or Category 2 remediation work (i.e. remediation work where no consent is required however the work must still be carried out in accordance with the requirements of SEPP 55).

All remediation work must be carried out by an experienced and certified consultant in conjunction with a Remedial Action Plan. Council's procedure for considering site remediation proposal is shown in Figure 3.

4.5 CATEGORY 1 REMEDIATION WORK

Development consent is generally only required for remediation work where there is potential for significant environmental impacts from the work.

Remediation work that requires development consent is known as Category 1 remediation work. Category 1 work includes any work that is:

- Designated development; or
- Carried out on land that is declared to be critical habitat (for threatened species); or
- Likely to have a significant impact on critical habitat or a threatened species, population or ecological community; or
- Development for which another State Environmental Planning Policy or a regional environmental plan requires development consent; or
- In an area or zone to which any of the following classifications apply under an environment planning instrument:



Policy

- A. Coastal protection;
 - B. Conservation or heritage conservation;
 - C. Habitat area, habitat protection area, habitat or wildlife corridor;
 - D. Environment protection;
 - E. Escarpment, escarpment protection or escarpment preservation;
 - F. Floodway;
 - G. Littoral rainforest;
 - H. Nature reserve;
 - I. Scenic area or scenic protection;
 - J. Wetland; or
- On any land in a manner that does not comply with a policy made under the contaminated land planning guidelines by the council for any local government area in which the land is situated; or
 - Works located in areas of high water table (less than 3 metres) as identified from time to time; or
 - Works located within 40 metres of the top of the back of each watercourse on land identified on the Riparian Lands and Waterways Map of Berrigan Local Environmental Plan 2012.

All category 1 remediation work must be carried out in accordance with:

- The contaminated land planning guidelines;
- The guidelines published under the CLM Act; and
- A Remedial Action Plan prepared in accordance with the contaminated land planning guidelines and approved by the consent authority.

All other remediation work may be carried out without development consent and is known as Category 2 remediation work.

Note: under Clause 9(f) of SEPP 55, Council's can nominate Category 1 remediation works, It's not a good idea to nominate everything, but if there is a concern, eg: removal of USTs not being undertaken correctly or shallow groundwater, adjacent to a waterway etc, then the Council is able to nominate these works as Category 1. You will then have to list them above.

4.6 CATEGORY 2 REMEDIATION WORK

Category 2 remediation works is all remediation work that is not defined as Category 1 remediation work. Category 2 remediation work does not require development consent.

- Part 5 of the EP&A Act applies where development consent is not required under a planning instrument but where approval from a public authority is required. Each determining authority will consider the potential significance of any environment impacts from the proposed remediation.
- If the remediation is likely to significantly impact the environment, an Environmental Impact Statement (EIS) would be required.
- If consent is not required under SEPP 55 (e.g. Category 2 remediation works), it is unlikely that the remediation works will significantly impact the environment and therefore an EIS would not be required, however this would be determined on a case-by case basis.

Under Part 5 of the EP&A, Category 2 remediation works must take full account of all matters likely to impact the environment

SEPP 55 requires that Council must be notified at least 30 days before Category 2 remediation works commence. Prior notice of Category 2 remediation works must also address the information in Appendix 3 – Requirements for Category 2 Remediation Works.



Policy

A copy of the Validation and Monitoring Report and Site Audit Statement from an EPA accredited auditor must be forwarded to Council within 30 days of the completion of remediation works. Council will not consider any subsequent development applications for the site until it is satisfied that the site is suitable for the proposed use.

See Appendix 9: Council procedure for Remediation for steps for undertaking Category 1 and Category 2 remediation works.

4.7 SITE AUDITING

A site audit is an independent review of any or all stages of the site investigation process, conducted in accordance with the CLM Act. A site audit may review a preliminary investigation, a detailed investigation, a Remedial Action Plan, or validation report.

A site audit will lead to the provision of a certificate called a Site Audit Statement, stating for what use the contaminated land is suitable. A Site Audit Statement must be prepared by an EPA accredited site auditor in accordance with the legislation.

Council may request a site audit to be undertaken at any stage during the contamination investigation or remediation works if Council:

- Believes on reasonable grounds that information, including that related to potential contamination or previous land use history, provided by the applicant is incorrect or incomplete;
- Wishes to verify whether the information provided by the applicant has adhered to appropriate standards, procedures and guidelines; or
- Does not have the internal resources to undertake a technical review.

If Council requires a site audit, the cost shall be borne by the applicant.

A site auditor can comment on, or verify information provided by the applicant:

- to determine if the contaminated land consultant complied with all appropriate standards, procedures and relevant EPA guidelines;
- to determine if further investigations or remediation is required before the land is suitable or determine any specified use or range of uses.
- to determine if the proposed remediation is adequate and, if undertaken, will render the site suitable for the proposed use.
- to determine if there is any acceptable off-site migration of contaminants, particularly via ground water; or
- to determine if the contamination conditions at the site are suitable for in-ground absorption of stormwater.

Before issuing a Site Audit Statement, the site auditor must prepare a Site Audit Summary Report. This report is a requirement of the EPA. It contains the key information and the basis of consideration that leads to the issue of the Site Audit Statement. The EPA Guideline for the NSW Site Auditor Scheme provides guidelines on the content of the statement and audit report.

See Appendix 10: Council procedure for Site Auditing for undertaking process steps.

5. PLANNING (SECTION 149) CERTIFICATES

Under Section 149 of the EP&A Act a person may request from Council a planning certificate that contains advice on land contamination matters about a property. For example, a planning certificate would show the existence of a council policy to restrict the use of land.



Policy

Such matters relating to land contamination that must be included on section 149(2) planning certificates area as set out in section 59(2) of the CLM Act and will also include:

- a) Whether Council has adopted a policy to restrict the use of land due to the risk of land contamination;
- b) Whether the land is an investigation area or remediation site;
- c) Whether the land is subject to an investigation order or remediation order; and
- d) Whether a site audit statement of the land is held by Council.

Council is formally advised whenever a notice is issued under the CLM Act and accordingly annotates its planning certificates. Section 149(2) planning certificates will not include specific information about actual or potential contamination (such as the types, extent and level of contamination) on a parcel of land.

Additional information of a factual nature regarding the contamination status of the site can be placed on the S.149(5) section of the planning certificate.

See Appendix 11: Section 149 Certificates procedure for undertaking this process steps



Policy

Appendix 1: Terms and Definitions

Category 1 Remediation Work under SEPP 55 <i>As defined in the SEPP 55 guidelines.</i>	Remediation work that requires development consent. Defined in Section 4.5 of this document.
Category 2 Remediation Work under SEPP 55 <i>As defined in the SEPP 55 guidelines.</i>	Remediation work that does not require development consent under SEPP 55. Defined in Section 4.6 of this document.
CLM Act	<i>Contaminated Land Management Act 1997</i>
Contaminated Land <i>As defined in the SEPP 55 guidelines.</i>	Land in, on or under which any substance is present at a concentration above that naturally present in, on or under the land that poses, or is likely to pose, an immediate or long-term risk to human health or environment.
Contamination <i>As defined in the CLM Act.</i>	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 represents a risk of harm to human health or any other aspect of the environment.
Detailed Investigation <i>As defined in the SEPP 55 guidelines.</i>	An investigation to define the extent and degrees of contamination, to assess potential risk posed by contaminants to human health and the environment, and to obtain sufficient information for the development of a remedial action plan if required.
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
Independent review <i>As defined in the SEPP 55 guidelines.</i>	An evaluation by an independent expert required by a planning authority of any information submitted by an applicant conducted at the applicant's expense.
Initial evaluation <i>As defined in the SEPP 55 guidelines.</i>	An assessment of readily available factual information to determine whether contamination is an issue relevant to the decision being made.
Investigation Order <i>As defined in the SEPP 55 guidelines.</i>	An order by the EPA under the Contaminated Land Management Act 1997 to investigate contamination at a site of within an area.
Notice of completion <i>As defined in the SEPP 55 guidelines.</i>	A notice to Council in accordance with the State Environmental Planning Policy No. 55 – Remediation of Land that remediation work has been completed.
Notification of remediation <i>As defined in the SEPP 55 guidelines.</i>	Prior notice of category 2 remediation work given to Council in accordance with the State Environmental Planning Policy no. 55 – Remediation of Land.
Planning authority <i>As defined in the SEPP 55 guidelines.</i>	A public authority or other person responsible for exercising a planning function.
Preliminary Investigation	An investigation to identify any past or present potential contaminating



Policy

<i>As defined in the SEPP 55 guidelines.</i>	activities and to provide a preliminary assessment of any site contamination. The preliminary investigation typically contains detailed appraisal of the site history and a report based on visual site inspection and assessment.
Remedial Action Plan <i>As defined in the SEPP 55 guidelines.</i>	A plan that sets remediation goals and documents that outline the process required to remediate a site.
Remediation Order <i>As defined in the SEPP 55 guidelines.</i>	A direction from the EPA under the <i>Contaminated Land Management Act 1997</i> to remediate.
Remediation Site <i>As defined in the SEPP 55 guidelines.</i>	A site declared by the EPA under the Contaminated Land Management Act 1997 as posing a significant risk of harm.
Remediation Work <i>As defined in the SEPP 55 guidelines.</i>	Work in, on or under contaminated land, being work that: Removes the cause of contamination of the land; or Disperses, destroys, reduces, mitigates or contains the contamination of the land; or Eliminates or reduces any hazard arising from the contamination of the land (including by preventing the entry of persons or animals on that land).
SEPP 55	State Environmental Planning Policy 55 – Remediation of Land
Site Audit <i>As defined in the CLM Act.</i>	<i>A review</i> That relates to management of the actual or possible contamination of land; and That is conducted for the purpose of determining any one or more of the following matters The nature and extent of any contamination of the land The nature and extent of any management of actual or possible contamination of the land Whether the land is suitable for any specified use or range of uses What management remains necessary before the land is suitable for any specified use or range of uses The suitability and appropriateness of a plan of management, long-term management plan or a voluntary management proposal.
Site Auditor <i>As defined in the SEPP 55 guidelines.</i>	A person accredited by the EPA under the Contaminated Land Management Act to conduct site audits.
Site Auditor Statement <i>As defined in the SEPP 55 guidelines.</i>	A certificate issued by a site auditor for what use the land is suitable. OR A site audit statement prepared by a site auditor in accordance with the Contaminated Land Management Act.
Site Audit Report <i>As defined in the SEPP 55 guidelines.</i>	A report containing the key information and the basis of consideration which leads to the issue of a site audit statement. OR A site audit report prepared by a site auditor in accordance with the



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	Contaminated Land Management Act.
Site History <i>As defined in the SEPP 55 guidelines.</i>	A land use history of a site that identifies activities or land uses that may have contaminated the site, establishes the geographical location of particular processes within the site, and determines the approximate time periods over which these activities took place.
Site Investigation Process <i>As defined in the SEPP 55 guidelines.</i>	The process of investigating land that may be, or is, contaminated, for the purpose of providing information to a planning authority.
Validation <i>As defined in the SEPP 55 guidelines.</i>	The process of determining whether the objectives for remediation and any development consent conditions have been achieved.



Policy

APPENDIX 2: ACTIVITIES THAT MAY CAUSE CONTAMINATION

Activities that may cause contamination, as listed by the Planning Guidelines SEPP 55 – Remediation of Land, are listed below. This should be used as a guide only. A conclusive contaminated or non contaminated status can only be determined after a site history investigation and sampling analysis (where required).

- acid/alkali plant and formulation
- agricultural/horticultural activities
- airports
- asbestos production and disposal
- chemicals manufacture and formulation
- defence works
- drum re-conditioning works
- dry cleaning establishments
- electrical manufacturing (transformers)
- electroplating and heat treatment premises
- engine works
- explosives industry
- gas works
- iron and steel works
- landfill sites
- metal treatment
- mining and extractive industries
- oil production and storage
- paint formulation and manufacture
- pesticide manufacture and formulation
- power stations
- railway yards
- scrap yards
- service stations
- sheep and cattle dips
- smelting and refining
- tanning and associated trades
- waste storage and treatment
- wood preservation
- clandestine laboratories and hydroponic plantings*

Source: Department of Urban Affairs and Planning & Environment Protection Authority. 1998. Managing Land Contamination Planning Guidelines. Table 1.

* Not currently listed in SEPP 55 Guidelines Remediation of land.



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APPENDIX 3: REQUIREMENTS FOR CATEGORY 2 REMEDIATION

An applicant undertaking Category 2 remediation work must comply with the following requirements in order to maintain the amenity of adjoining owners, to prevent a risk to human health and to protect the environment.

The following detail should also be included in the development of a Remedial Action Plan in accordance with Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act 1997.

1. Hours of Operation

All remediation work (including the delivery/removal of materials or equipment) shall be limited to the following hours of work (unless through an alternative mutual agreement in writing with Council or is carried out in a residential zone) to:

- Monday to Friday 7am to 6pm
- Saturday 8am to 1pm

No remediation work is permitted on Sundays or public holidays.

Noise from power tools and equipment in a residential zone is only restricted by the following:

- Noise should not be heard in a habitable room in a neighbour's residence between:
 - 8pm to 7am on weekdays and Saturdays
 - 8pm to 8am on Sundays and public holidays

2. Noise and Vibrations

Any noise and vibrations from the site shall be limited by:

- Complying with the NSW EPA's Industrial Noise Policy where applicable;
- Ensuring that all machinery and equipment is operated in an efficient manner to minimise noise from the site on adjoining properties;
- Ensuring that the use of any plant and/or machinery does not cause vibrations in excess of legislation and Australian Standards, on any premises.

3. Erosion and Sediment Control Plans

An Erosion and Sediment Control Plan (ESCP) shall be prepared and submitted to Council for approval prior to remediation works commencing onsite. The ESCP shall be developed with regard to the requirements detailed in Council's Soil and Water Management Policy and Council's Engineering Guidelines and Technical Specifications.

Sediment control structures shall be provided to prevent sediment entering drainage systems particularly where surfaces are exposed or where soil is stockpiled.

All erosion and sediment control measures must be maintained in a functional condition throughout the remediation works.

4. Stockpiles

No stockpiles of soil or other materials shall be placed on public land (i.e. footpaths, reserves or nature strips). All stockpiles shall be placed away from drainage lines, gutters or stormwater pits or inlets. All stockpiles of soil or other material shall be maintained to prevent dust, odours or seepage. All stockpiles of contaminated soils shall be secured to prevent dust, odour or seepage if being stored for more than 24 hours.



Policy

5. Bunding

Any areas used for remediation or the stockpiling of construction materials or contaminated soils shall be controlled to contain surface water runoff and run-on and be designed and constructed so as to prevent the leaching of contaminants into the subsurface/groundwater. Locate stockpiles and construction materials away from drainage lines and provide bunding of disturbed areas and excavations to prevent runoff to waterways or stormwater where necessary. Ensure stabilisation as soon as possible. All surface water discharges from the area to Council's stormwater system shall not contain detectable levels of contaminants.

6. Site Access and Vehicle Use

Vehicle access to the site shall be designated to prevent the tracking of sediment onto public roadways and footpaths. Soil, earth, mud or similar material must be removed from the roadway by sweeping, shovelling, or a means other than washing on a daily basis or as required by an appropriate authority. Soil residue from vehicle wheels shall be collected and disposed of in an appropriate manner.

All vehicles are to:

- Enter and exit the site in a forward motion;
- Comply with all road rules, including vehicle weight limits;
- Minimise the use of Local Roads by utilising State Roads where available;
- Be cleaned pre and post works to prevent the movement of weed seeds;
- Securely cover or seal all loads to prevent the release of any dust, fumes, soil or liquid emissions during transportation;
- Conduct deliveries of soil, materials, equipment or machinery during the hours of remediation work outlined in Section 1;

Note. Applicants may consult Council prior to selecting the most suitable transport route.

7. Air Quality

Emissions of dust, odour and fumes from the site are to be appropriately controlled as per the EPA regulations and guidelines. These may include but are not limited to:

- Using water sprays to suppress dust;
- Establishing dust screens around work zones, the perimeter or the development site and any material handling areas;
- Securely covering loads entering/exiting the site;
- Covering stockpiles of contaminated soil that remain on site for more than 24 hours;
- Keeping excavation surfaces and stockpiles moist.

8. Groundwater and Surface Water

Contaminated water is to be disposed of offsite at an appropriate waste treatment processing facility. Alternatively water that has been analysed for suspended solids, total solids, pH and contaminants identified in preliminary/detailed site investigations may be excavation pumped to stormwater if levels of all parameters tested meet EPA and Australian and New Zealand Guidelines (ANZECC) for fresh and marine water quality. Application may be made to Council for the water to be disposed of via sewer via a Trade Waste Agreement.

9. Existing Vegetation

There shall be no removal or disturbance to trees or native understorey without the prior written consent through Council's Tree Preservation Order process. All trees that will be retained on the site must be suitably protected from damage during remediation works. This includes provision of protective fencing to protect the root zone of these trees. The fencing must extend to a minimum of the drip line of each tree. No stockpiling, storage, excavation, vehicle parking, or vehicle movement is



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to occur within the root zone protection area. Tree protection fencing must remain in place until the end of remediation works.

All exposed areas shall be progressively stabilised and revegetated on the completion of remediation works.

10. Capping of Contaminated Soil

Capping of contaminated soil should only occur after alternative remediation works have been investigated, particularly in urban zoning or areas identified as future growth in Berrigan's LEP/DCP.

Contaminated soil is only permitted to be capped if it does not prevent any permitted use of the land and it can be demonstrated that there will be no ongoing impacts on human or environment health.

Capping of contaminated soil that exceeds zoning permissible levels, is classified as Category 1 Remediation Work and may only be permitted in accordance with a Development Consent.

Where site capping is carried out on a site and further maintenance is required, Council will require the placement of a covenant on the title of the land. The covenant will advise of any maintenance works required to be carried out. Records of any maintenance undertaken on the site shall be kept for future reference and provided to Council on an annual basis. The cost of the preparation of covenant is borne by the applicant.

11. Contaminated Soil Disposal

Disposal of contaminated soil must be in accordance with the Protection of the Environment Operations Act and Regulations and any EPA guidelines relevant at the time (such as the NSW EPA publication NSW EPA Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes (2004)).

Any enquires associated with the off-site disposal of waste from a contaminated site should be referred to the EPA helpline (phone 131 555). If contaminated soil or other waste is transported to or from a site a licensed waste transport contractor must be used.

The Berrigan Shire Council's Waste Management Facility only accepts waste in accordance with its Environment Protection Licence (insert licence number). Section L5 Waste requires that waste be 'General Solid Waste'. Analysis of the contaminated soil is to be undertaken to verify that the waste is 'General Solid Waste'. All documentation is to be provided to Council's Waste Management Team and approved prior to the waste entering the landfill.

12. Work Health and Safety

It is the employer's responsibility to ensure that all site remediation works comply with the Work Health and Safety legislation and other applicable SafeWork (previously known as WorkCover) NSW requirements.

13. Importation of Fill

All fill imported to the site shall be validated as Virgin Excavated Natural Material (VENM/ENM) as defined in the Protection of the Environment Operations Act 1997 (POEO Act) to ensure the imported fill is suitable for the proposed land use from a contamination perspective. Council may in certain instances require details of the appropriate validation of imported fill material to be submitted with any application for the future development of the site.

Fill is permitted for use provided that:

- It itself is not contaminated;
- It is weed and pest free;
- It is compatible with the existing soil characteristic so as not to adversely affect site drainage.



Policy

14. Site Security and Lighting

The site shall be secured to ensure against all unauthorised access by using appropriate fencing.

It is recommended that security lighting is used to deter unauthorised access. If security lighting is used it shall be shielded to protect the amenity of adjoining landowners.

15. Rodents and Vermin

Rodents and vermin are to be adequately controlled and disposed of in an environmentally appropriate manner.

16. Consultation

Written notification to adjoining owners/occupants is to occur at least two days prior to the commencement of remediation works. Notification is to include:

- Estimated length of works;
- Contact details of Site Manager;

Signage visible from the road and adjacent to site access is to display the Site Manager and Remediation Contractor contact details for the duration of the works.

17. Removal of Underground Petroleum Storage Systems (UPSS)

The removal of all UPSS is to be completed in accordance with the:

- Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulations 2014)⁶;
- Australian Institute of Petroleum's Code of Practice: The Removal and Disposal of Underground Petroleum Storage Tanks (AIP CP22-1994)⁷;
- NSW Work Cover requirements;
- Australian Standard/s including AS 2601 – 1991 Demolition of Structures and AS 1940 – 2004 Storage and Handling of Flammable and Combustible Liquids.

Following the removal of underground storage systems containing fuel, the site area, which includes bowser lines and fuel lines, shall be assessed, remediated if need be, and validated in accordance with the requirements above. All documents must be submitted to Council, including but not limited to a tank pit validation prepared in accordance with the POEO regulations.

18. Hazardous Materials

Hazardous and/or intractable wastes arising from the remediation work shall be removed and disposed of in accordance with the requirements of the NSW EPA and SafeWork (previously known as WorkCover) NSW, together with the relevant regulations, namely:

- NSW Work Health and Safety Act 2011;
- NSW Work Health and Safety Regulation 2011;
- Contaminated Land Management Act and Regulations; and
- Environmentally Hazardous Chemicals Act 1985 and Regulations.

⁶ Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2014

<http://www.legislation.nsw.gov.au/maintop/view/inforce/subordleg+565+2014+cd+0+N>

⁷ NB: Australian Institute of Petroleum's Code of Practice: The Removal and Disposal of Underground Petroleum Storage Tanks (AIP CP22-1994) has been withdrawn by AIP.



Policy

Under the Protection of the Environment Operations Act 1997 the transportation of Schedule 1 Hazardous Waste is a scheduled activity and must be carried out by a transporter licensed by the NSW EPA.

19. Site clean-up/rehabilitation

The remediation work site must be stabilised to ensure that no offsite impacts occur on the site post completion.

20. Site Validation

All Category 2 remediation work shall be validated by a site auditor accredited by the EPA under Part 4 of the CLM Act and a copy provided to Council within 90 days of completion and prior to the commencement of building construction works. The validation report is to:

- Contain a copy of any reports or records taken during remediation or following completion of validation works;
- Contain a validation statement detailing all works have been undertaken and completed satisfactorily;
- Demonstrate that the objectives of any relevant Remedial Action Plan (RAP) have been achieved, any conditions of development consent have been complied with or whether any further remediation work or restrictions on land use are required;
- Provide evidence confirming that all NSW EPA, SafeWork (previously known as WorkCover) and other regulatory authorities license conditions and approvals have been met;
- Identify the need for continued monitoring in situations where clean-up is not feasible or on-site containment has occurred;
- State the suitability of the site for its current or proposed use.

Successful validation is the statistical confirmation that the remediated site complies with the clean-up criteria set for the site.

The site auditor must:

- Be currently accredited by the NSW EPA;
- Comply will all relevant publications of the NSW EPA;
- Not have a conflict of interest or a pecuniary interest, within the meaning of Section 54 of the Contaminated Land Management Act 1997.

The full cost of the validation will be borne by the applicant and not Council.



Policy

Category 2 Remediation Works Checklist

Requirement	Completed
Remediation works are not classified as designated development under the <i>Environmental Planning and Assessment Act 1979</i> or any other planning instrument.	
Remediation works are not proposed on land that is: Identified as critical habitat under the <i>Threatened Species Conservation Act 1995</i> ; or Likely to have a significant impact on threatened species, populations, ecological communities or their habitats; or In an area or zone classified under an Environmental Planning Instrument as conservation or heritage conservation, habitat area, habitat protection area, habitat or wildlife corridor, environment protection, floodway, nature reserve, scenic area or scenic protection, or wetland; or Requiring consent under another State Environmental Planning Policy.	
Remediation work is consistent with the <i>Requirements for Category 2 Remediation of Contamination Land</i> , or you have received written confirmation from Council.	
Details of category 2 remediation work has been submitted 30 days prior to commencement, unless otherwise exempt.	
Written notification to adjoining owners/occupants has occurred at least two days prior to the commencement of remediation works detailing the estimated length of the works and contact details of the Site Manager.	
Have provided written correspondence to Council and members of the public who raised written concerns relating to the remediation works within 2 working days of commencement.	
Signage is visible from the road and adjacent to site access; displaying the Site Manager and Remediation Contractor contact details.	
Have provided notice of completion of remediation work within 30 days after the completion of the works to Council and any other consent authority in accordance with Clauses 17 and 18 of SEPP 55.	
Have provided independent verification within 90 days of remediation works being completed.	
If applicable, have notified Council of maintenance required in order for a covenant to be placed on the title.	
Have a mechanism in place to provide Council details of maintenance completed annually.	



Policy

Appendix 4: Conditions of consent

The following conditions have been created for use with development applications involving contaminated land. Not all conditions will be relevant to every development application and they will be used as appropriate and where relevant to a particular application. Amendments may also be made, where appropriate, to reflect legislative or other changes.

Further, site specific conditions may be applied depending upon the circumstances of the case.

Contaminated Land

The subject land has been contaminated from past land use or development. Accordingly, the applicant is advised to make contact with the SafeWork NSW (previously known as WorkCover) for advice regarding minimising harm to workers during operations. Any soil or debris that may need to be removed from the site may only be deposited at licensed landfill sites able to receive potentially contaminated wastes. Reference should be made to Berrigan Shire Council Contaminated Land Management Policy.

Contamination – Recommendations

The recommendations contained in (insert section) of the document entitled (insert title) prepared by (insert author) dated (insert date) and supplied to Council (insert date) are adopted as conditions of this Consent subject to the following additional requirements.

- a) Insert
- b) Insert

Contamination – Notation on Title

A notation is to be registered on the title of (insert Lot and DP) advising prospective purchasers to the effect that:

- a) The land is classified as contaminated land as past uses of the land may have contaminated, or contributed to the contamination of, the land; and
- b) Remediation works have been partial and localised only; and
- c) Contaminants may remain in both the soil and groundwater; and
- d) Further investigation and remediation may be required prior to any particular use of the land being undertaken or approved.

Environmental - site remediation works

Site remediation works (as may be required) are to be carried out generally in accordance with the approved contamination report and remedial action plan, the ANZECC and NHMRC Guidelines (1992) and applicable NSW Environment Protection Authority Guidelines.

On completion of the site remediation works, the following documentation is to be submitted to the Principal Certifying Authority and to Berrigan Shire Council, if Council is not the Principal Certifying Authority:

- a) Written notification that the site remediation works have been completed is to be submitted within 30 days of the works being completed.
- b) The report is to certify that the remediation works have been carried out in accordance with the approved Remedial Action Plan and relevant NSW Environment Protection Authority requirements. (D436)



Policy

State Environmental Planning Policy 55 – guidelines and notices

All remediation work must, in addition to complying with any requirement under the Environmental Planning and Assessment Act or any other law, be carried out in accordance with:

- a) the contaminated land planning guidelines; and
- b) the guidelines (if any) in force under the Contaminated Land Management Act 1997.

In addition a notice of completion of remediation work on any land must be given to the Council. The notice is to be given within 30 days after the completion of the work.

Completion of Remediation Works – Prior to the commencement of any other works

Upon the completion of any remediation works stated in the RAP, the person acting on this consent must submit to Council a Validation and Monitoring Report. The report is to be prepared in accordance with the NSW Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites 1998.

Completion of Remediation Works – Prior to Occupation

Upon the completion of the approved remediation works stated in the approved Remediation Action Plan and before the issue of an Occupation Certificate (whether an interim or final Occupation Certificate), the person acting on this consent shall submit to Council a Validation and Monitoring Report. The report is to be conducted in accordance with the NSW Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites 1998.

Environmental Management Plan

Prior to the issue of a Construction Certificate, an Environmental Management Plan (EMP) for the site is to be submitted to Berrigan Shire Council for consideration and approval. The EMP is to be prepared by an experienced and certified consultant in consultation with Council and other relevant agencies, and may need to be amended to include the comments provided by Council and other agencies. The EMP is to:

- a) Address all environmental aspects of the development's construction and operational phases; and
- b) Recommend any systems/controls to be implemented to minimise the potential for any adverse environmental impact(s); and
- c) Incorporate a programme for ongoing monitoring and review to ensure that the EMP remains contemporary with relevant environmental standards.

The EMP should include but is not limited to the following:

- i Soil and water management
- ii Air Quality
- iii Water Quality
- iv Dust suppression
- v Litter control
- vi Noise control
- vii Waste management
- viii Dangerous/hazardous goods storage
- ix Emergency response and spill contingency.



Policy

Council will not withhold its consent to the Environmental Management Plan provided the above-mentioned matters are reasonably addressed.

The relevant aspects of the approved EMP are to be implemented during the relevant phase(s) of the development.

- **Employment of Environmental Consultant**

An experienced and certified environmental consultant is to be employed to supervise the implementation of the development in accordance with the relevant aspects of the approved EMP as identified at each phase of the development (e.g. prior to commencement of works, construction and post-construction/ ongoing operations of the development). Details of the environmental consultant, including contact details, employed to oversee the development is to be submitted to Berrigan Shire Council with the 'Notification of Commencement' 2 days before any works are to commence on site.

Note: An appropriately qualified and experience environmental consultant must be certified by one of the following certification schemes or equivalent:

- Site Contamination Practitioners Australia (SCPA); and
 - Environment Institute of Australia and New Zealand's (EIANZ) Contaminated Land Assessment Specialist Certified Environmental Practitioner (CLA Specialist CEnvP).
- Add following paragraph if required:
Operational matters of the development, Compliance Certificates or other written document are to be obtained from a qualified environmental consultant certifying that the aspects of the approved EMP are complied with. The Compliance Certificate or other written documentation is to be submitted to Berrigan Shire Council on an annual basis, on the anniversary of the Occupation Certificate being issued for the development.

Erosion and Sediment Control

Run-off and erosion control measures must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land. The control measures must be in accordance with Berrigan Shire Council's adopted Erosion and Sediment Control Guidelines for Building Sites.

Erosion and sediment control measures must address and incorporate general site management material handling practices, soil stabilisation, wind erosion, access measures and shall provide for:

- a) The diversion of uncontaminated run-off around cleared or disturbed areas.
- b) The erection of a silt fence to prevent debris escaping into drainage systems or waterways.
- c) The prevention of tracking of sediment by vehicles onto roads.
- d) Covering of vehicles entering/exiting the site with material.
- e) The stockpiling of topsoil, excavated material, construction and landscaping supplies and debris within the site, and the removal or utilisation (where appropriate) of that stockpile after completion of the works.
- f) Maintenance of control measures until the land is effectively rehabilitated and stabilised beyond the completion of construction. (C430)



Policy

Maintenance of soil erosion and pollution controls

All measures specified in Council's Soil and Water Management Policy to minimise the effects of soil erosion and pollution are to be installed then maintained until disturbed areas are rehabilitated and landscaped. Council may issue infringement notices incurring a monetary penalty where measures are not provided or maintained.

Environmental - dust control

Effective dust control measures shall be introduced and maintained at all times. Full details of the proposed method of dust control shall be submitted to and approved by Council with the construction certificate.

Environmental - dust suppression

Dust suppression techniques are to be employed during works to reduce any potential nuisances to surrounding properties.

Waste Disposal

All waste generated on site during the project shall be classified and separated in accordance with DECCWs Waste Classification Guidelines and transported to facility that may lawfully accept the waste.

Secure Remediation Area

Prior to commencement of works on site, a secure fence shall be installed around the proposed remediation area to prevent access by unauthorised persons, which shall be removed following completion of remediation works.

Landscape Plan

Prior to the issue of a Construction Certificate, a detailed Landscape Plan that includes the following will be required:

- a) Identification and accurate mapping of all trees suitable for retention based on health and condition.
- b) Report detailing species, health, condition and hazard rating of trees identified as suitable for retention.
- c) Trees identified for retention to be clearly tagged on site to allow for assessment by Council officers.
- d) A tree planting/revegetation plan detailing species and location.
- e) Methods of tree protection during engineering works for trees identified to be retained.



Policy

Appendix 5: Council procedure for Initial evaluation

Process: Initial Evaluation

Exceptions: If an application is sent directly to the NSW Department of Planning and Environment as the land is deemed to be contaminated, and that the contamination is significant enough to be declared Significantly Contaminated under the CLM Act.

Trigger: An application is submitted to Council by an applicant for a given site.

Checklist process:

Step	Process	Yes	No
1	Does the application include a statement that the land (or neighbouring land) is, or is likely to be contaminated?	Go to Step 1A.	Initiate Preliminary site investigation process – Appendix 6.
1A	Did the application include a Site Audit Statement or Remedial Action Plan?	Go to site auditing or to Remediation process. - Appendix 10 and 8 respectively.	Go to Step 2.
2	Is the application requiring a change in land use to residential, educational, recreational, child care or hospital?	Need to be mindful of this when deciding as to whether a preliminary site investigation is required before proceeding.	Go to Step 3.
3	Is the site; under consideration (or neighbouring sites) included in the Register as 'significantly contaminated' or 'remediated land'? Listed on the EPA's notifications list i.e. sites which are awaiting assessment?	Go to Step 3A.	Go to Step 4.
3A	Does the Site Audit Statement or Remedial Action Plan place limitations on the use of the land?	Initiate preliminary site investigation process – Appendix 6.	Go to Step 4.
4	Is the site under consideration (or neighbouring sites) included in the register as potentially contaminated land?	Go to Step 4A.	Go to Step 5.
4A	Determine previous land use history and contamination potential. Is contamination possible?	Initiate preliminary site investigation – Appendix 6.	Go to Step 5.



Policy

5	Has the site under consideration been subject to either a preliminary or detailed site contamination investigations in the past?	Go to Step 5A.	Go to Step 6.
5A	Locate and review Site Audit Statement and the Validation and Monitoring Report. Do restrictions and/or conditions on the land use require further investigation?	Initiate preliminary site investigation – Appendix 6.	Go to Step 6.
6	Is the application outlining no change in land use, but the existing land use involves an activity listed in Appendix 2 of the Policy?	Go to Step 6A.	Go to Step 7.
6A	Is the previous/existing land use related to industrial/commercial or to intensive broadacre?	Consider if a preliminary site investigation is warranted before proceeding.	Go to Step 7.
7	<p>Does information on current zoning and permissible land uses (e.g. restrictions and/or conditions on land use relating to land contamination contained in the LEP, DCP etc), or records from previous zonings, development and building applications, property files and information provided by the applicant <u>suggest land contamination may be an issue for this or in neighbouring sites?</u></p> <p>Does the Local Environment Plan or Development Control Plan place restrictions or conditions for the development of the site?</p> <p>Is an identified historical land use for the land (or neighbouring land) listed in Appendix 2 of the Policy?</p> <p>Is an identified historical land use (or neighbouring land) related to agriculture or intensive horticulture? (excludes broadacre horticulture).</p> <p>Is or has the site (or neighbouring land) been subject to land use restrictions related to contamination?</p> <p>Is or has the site (or neighbouring land) been subject to conditions on its use?</p> <p>Is or has the site (or neighbouring land) been subject to remediation action?</p> <p>Is or has the site (or neighbouring land) been subject to pollution incidents and/or illegal</p>	Yes or maybe to one or more – Initiate preliminary site investigation - Appendix 6.	No to all. Proceed with normal planning assessment process. Process finalised.



Policy

dumping of waste?

Did a site inspection identify any land contamination issues?

Key decision for check list:

Initial Evaluation Report (as a file note) concludes that:

1. Reasonable efforts have been made to come to a conclusion that there is no risk in the development application relating to land contamination, hence the assessment of the Development Application continues business-as-usual; or
2. There is insufficient information to determine whether the land under consideration in the development application is not contaminated land, in that the land concerned is either:
 - Land that is within an investigation area that has been notified as such by the EPA;
 - Land on which activities referred to in Appendix 2 of the Contaminated Land Management Policy are being, or are known to have been carried out, especially in regards to agriculture and intensive horticulture activities; or
 - Land on which there is incomplete knowledge about whether activities referred to in Appendix 2 of the Contaminated Land Management Policy are being, or are known to have been carried out, and if the proposed development involved residential, educational, recreational, child care or hospital purposes.

If 1): proceed with normal business process in the assessment of the development application.

If 2): notify the applicant in writing that a Preliminary Site Investigation is required.



Policy

Appendix 6: Council Procedure for Preliminary Site Investigation

Process: Preliminary Site Investigation

Exceptions: If an application is sent directly to the NSW Department of Planning and Environment (as a consenting authority) as the land is deemed to be contaminated, and that the contamination is significant enough to warrant regulation.

Trigger: Initial Evaluation could not conclude that the land under consideration in the application is not contaminated land.

Activity: Request the applicant to use a suitably qualified expert to undertake a preliminary site contamination investigation, and to undertake this investigation in accordance with the NSW EPA Guidelines for Consultants Reporting on Contaminated Sites. Request that the outcomes of this investigation are included in a revised application. (Note: this activity can be undertaken in conjunction with the Detailed Site Investigation).

Checklist process:

Step	Process	Yes	No
1	The application includes a Preliminary Site Investigation Report.	Go to Step 2.	Go to Step 1A.
1A	Request the applicant provide the Preliminary Site Investigation Report.	Go to Step 2.	Undertake Step 1A before proceeding.
2	Review the Preliminary Site Investigation Report and determine whether a Detailed Site Investigation is required.	Go to Step 3.	Undertake Step 2A before proceeding.
3	Preliminary Site Investigation Report (as a file note with the report) demonstrates the potential for, or existence of, contamination, which may preclude the land of being suitable for the proposed use.	Go to Detailed Site Investigation – Appendix 7.	Go to Step 4.
4	Is there a requirement for conditions of consent (refer to Appendix 4).	Go to step 5.	Process the application. Process finalised.
5	Process application with Conditions of Consent.	Process finalised.	Step 5 needs to be undertaken before process can be finalised.



Policy

Appendix 7: Council Procedure for Detailed Site Investigation

Process: Detailed Site Investigation

Exceptions: If an application is sent directly to the NSW Department of Planning and Environment (as the consenting authority) as the land is deemed to be contaminated, and that the contamination is significant enough to warrant regulation.

Trigger: Preliminary Site Investigation Report identifies the potential for, or existence of, contamination which may preclude the land of being suitable for the proposed use.

Activity: Request the applicant to use a suitably qualified expert to undertake a detailed site contamination investigation, and to undertake this investigation in accordance with the NSW EPA Guidelines for Consultants Reports for Contaminated Sites. Request that the outcomes of this investigation are included in a revised development application. (Note: this activity can be undertaken in conjunction with the Preliminary Site Investigation).

Checklist process:

Step	Process	Yes	No
1	The application includes a Detailed Site Investigation Report.	Go to Step 3.	Go to Step 2.
2	Request the applicant provide a Detailed Site Investigation Report	Go to Step 3.	Undertake Step 2 before proceeding.
3	Does the Detailed Site Investigation Report include a statement that the site is contaminated and that the contamination is significant enough to warrant regulation?	Go to Step 4.	Go to Step 3A.
3A	Request the applicant submit a revised Detailed Site Investigation Report to include a statement on the suitability.	Go to Step 3B.	Cannot proceed until Step 3A is undertaken.
3B	Revised Detailed Site Investigation report received.	Go to Step 4.	Cannot proceed until revised detailed site investigation report is received.
4	The Detailed Site Investigation Report includes a statement on whether the site is suitable for the proposed use and for all other purposes permissible in the zone, or if it can be made suitable through remediation.	Go to Step 5.	Go to Step 4A.



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4A	Request a statement on whether the site is suitable for the proposed use and for all other purposes permissible in the zone, or if it can be made suitable through remediation.	Go to Step 5.	Undertake Step 4A before proceeding.
5	Does the Detailed Site Investigation Report include a statement that the site is potentially contaminated and that the contamination is significant enough to warrant regulation?	Go to Step 5A.	Go to Step 6.
5A	Notify NSW EPA immediately.	Proceed with EPA directions.	No other action can be undertaken until Step 5A has occurred.
6	Does the Detailed Site Investigation Report conclude that the land is unsuitable for the proposed use and may not be appropriately remediated, or the applicant does not wish to remediate?	Go to Step 6A.	Go to Step 7.
6A	The application may be modified to a use that is suitable for the land without remediation (e.g. relating to a development application outlining no change in land use), provided a new development application is not required, or the application can be withdrawn, or the application can be refused by Council. Application modified for consent.	Go to Step 7.	Go to Step 6B.
6B	Has the applicant indicated its intent to withdraw the development application?	Go to Step 6C.	Go to Step 6D.
6C	Close the assessment of the application.	Process finalised.	Undertake Step 6C to finalise process.
6D	Application refused by Council.	Go to Step 6E.	Application is required to be modified, withdrawn or refused for process to be finalised.
6E	Consider if the site should be included on the Contaminated Lands site register and include on register if required.	Process finalised.	Undertake Step 6E to finalise process.



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7	Does the Detailed Site Investigation Report include a statement that the site <u>is contaminated</u> , which may preclude the land from being suitable for the proposed use?	Go to Step 8.	Go to Step 9.
8	Has the applicant indicated its intent to withdraw the development application?	Go to Step 6C.	Go to Step 9.
9	Is Council satisfied that the site is suitable for the proposed use and for all other purposes permissible in the zone?	Go to Step 10A.	Go to Step 9.
9A	Are conditions of consent required?	Go to Step 9B.	Go to Step 10.
9B	Include conditions of consent (see Appendix 4 of the Policy).	Process finalised.	Process can't be finalised until Step 9B is undertaken.
10	Council to develop restrictions and/or conditions for the land, including any restrictions relating to the intended land use or conditions on the remediation and also provision of a Validation and Monitoring Report prior to commencement of development work (e.g. construction certificate).	Go to Step 11.	Undertake Step 10 before proceeding.
11	Does the Detailed Site Investigation Report include a list of feasible remediation options available to remediate the site in order to make it suitable for the proposed use?	Go to Remediation – Appendix 8.	Go to Step 11A.
11A	Seek this information from the applicant.	Go to Remediation – Appendix 8.	Process cannot proceed until Step 11A has been undertaken.

Note: Subsequent to finding that the Detailed Site Investigation Report includes a statement that the site is contaminated and that the contamination is significant enough to warrant regulation, Council must notify the NSW EPA who may then declare the land as a 'Remediation Site' thereby subjecting the land to remediation works and processes under the Management Order issued by the EPA.



Policy

Appendix 8: Council Procedure for Remediation

Process: Managing requirements of Council, the applicant and other actors relating to remediation of land and its congruence with SEPP 55 Planning Guidelines, and that remediation works will be undertaken in accordance with the relevant EPA Guidelines under the Contaminated Land Management Act.

Exceptions:

- Category 1 remediation works with consent from the Department of Planning and Environment.
- Category 2 remediation works subject to a Remediation Order by the EPA without consent. Under this scenario the EPA declares that the land is a Remediation Site and a Remediation Order is issued by the EPA.
- Site that is under voluntary remediation (i.e. Voluntary Remediation Plan) with the EPA declaring the site a Remediation Site (See Section 4.3, Voluntary Remediation) and where the EPA does not require the specific works to be undertaken under the EP&A Act.

Trigger:

- Land covered by a development application requires remediation to make the land suitable for the proposed use and for all other purposes permissible in the zone.
- Receipt of a notification regarding proposed Category 2 remediation works without consent.

Checklist process:

Step	Process	Yes	No
1	Is the remediation work likely to have a potential for significant environmental impacts from the remediation works?	Go to Step 1A	Go to Step 1B
1A	Remediation works would be considered as Category 1 remediation works with Council consent (go to sub-section Category 1 Remediation Works With Council Consent).	Proceed to subsection Category 1 Remediation Works with Council Consent.	N/A
1B	Considered as Category 2 remediation works without consent (go to sub-section Category 2 Remediation Works Without Consent).	Proceed to subsection Category 2 Remediation Works Without Consent.	N/A

Notes: Category 1 remediation work includes any work that is:

1. Designated development as listed in Schedule 3 under the Environmental Planning and Assessment Regulation (2000), and requires the applicant to prepare an Environmental Impact Statement.
2. Carried out on land that is considered as critical habitat (for threatened species).



Policy

3. Likely to have a significant impact on critical habitat or a threatened species, population or ecological community.
4. Development for which another SEPP requires development consent.
5. In an area or zone to which are classified for coastal protection, conservation or heritage conservation, habitat area, habitat protection area, habitat or wildlife corridor, environmental protection, floodway, nature reserve, scenic area or scenic protection, wetland, or any land in a manner that does not comply with the Policy made under the contaminated land planning guidelines by Council.
6. Any other works as nominated by Council under s.9(f) of SEPP 55 – Remediation of Land.
7. Council should notify NSW EPA that it considers remediation works associated with a planning proposal or development application to be Category 1 remediation works.

Category 1 Remediation Work Subject to Management Order with Consent of Department of Planning and Environment.

Notes:

1. Similar process to Category 1 Remediation Works with Council Consent except that Department of Planning and Environment manage the assessment steps and Council receives notifications at certain stages in the process.
2. A Remediation Action Plan must be prepared by the applicant and subsequently approved by the Department of Planning and Environment (as the consenting authority).
3. Department of Planning and Environment may require an Environmental Impact Statement (EIS) if the remediation is likely to significantly affect the environment.
4. A Remediation Action Plan, planning proposal or development application and an EIS is required to be submitted by the applicant to the Department of Planning and Environment.
5. Management Order is issued by the EPA.
6. Post-remediation: Validation and Monitoring Report and Site Audit Statement sent to the Department of Planning and Environment (under SEPP 55) and to the EPA (under the Remediation Order).



Policy

Category 1 Remediation Work with Council Consent

Step	Process	Yes	No
1.	Does the Category 1 remediation work include any work that is designated development listed in Schedule 3 of the Environmental Planning and Assessment Regulation?	Determine whether the applicant is required to submit an Environmental Impact Statement before proceeding.	Go to step 2.
2	If the remediation work is Category 1 remediation work, has the applicant submitted a Remedial Action Plan?	Go to 2A.	Remedial Action Plan required before proceeding.
2A	Is Council satisfied that the site can be remediated?	Go to Step 3.	Go to Step 2B.
2B	Request applicant provides a revised Remedial Action Plan or if unsure decide whether to use a Site Auditor to review the Remedial Action Plan.	Go to Step 3.	Undertake Step 2B before proceeding.
3	Are the proposed clean-up criteria appropriate for the future use of the site, considering possible human health and environmental impacts?	Go to Step 4.	Go to Step 3B.
3B	Has the applicant provided a suitable revised Remedial Action Plan and Council is satisfied the land can be remediated for the intended land use. If unsure decide whether to use a Site Auditor to review the Remedial Action Plan.	Go to Step 4.	Undertake Step 3B before proceeding.
4	Are the proposed plans for remediation work acceptable in that they include an operational plan, occupational health and safety plan, site environmental management plan, community relations plan and contingency plan and outline all necessary approvals required from regulatory authorities?	Go to Step 5.	Go to Step 4A.
4A	Request applicant provides revised Remedial work plans. Is council satisfied with the revised remedial work plans? Unsure – Decide whether to use a Site Auditor to review the Remedial Action Plan.	Go to Step 5.	Undertake Step 4A before proceeding.



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5	Is a Site Auditor required to review the Remediation Action Plan?	Inform the applicant that Council intends to engage a Site Auditor, and that the cost of this auditor is with the applicant. Go to Step 6.	Go to Step 7.
6	Request the applicant to submit a satisfactory Remedial Action Plan. Process should be stopped until a satisfactory RAP is submitted.	Go to Step 7.	Undertake Step 6 before proceeding.
7	Does Council need to impose conditions on the development consent in relation to: Requiring the submission of a Validation and Monitoring Report after completion of the remediation work, but before commencement of the development work (i.e. before issuance of a construction certificate). Any other conditions and/or restrictions on the remediation work, including any condition of consent set out in appendix 3 of the Policy?	Go to Step 7A. Go to Step 7B.	Go to Step 8.
7A	Prepare conditions of consent to reflect provision of a Validation and Monitoring Report upon completion of remediation works.	Go to Step 8.	Undertake step 7A before proceeding.
7B	Prepare conditions of consent to reflect identified conditions of consent relevant to the remediation works and ongoing management of the land under consideration in regards to occupational health and safety, site environmental management (including ongoing site monitoring) and any other identified matter.	Go to Step 8.	Undertake Step 8A before proceeding.
8	Any objections received on the advertised planning proposal or development application (including the Remedial Action Plan)?	Go to Step 8A.	Go to Step 9.
8A	Is the planning proposal or development consent a designated development?	Go to Step 8B.	Go to Step 9.
8B	These objections must be sent to the Department of Planning and Environment for comment.	Go to Step 9.	Undertake step 8B before proceeding.



Policy

8C	Planning proposal or development consent is not designated development, Council is to review objections and make a determination on these	Go to Step 9.	Undertake step 8C.
9	Determine the development application, including any comments on objections received from the Department of Planning and Environment (if designated development).	Go to Step 10.	Undertake step 9 before proceeding.
10	Inform the applicant of determination.	Go to Step 11.	Undertake step 10 before proceeding.
11	Upon completion of the remediation works, and before a construction or occupation certificate is issued, has a notification from the applicant that includes the Validation and Monitoring Report been submitted to Council within 30 days of completion of the remediation works or as specified in the Development consent? (Note: sometimes submission for the validation report within 30 days of completion of remedial works and prior to construction certificate is not feasible. Some flexibility is required here.	Go to Step 12.	Go to Step 11A.
11A	Request the notification and Validation and Monitoring Report to be submitted to Council.	Go to Step 12.	Undertake step 11A before proceeding.
12	Does the Validation and Monitoring Report include: A statement that the land under consideration has been remediated in accordance with the approved Remedial Action Plan to make it suitable for its intended use or other purpose in that zone?	Go to Step 13.	Go to Step 12A.
12A	If the site was remediated in accordance with requirements, then request the report is modified to include such a statement, or; If the report identified that full remediation was not feasible or onsite containment of contamination is proposed, then ensure that a detailed ongoing monitoring strategy/program and site environmental management plan is provided.	Go to Step 13.	Undertake step 12A before proceeding.
13	Does the Validation and Monitoring Report include:	Go to Step 13A.	Go to Step 13C.



Policy

	A statement confirming that all licences, approvals and development consents have been complied with?		
13A	Did the Validation and Monitoring Report include any documentary evidence?	Go to Step 14.	Go to Step 13B.
13B	Request that the report is modified to include such documentary evidence.	Go to Step 14.	Undertake step 13B before proceeding.
13C	Request that the report is modified to include such a statement and documentary evidence.	Go to Step 14.	Undertake step 13C before proceeding.
14	Does the Validation and Monitoring Report include: A Site Audit Statement and Site Audit Summary Report?	Go to Step 15.	Go to Step 14A.
14A	Request that the Site Audit Statement and Site Audit Summary Report is provided.	Go to Step 15.	Undertake step 14A before proceeding.
15	Is Council satisfied with the Validation and Monitoring Report and the Site Audit Statement?	Process finalised.	Undertake step 15A
15A	Seek a Site Auditor to review with a view to verify information contained in the Validation and Monitoring Report (See Appendix 10 Site Auditing).	Go to Step 15.	Cannot proceed until Step 15A is undertaken.

Note: Site auditor will provide a report that will confirm the above questions and thereby dictate whether the process continues or if another iteration on the Remedial Action Plan is required. If no Remediation Action Plan is sought (or is not needed), then the remediation must be tested against standards endorsed by the EPA.

Include the relevant information in section 149(2) planning certificates, covenants on the title or annual reporting and other information made available under section 149(5).

Category 2 Remediation Work Without Consent

Notes:

1. Category 2 remediation work is all remediation work that is not defined as Category 1 remediation work.
2. Category 2 remediation work does not require consent.



Policy

3. Council is required to be notified of any proposed category 2 remediation work at least 30 days before the works commence.
4. This notification is also required to address information contained in Appendix 2 Requirements for Category 2 Remediation Works.
5. Remediation Action Plans are not mandatory for Category 2 works without consent, but Council can deem the risk of contamination to be of the level requiring a Remediation Action Plan to be developed by the applicant.
6. A copy of the Validation and Monitoring Report and a Site Audit Statement from an EPA accredited auditor must be forwarded to Council within 30 days of the completion of the remediation works. Council will not consider any subsequent development applications for the site until it is satisfied that the site is suitable for the proposed use.
7. This section does not consider Category 2 Remediation Work Subject to a Remediation Order by the EPA – without consent, nor Category 2 remediation works relating to underground petroleum storage systems (even though Appendix 3 of the Policy includes UPSSs in the 'requirements for category 2 remediation works'). The UPSS regulatory framework is proposed to be changed in 2017 resulting in more responsibility given to local government.

Step	Process	Yes	No
1	For Category 2 remedial works, was Council notified at least 30 days before commencement of the works?	Go to Step 3.	Go to step 2.
2	Contact applicant to remind them of the notification requirement.	Go to Step 3.	Process cannot proceed until Step 2 is complete.
3	Did the notification include a proposal for the remediation works that addressed information contained in Appendix 3 of the Policy in relation to 'Requirements for Category 2 Remediation Works', and the dates in which this work is to be undertaken?	Go to Step 4.	Go to Step 3A.
3A	Obtain this information from the applicant.	Go to Step 4.	Process cannot proceed until Step 3A is undertaken.
4	Did the notification seek any approvals from Council (e.g. dissolved hydrocarbon impact from open excavations to be taken to landfill or discharged to the sewer under consent conditions)?	Go to Step 4A.	Go to Step 5.



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4A	Consult with relevant internal operational area.	Go to Step 5.	Undertake Step 4A before proceeding.
5	Did the notification require any approvals from other regulatory bodies (e.g. leaching [i.e. discharge] of toxic material to stormwater or sewer).	Go to step 5A.	Go to Step 6.
5A	Request evidence of approval.	Go to Step 6.	Undertake Step 5A before proceeding.
6	Did the notification provide contact details?	Go to Step 6A.	Go to Step 7.
6A	Consult with relevant internal operational area.	Go to Step 7.	Undertake Step 6A before proceeding.
7	Has a remedial works plan been submitted with the notification?	Go to Step 8.	Go to Step 7A.
7A	Ask and receive the Remedial Works Plan from the applicant.	Go to Step 8.	Cannot proceed until Step 7A is undertaken.
8	Does the Remedial Works Plan state that it has been prepared in line with the SEPP55 Planning Guidelines, and that proposed remediation works will be undertaken in accordance with the relevant EPA Guidelines under the Contaminated Land Management Act?	Go to Step 9.	Go to Step 8A.
8A	Seek the applicant or proponent to provide this confirmation in writing.	Go to Step 9.	Undertake step 8A before proceeding.
9	Has a site inspection been undertaken?	Go to Step 10.	Go to Step 9A.
9A	Arrange and undertake a site inspection.	Go to Step 10.	Undertake step 9A before proceeding.
10	Upon completion of the remedial works has the following been provided to Council? Within 30 days of completion of the remediation works, a notification that remediation work and	Go to Step 11.	Go to Step 10A.



Policy

	validation has been completed.		
10A	Contact the proponent and request this information is submitted to Council	Go to Step 11.	Cannot proceed until Step 10A is undertaken.
11	Upon completion of the remedial works has the following been provided to Council? Validation and Monitoring Report	Go to Step 12.	Go to Step 11A.
11A	Contact the proponent and request the Validation and Monitoring Report is submitted to Council.	Go to Step 12.	Cannot proceed until Step 11A is undertaken.
12	Upon completion of the remedial works is Council satisfied that the category 2 remediation works have been carried out?	Go to Step 13.	Go to Step 12A.
12A	Issue a clean-up notice under the POEO Act requiring that further works be undertaken, or that a site auditor is appointed to review works to date and make suggestions on what additional works are required.	Go to Step 13.	Cannot proceed until Step 12A is undertaken.
13	Is Council satisfied with the content of the Validation and Monitoring Report and the Site Audit Statement?	Go to Step 14.	Go to Step 13A.
13A	If Council is not satisfied with the content of the site audit statement it should be reported to the EPA.	Go to Step 14.	Cannot proceed until Step 13A is undertaken.
14	Did the Validation and Monitoring Report and/or Site Audit Statement include: A statement that the land under consideration has been remediated to make it suitable for its intended use or other purpose in that zone?	Go to Step 15.	Go to Step 14A.
14A	Request that this information is provided.	Go to Step 15.	Undertake step 14A before proceeding.
15	Did the Validation and Monitoring Report and/or	Go to Step 15A.	Go to Step 16.



Policy

	Site Audit Statement include: Requirements relating to ongoing site management, including restrictions on use?		
15A	Include the relevant information in section 149(2) planning certificates, covenants on title or annual reporting and other information made available under section 149(5).	Go to Step 16.	Undertake step 15A.
16	Has a site inspection been undertaken?	Go to Step 17.	Undertake Step 16A.
16A	Undertake a site inspection.	Go to Step 17.	Cannot proceed until Step 16A is undertaken.
17	Council is satisfied with the remediation work.	Process finalised.	Process cannot be finalised until Council is satisfied with the remediation works.

Note: Some notifications on category 2 remediation works without consent list requests Council approvals. An example is the discharge of dissolved hydrocarbon impact to sewer or to take it to landfill to de-wet. Council has the capacity to grant this approval up to an extent; however, for material whose discharge to sewer or stormwater systems would pose a significant risk to human health or the environment, the approval must be sought from the relevant state agency (e.g. NSW Office of Water).



Policy

Appendix 9: Council Procedure for Voluntary Remediation

Process: -To manage data and/or information regarding any voluntary management proposal approved by the EPA.

Exceptions: None identified.

Objective: to ensure the appropriate management of data and information from activities related to voluntary management proposals.

Trigger:

- Land owner informs Council of intent to remediate identified contaminated land.
- EPA notifies Council of a voluntary management proposal to remediate a contaminated site.
- EPA notifies Council of completion of remediation works associated with a voluntary management proposal.

Checklist process:

Step		Yes	No
1	Notification received from EPA in regards to a voluntary management proposal?	Go to Step 2.	Process not applicable.
2	Record information in Council's systems in accordance with agreed procedures.	Go to Step 3.	Undertake Step 3 before proceeding.
3	Is Council satisfied that a section 149(2) planning certificate can be issued for the site?	Go to Step 4.	Go to Step 5.
4	Prepare appropriate text for the section 149(2) planning certificate (See Appendix 11 Section 149 Certificates).	Process Completed.	Process not completed until Step 4 is undertaken.
5	Liaise with EPA for clarification.	Process completed.	Process not completed until Step 5 is undertaken.

Notes:

1. Duty to Notify: Anyone whose activities have caused land to be contaminated, and owners of land who become aware, or ought reasonably to be aware, that the land has been contaminated must notify the EPA as soon as practicable after becoming aware of the contamination when a site owner provides an undertaking to voluntarily remediate a site that initiates a process via a notification to the NSW EPA. This is a requirement under section 60(3) of the Contaminated Land Management Act and supported by the Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act.



Policy

2. Management Orders: The EPA may order persons to manage significantly contaminated land in the following hierarchy: those responsible for the contamination, the landowner and the notional owner. Under worst-case scenarios this could see Council as the 'notional owner' of private land and thereby is responsible for remediation.
3. Voluntary Management Proposals: The EPA may approve a voluntary management proposal for the management of significantly contaminated land, with or without conditions. The voluntary management proposals subsumes the former voluntary investigation proposal and the voluntary remediation proposal.



Policy

Appendix 10: Council Procedure for Site Auditing

Process: To ensure that Council has confidence in information regarding contamination or potential contamination of land and verification thereof.

Exceptions: None identified

Trigger: Council:

- Believes on reasonable grounds that information including that related to potential contamination or previous land use history, provided by the applicant is incorrect or incomplete.
- Wishes to verify whether the information provided by the applicant has adhered to appropriate standards, procedures and guidelines.
- Does not have the internal resources to undertake a technical review.

Notes:

1. A Site Auditor is an individual accredited by the EPA under Part 4 of the CLM Act.
2. Site auditors review the work of contaminated site consultants. The CLM Act calls these reviews site audits and defines a site audit as an independent review.
3. Site auditors can prepare an independent review:
 - a) that relates to investigation or remediation carried out (whether under the CLM Act of otherwise) in respect of the actual or possible contamination of land; and
 - b) that is conducted for the purpose of determining any one or more of the following matters:
 - i the nature and extent of any contamination of the land
 - ii the nature and extent of the investigation or remediation
 - iii whether the land is suitable for any specified use or range of uses
 - iv what investigation or remediation remains necessary before land is suitable for any specified use or range of uses
 - v the suitability and appropriateness of a plan of remediation, a long-term management plan, a voluntary investigation proposal or a remediation proposal.
4. Costs for Site Audit services are borne by the applicant.

Checklist process:

Step	Process	Yes	No
1	Developed a terms of reference for site audit.	Go to Step 2.	Undertake Step 1 before proceeding.
2	Package and provide all direct and background information required to be verified by the Site Auditor.	Go to Step 3.	Undertake Step 2 before proceeding.



Policy

3	After completion of the site audit, has the Site Audit Summary Report been provided with the Site Audit Statement?	Go to step 4.	Go to Step 3A.
3A	Seek Site Audit Summary Report from applicant.	Go to Step 4.	Undertake Step 3A before proceeding.
4	Is Council satisfied with the outcomes of the site audit?	Process completed.	Go to Step 5.
5	Liaise with site auditor to clarify findings or report to EPA for review.	Process Completed.	Process cannot be deemed completed until Step 5 (findings clarified or EPA reviewed) is undertaken.



Policy

Appendix 11: Section 149 Certificates Procedure

Process: To ensure that accurate information regarding land contamination matters including Council policy to restrict the use of land is included in planning certificates issued under section 149 of the EP&A Act.

Trigger: A request for information regarding a parcel of land that triggers a process under section 149 of the EP&A Act.

Steps:

1. Identify parcel of land of interest.
2. Check Register for annotations regarding contaminated land management issues.
3. Generate certificate.
4. Confirm correctness of statements included in the certificate regarding contaminated land management matters.

Under s.149 of EP&A Act, a person may request from Council a planning certificate containing advice on matters about the land that are prescribed in the EP&A Regulation including information regarding land contamination.

- a) *Section 59(2) of the CLM Act provides that specific notations (as listed below) relating to contaminated land issues must be included on s.149 certificates where:*
- b) *that the land to which the certificate relates is significantly contaminated land within the meaning of that Act – if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued;*
- c) *that the land to which the certificate relates is subject to a management order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued;*
- d) *that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act – if it is the subject of such an approved proposal at the date when the certificate is issued;*
- e) *that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act – if it is subject to an order at the date when the certificate is issued;*
- f) *that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act – if a copy of such a statement has been provided at any time to the local authority issuing the certificate.*

In addition to detailing information relevant to the prescribed matters, all s.149(2) certificates issued by Council will also contain one of the following notations relating to land contamination:

Where Council's contaminated land policy restricts the use of land which:

- has a previous land use history which could have involved use of contaminants on the site, for examples, land which may have been used for an activity listed in Appendix 2, or
- is known to be contaminated, but
- has not been remediated,

an appropriate notation may be:

'Council has adopted by resolution a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands that have previously been used for certain purposes. Consideration of Council's adopted policy and the application of provisions under relevant State legislation is warranted.'



Policy

Where council's contaminated land policy restricts the use of land which:

- is known to contain contaminants, but
- has been remediated for a particular use or range of uses and some contamination remains on the site, for example encapsulated,

an appropriate notation might be:

'Council has adopted by resolution a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands which are considered to be contaminated, or on lands which have been remediated for a specific use. Consideration of Council's adopted policy and the application of provisions under relevant State legislation is warranted.'

Where Council records do not contain a clear site history without significant gaps in information and council cannot determine whether or not the land is contaminated, and therefore the extent to which council's policy should apply, council may decide to take a cautious approach. In such cases an appropriate notation might be:

'Council has adopted by resolution a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes. Council records do not have sufficient information about previous use of this land to determine whether the land is contaminated. Consideration of Council's adopted policy and the application or provisions under relevant state legislation is warranted.'

Council may make additional notations upon S.149(2) or S.149(5) certificates where specific information is obtained in relation to the use of land.



Policy

Appendix 12: Procedure for storing contaminated sites information

Process: For the handling and registering incoming contaminated land information.

Incoming mail, email or enquiry to be registered by reception in the Mail register and noted for the Development Manager or the Town Planner.

Registered to central file 11.108.3 Environmental Management – Notifications – CONTAMINATED LANDS

Development Manager or the Town Planner will also note if it applies to a specific ratable property file.

Department: Environmental Services

References: Handling & Registering of Incoming Mail

Procedure detail:

Follow the process for 'Handling & Registering of Incoming Mail'.

Upon identifying that correspondence relates to contaminated lands, document to be registered to 11.108.3 Environmental Management – Notifications – CONTAMINATED LANDS in the incoming mail register. Document to be referred to Development Manager (DM), in his absence the Town Planner (TP).

DM (or delegated staff) to check if parcel(s) identified in document are listed in contaminated Lands Register (G:\RECORDS MANAGEMENT\CONTAMINATED LANDS REGISTER).

If listed:

- a) Update information in the contaminate land register if applicable;
- b) Save any new information into the Practical Plus rates card;
- c) Save an electronic version of the document into the Practical Plus rates card;
- d) Confirm that the property information on the document matches that on the rates card.

If not listed:

- a) Insert new entry into the contaminated lands register;
- b) Create a new note in the relevant Practical Plus rates card;
- c) Save an electronic version of the document into the Practical Plus rates card;
- d) Confirm that the property information on the document matches that on the rates card.

Arrange for original copy of document to be filed in the '11.108.3 Environmental Management – Notifications – CONTAMINATED LANDS' file with a copy in the relevant hard copy Property file.



Policy

47. WORKPLACE REHABILITATION POLICY

Version 02

File Reference No: 22.112.1

Strategic Outcome: Good government

Date of Adoption: 20/04/2016

Date for Review: 21/07/2021

Responsible Officer: Enterprise and Risk Manager

1. POLICY STATEMENT

Council is committed to the prevention of illness and injury by providing a safe and healthy working environment. Where a work related injury or illness occurs, Council will ensure procedures and resources are in place to provide an early and safe return to work.

Council's workplace rehabilitation is a managed process involving early provision of necessary and reasonable services, including suitable duties programs to facilitate the injured/ill worker's earliest possible return to, and recovery at, work.

2. PURPOSE

The purpose of this policy is to outline the rehabilitation and return to work process that Council has in place and that will apply where an employee sustains an injury or suffers an illness whilst performing work for the Berrigan Shire Council, and the options available to staff returning to work after an injury/illness resulting from circumstances outside of the workplace.

3. SCOPE

This Policy applies to all Council staff.

This Policy has been developed through a collaborative consultation process between management, Council's Return to Work Co-ordinator, Workplace Health and Safety Representatives, and Union Delegates.

4. OBJECTIVE

This policy is developed to assist the Council with Community Strategic Plan Objective

2.2 Ensure effective governance by Council of Council operations and reporting

Specific objectives are to:



Policy

1. Facilitate return to work for employees who are injured or ill at work, as soon as possible and to provide information to assist an injured and/or ill employee to return to work;
2. Provide voluntary recovery at work programs for employees who are injured or ill due to circumstances outside of the workplace;
3. Determine the needs of injured and/or ill employee by liaising with the employee, nominated treating doctor, Council's workers compensation insurance provider, and other relevant stakeholders;
4. Provide early access to rehabilitation services such as accredited workplace rehabilitation providers where required;
5. Develop and implement the injured and/or ill employee's return to work plan in conjunction with the employee, Council's workers compensation insurance provider, the nominated treating doctor, and the workplace rehabilitation provider;
6. Provide suitable duties for an injured and/or ill employee as an integral part of the rehabilitation and return to work process;
7. Consult with employees and where applicable any employee representatives, to allow the rehabilitation and return to work process to operate effectively;
8. Provide employees with information about workers compensation claims including choice of nominated treating doctor, and accredited workplace rehabilitation provider;
9. Maintain records of workplace incidents and return to work data to continually improve Council's work health and safety management system, and injury management system;
10. Advise injured and/or ill employees that participation in rehabilitation and return to work plans is voluntary, however non-participation may result in reduced weekly benefits.

5. DEFINITIONS

Job Demand Analysis (JDA) is a systematic procedure to quantify and evaluate the physical and environmental demands of a job.

Lost Time Injury/Illness (LTI) is an injury or illness that results in time away from the workplace.

Nominated Treating Doctor (NTD) is the doctor chosen by the injured worker to treat their injury/illness.

Non-work Related Injuries/Illness are injuries/illnesses that are not caused by employment and are not claimable through worker's compensation legislation.



Policy

Return to Work Co-ordinator (RTWC). Council is required by legislation to appoint a RTWC.

The role of the RTWC is to:

- Determine the injured worker's needs;
- Identify suitable duties for the injured worker;
- Co-ordinate and monitor return to work plans;
- Liaise with all parties including the rehabilitation provider where appropriate;
- Provide information and support to the injured worker; and
- Maintain confidentiality

Return to Work Plans (RWP) When an injured worker has (according to medical judgement) the capacity to return to work, an individual return to work plan will be developed by the return to work coordinator, outlining the duties to be performed.

Workplace Rehabilitation Provider (WRP). Workplace Rehabilitation providers are available to assist when required in the return to work of employees who suffer a workplace injury or illness. When the Return to Work Plan is complex and requires specialist rehabilitation expertise. Berrigan Shire Council has engaged the services of a WRP, however injured employees have the right to nominate an accredited WRP of their own choice.

6. POLICY IMPLEMENTATION

6.1 Responsibilities

Council support is based upon assessing written requests for assistance. Written requests may be in the form of a letter where support is for in-kind support or for financial support where applicants must use the Event Funding Application Form.

1.1.1. Workplace Managers/Supervisors

Workplace Managers and/or Supervisors are responsible for:

- Ensuring that appropriate first aid and/or medical treatment is provided for work related injuries and/or illnesses;
- The ongoing workplace management of an injured and/or ill employee;
- Ensuring that incident report forms and/or workers' compensation claim forms are completed for all work related incidents and/or injuries;
- Assisting the Return to Work Coordinator and Workplace Rehabilitation Provider in the development of Return to Work Plans;



Policy

- Providing suitable alternative duties when required to enable the development and implementation of Return to Work Plans.

1.1.2. Employees

Employees are responsible for:

- Taking care to prevent work related injuries and/or illnesses to themselves and others in the workplace;
- Notifying Council of any work related incidents/injury or illness as soon as possible;
- Undertaking the rehabilitation program provided by Council;
- Cooperating with the RTWC and WRP;
- Providing accurate information about any aspect of their claim;
- Notifying Council of any change in circumstances, for example, changes to the medical condition, changes to home circumstance which might impact on the injury or changes to financial circumstances;
- Attending scheduled medical and rehabilitation assessments, as required;
- Cooperation with workplace changes that will assist other injured employees.

1.2. Injury Notification

When a work related injury or illness occurs, the employee must notify their Workplace Manager as soon as possible.

The Manager will notify the Return to Work Co-ordinator (RTWC) who will in turn notify Council's workers compensation insurer within 48 hours. The RTWC will also liaise with relevant staff to initiate an incident investigation.

Where the injury or illness results in a Lost Time Injury/Illness (LTI), the employee must provide Council with a suitable NSW Workers Compensation Certificate of Capacity from their Nominated Treating Doctor (NTD). The RTWC will notify Council's insurers immediately upon receipt of the documentation.

1.3. Injury/Illness Follow Up

When an employee sustains a significant injury/illness at work, the RTWC will arrange for a representative from Council's Workplace Rehabilitation Provider (WRP) to contact the employee to provide advice and assistance with:

- Completing workers compensation forms;



Policy

- Explaining the employee's rights, obligations, benefits, rehabilitation and return to work procedures;
- Arranging a Return to Work Plan (RWP) on the advice of the NTD.

The RTWC will consult with Council's insurers, the injured employee and the NTD in developing and implementing a RWP.

The RWP will include alternative or suitable duties and/or a graduated return to work. The RWP will be approved by the WRP in consultation with the NTD.

Some serious injuries/illnesses may require extended injury management. Berrigan Shire Council will assist employees who are not fit to return to their pre-injury duties by investigating alternative work arrangements within the Council.

1.4. Suitable Alternative Duties

Suitable alternative duties are work duties agreed between the RTWC and an injured employee, in consultation with the Manager/Supervisor, which facilitates the injured employee's rehabilitation and recovery at work.

Suitable alternative duties will be determined by referencing the Job Demand Analysis (JDA) to determine tasks that are achievable and which comply with a NSW Workers Compensation medical certificate issued by the employee's NTD.

Suitable alternative duties may include:

- Parts of the job the employee was performing before the injury
- Duties at the same or different worksite
- Different hours and/or modified duties
- Different duties altogether
- Full time or part time duties
- Training opportunities

These duties will be identified after consultation with relevant parties and will be specified in writing.

1.5. 6.5 Non-Work Related Injury and Illness

Where an employee is unable to work due to circumstances outside of the workplace, Council will consult with the employee where clarification of a diagnosis/prognosis is necessary or further information is required. In the case of a non-work related injury/illness,



Policy

a RWP may be developed, however this is a voluntary arrangement co-ordinated by the RTWC between Council, the employee, and where required in consultation with the treating doctor.

Each case will be assessed individually.

7. RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 Legislation

- *Workers Compensation Act 1987*
- *Workplace Injury Management and Workers Compensation Act 1998*
- *Workers Compensation Regulation 2010*
- *Work Health and Safety Act 2011*
- *Privacy and Personal Information Protection Act 1998*
- Local Government (State) Award 2014

7.2. Council policies and guidelines

- Work Health and Safety Policy
- Code of Conduct
- Privacy Management Plan



Policy

84. EVENT MANAGEMENT POLICY

Version 03

File Reference No: 08.063.2

Strategic Outcome: Good government

Date of Adoption: 20/04/2016

Date for Review: 21/07/2021

Responsible Officer: Enterprise and Risk Manager

1. POLICY STATEMENT

Berrigan Shire Council recognises that events form an integral part in strengthening communities, and also have the potential to generate significant economic development within the region.

Whilst there are many different types of events, the degree of Council's involvement, management and responsibility varies in accordance with the type and size of the event, the location, and the organising body.

Whilst Council aims to support and promote events, in all instances the safety of the public, participants, and workers is a priority. The adoption of risk management practices is a requirement for all event organisers to ensure steps are taken to eliminate risks, or where this is not possible, risk minimisation strategies are implemented.

2. PURPOSE

The purpose of this policy is to recognise the significant social, economic and community capacity building benefits that events provide to the community; clarify Council's role in supporting the management of events; and ensure that all events whereby Berrigan Shire Council has a direct or indirect liability are managed with a view to minimising risk.

3. SCOPE

This policy applies to all Councillors and staff, including volunteers of Berrigan Shire Council.

This policy applies to all events held on Council controlled land.

This policy applies to all organisations accessing Council support for their events.

4. OBJECTIVE

This policy is developed to assist the Council with Strategic Objectives:



Policy

2.2 Ensure effective governance by Council of Council operations and reporting;

3.1 Create safe, friendly and accessible communities;

3.2 Support community engagement through life-long learning, culture and recreation;

4.2 Strengthen and diversify the local economy;

4.3 Diversify and promote local tourism

5. DEFINITIONS

Event: An organized gathering, a planned public or social occasion.

Workers: Defined in accordance with the *Work Health and Safety Act 2011*, a worker includes paid employees, contractors and volunteers working on behalf of the Person Conducting a Business or Undertaking (PCBU).

6. POLICY IMPLEMENTATION

6.1 Council Support of Events

Council support is based upon assessing written requests for assistance. Written requests may be in the form of a letter where support is for in-kind support or for financial support where applicants must use the Event Funding Application Form.

6.1.1 In-kind Support

In-kind support may include site preparation, waste collection or traffic management. Managers will be responsible for identifying if this support is available taking into consideration Council resources, and the costs associated with providing the service.

6.1.2 Financial Support

Financial Support for events is made through the Event Funding Pool. Event organisers must complete the Event Funding Application Form and lodge with Council for assessment during advertised funding rounds.

Council will consider various aspects of the application to determine the event's eligibility for funding. This includes:

- The type of organisation applying for funding;
- The amount of funding requested;
- Predicted visitation to the area;
- Predicted visitor length of stay;



Policy

- Assessment of Economic Impact;
- Sustainability of the event;
- Correctly completed application forms including previous event evaluations and acquittals.

Council's support will be focused on providing funding for:

- Marketing
- Appointment of an Event Co-ordinator
- Speaker's fee
- Costs associated with risk management

6.2 Council's Role in Managing Events

Council has a role to play in all events where they are held on Council controlled land. The extent of Council's involvement however is dictated by the extent of Council's involvement in the event itself.

To determine Council's liability and responsibility in managing events, an event can be categorized into three areas:

6.2.1 Events initiated and managed by and only involving Council

These type events are a Council event and Council holds complete responsibility.

Where the organizing group is a Section 355 Committee of Council, the Council also has a direct responsibility to ensure risk assessments have been conducted and adequate risk control measures are in place. S355 Committees are obliged to notify Council of the event, and whilst the Council may not be directly involved in the running of the event, they are responsible for ensuring the Committee meets the minimum risk management requirements, as determined by Council's insurers.

6.2.2 Events where Council is a participant and not the main organizer

Council has the same responsibilities as if the event was initiated and managed by Council but only for its own area and level of participation. This must be clearly stated and agreed upon with the main event organizer.

6.2.3 Events where Council is the main organizer and invites other organisations to take part

Council holds the overall responsibility and liability and therefore has the authority to determine the terms and conditions of participation of the other organisations including ensuring they are adequately insured and carry out a risk assessment for their area and activity.



Policy

6.2.4 Events held on Council controlled land

Where the organizing group does not have a direct relationship with Council, but is holding their event on Council owned or controlled land, the organisation has a responsibility to advise Council of their event and obtain the required approvals. In addition, advice will be given regarding insurance and any additional risk management requirements.

User groups who utilize Council facilities on an ongoing regular basis such as football, netball, cricket, tennis clubs, etc., are considered under individual hiring arrangements, and are therefore not covered by this policy.

6.3 Council Approvals for Events

The Council has legislated authority and discretion to impose appropriate conditions upon applications for development consent or approval to undertake an activity in order to limit environmental impact, protect assets and public safety. Events requiring Council approval will include:

- Any event involving road use or road enclosure;
- Any event involving the sale of alcohol;
- Events that require the erection of temporary structures, amusement devices or food stalls;
- Any mass gathering event requiring the use of loud speakers or amplifying equipment on public or private land.

7. RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 Legislation

- *Civil Liability Act 2002*
- *Work Health and Safety Act 2011*
- *Work Health and Safety Regulations 2011*
- *Local Government Act 1993*
- *Local Government Regulation 1994*
- *Environmental Planning and Assessment Act 1979*
- *Roads Act 1993*
- AS/NZS ISO 31000:2009 Risk Management – Principles and guidelines

7.2. Council policies and guidelines

- Berrigan Shire Council Event Management Guide
- Berrigan Shire 2023 – Community Strategic Plan
- Berrigan Shire Council Local Environmental Plan
- Berrigan Shire Council Risk Management Policy and Framework



Policy

32. HEAT STRESS

Version 03

File Reference No: 22.112.1

Strategic Outcome: Good government

Date of Adoption: 19/11/2014

Date for Review: 21/07/2021

Responsible Officer: Enterprise and Risk Manager

1. POLICY STATEMENT

Council acknowledges its responsibilities under the *Work Health and Safety Act 2011* to provide as far as reasonably practicable, a healthy and safe workplace for all Council workers, and will eliminate exposure to extreme heat or adopt control measures to minimise exposure wherever elimination is not possible.

2. PURPOSE

The purpose of this policy is to provide guidance to all staff when working in heat, to understand the health implications for working in extreme conditions, and to implement control measures when required.

3. SCOPE

This policy applies:

- To all workers of the Berrigan Shire Council including volunteers and contractors;
- Generally, to work situations involving manual activities performed outdoors, or work involving the generation of heat.

4. OBJECTIVE

This policy is designed to assist the Council to meet the following Delivery Plan objective:

2.2.2 *Council operations support ethical, transparent and accountable corporate governance.*

5. DEFINITIONS

Working in heat can be as a result of working outdoors in hot weather or where heat is generated as part of a work activity. Heat stress results when the body is unable to sufficiently cool itself and usually requires a combination of risk factors.



Policy

Those factors include:

- Temperature
- Humidity
- Amount of air movement
- Radiant temperature of surroundings
- Clothing
- Physical activity
- Poor health

Heat discomfort is what many people feel when it is hot. It is not a medical condition like heat stress and therefore is not considered a risk to health.

People who work indoors or do light work are unlikely to suffer from heat stress and any discomfort caused by increased temperatures can be managed by:

- Increasing air movement
- Providing air conditioning (where practical)
- Providing access to cool water
- Wearing suitable loose fitting clothing

Workers involved in manual activities conducted outdoors are at greater risk of developing heat stress.

Workload types:

Workloads		
Heavy	Medium	Light
Manual work involving repetition and the use of very high force such as digging, jack-hammering, sawing, shoveling, etc.	Manual work where machinery can be utilised limiting physical exertion such as lawn mowing, forklift operation, backhoe operation, line marking, etc.	Manual work or supervisory work requiring very little physical exertion such as litter collection, preparing signs, lifeguard operations, inspection and testing regimes.
Manual work involving the use of spark-creating equipment such as chainsaws, blow torches, pneumatic equipment, concrete saws, etc.		
Physical work such as concreting, spraying, laying pipes, etc.		Work that can be relocated to indoors, such as cleaning workspaces or amenities, bookwork, etc.

The key to effective management of heat stress is to plan in advance giving consideration to expected weather conditions, rather than reacting to weather conditions as they occur.



Policy

To minimise the effects of hot weather on staff and the Council's work program, management and overseers must monitor expected weather conditions and plan accordingly.

6. POLICY IMPLEMENTATION

6.1 Responsibilities

Temperatures will be monitored by the relevant Manager or Overseer during hot days with reference to the Bureau of Meteorology forecasts, and NSW Health heatwave alerts, to ascertain the predicted temperatures scheduled over the working week. The Manager or Overseer will then make any necessary arrangements to reduce the risks to workers.

The Director Corporate Services will ensure that lifeguards and S355 Committees of Council are adequately informed of Council procedures for working in extreme conditions.

Workers are responsible for advising Managers or Overseers of conditions that may increase the risk of heat stress.

Management of heat stress is a shared responsibility between management and each individual.

6.2 Temperature Monitoring and Risk Management

Outdoor temperatures and relative humidity in the Berrigan Shire vary significantly. Extra care must be taken on extremely hot days and on days where humidity is high.

These guidelines are in place to assist Managers/Overseers in assessing workloads against forecasted temperatures and conditions, to program work and decide upon control measures to be adopted, to reduce the risk of heat stress on workers.

When temperatures are forecast to reach or exceed 40°C, Managers/Overseers will consult with workers involved in heavy or medium manual work, at various forums such as Tool Box Meetings and Site Meetings, to set break times, and discuss additional measures if required. Measures to be implemented will be documented on the Site Specific Risk Assessment/Tool Box Meeting record, signed by relevant workers, and included on Safe Work Method Statements.

Works are not permitted to proceed on a day where the temperature is predicted to reach or exceed 40°C without the Site Specific Risk Assessment/Tool Box Meeting record completed, addressing additional control measures, and signed by all workers.

6.3 Personal Risk Factors

People respond differently to heat, and some workers may experience distress or symptoms of heat stress at temperatures less than 40°C.



Policy

This can be due to a number of risk factors including:

- Poor physical fitness
- Obesity
- Pre-existing medical conditions or treatments
- Use of medication
- Chronic skin disorders

Under these circumstances, workers are encouraged to speak with their Manager, Overseer or Ganger to arrange additional or alternative measures.

The table below is a reference to determine actions:

Control Measure	Temp. °C
Standard Operating Procedures in place. Employees who are at risk are required to discuss their individual circumstances with their Manager, Overseer or Ganger.	Up to 40°C
Heat Stress identified on Site Specific Risk Assessment, with additional control measures discussed and documented on the Tool Box Meeting Record.	40°C and above

This table is indicative only as other variables can have a significant effect on an individual including exposure to additional heat sources such as machinery, and bituminous work.

Operators of air-conditioned plant or equipment and staff working in air-conditioned buildings are exempt from increased break times or inclusion in the Heat Stress Management Plan.

6.4 Heat Stress Management

The Tool Box Meeting Record will outline additional control measures to be implemented to manage heat stress.

Actions that may influence work and measures adopted for heat stress management include the following:

- a) Where possible, flexibility in starting times and work programming/planning is to be considered to enable the programmed works to be completed before the forecast hottest part of the day and prior to the temperature reaching 40°C;
- b) The expected duration of excessively high temperatures should be considered before the workload is programmed with alternative arrangements considered, such as using plant instead of manual labour;
- c) Employees should be relocated to duties of a light workload as the temperature increases and subsequently when the temperature drops, heavy or medium duties can be resumed;



Policy

- d) Employees whose duties require them to be outside are required to wear the protective clothing and equipment provided. This includes the wearing of Council issued clothing, hat, sunglasses and sunscreen;
- e) All vehicles will be fitted with air-conditioning where practicable;
- f) Additional break times will be provided;
- g) Wherever possible, shade will be provided or alternatively shaded areas will be identified for those staff whose duties require them to be outside;
- h) Job rotation particularly for traffic controllers during roadworks will be made available where possible. This will allow workers an opportunity to work from air-conditioned plant for longer periods;
- i) Depot lunch rooms will be fitted with air-conditioning where practical or appropriate;
- j) Drink bottles are made available for all outdoor workers. All workers have access to cool water prior to works commencing and throughout the day. For remote worksites, workers will be given the opportunity to refill their drink bottles if required, or where this is difficult, alternatives will be made available such as the provision of bottled water;
- k) Information regarding working in heat, and recognising the symptoms of heat stress is issued to all outdoor workers including volunteers.

6.5 Contractual/Emergency Obligations

All works that have commenced and have subsequently halted due to extreme temperatures/conditions, need to be completed or made safe as a minimum requirement.

In meeting emergency situation requirements in accordance with the specification, works shall continue. An emergency roster will be developed to ensure sufficient staff are present to enable appropriate breaks to be taken.

7. RELATED LEGISLATION, POLICIES AND STRATEGIES

7.1 Legislation

- *Work Health and Safety Act 2011*
- *Work Health and Safety Regulations 2011*

7.2 Policies and Strategies

- Local Government (State) Award 2010
- Work Health and Safety Policy
- Clothing and Protective Equipment Policy



Policy

85 ASBESTOS POLICY

Version:	03
File Reference No:	05.101.9
Strategic Outcome:	Good government
Date of Adoption:	20/07/2016
Date for Review:	21/07/2021
Responsible Officer:	Enterprise and Risk Manager

1. POLICY STATEMENT

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

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

In Australia, asbestos was gradually phased out of building materials in the 1980s and the supply and installation of asbestos containing goods has been prohibited since 31 December 2003. Yet asbestos legacy materials still exist in many homes, buildings and other assets and infrastructure. It is estimated that one in three Australian homes contains asbestos. Several homes, sheds and buildings throughout the Berrigan Shire may contain asbestos. Berrigan Shire is also known to have homes containing loose fill asbestos insulation.

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



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- 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 Berrigan Shire 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.



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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.

Operating licensed landfill facility that accepts limited asbestos waste. Waste facilities that are licensed to accept asbestos waste are listed in Appendix F.

3.4 Regulatory responsibilities

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

- *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
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Policy

Contaminated land	<p>Record known asbestos site contamination on section 149 certificates where practicable and for council workplaces, record on council's asbestos register.</p> <p>Notify stakeholders of land use planning policy requirements relating to contamination.</p> <p>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).</p>	Section 6
Development assessment	<p>Assess development applications for approval under the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>Set conditions of consent for renovations, alterations, additions, demolitions or other developments requiring consent and which may involve disturbance of asbestos containing materials.</p> <p>Ensure compliance with development conditions.</p> <p>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.</p>	Section 9
Demolition	<p>Approve demolition under the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>Council certifiers approve development as complying development under the <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</p>	Section 9
Emergencies and incidents	<p>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).</p> <p>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>.</p>	Section 7
Naturally occurring asbestos	<p>Verify compliance with environmental planning and assessment legislation for development applications that could disturb naturally occurring asbestos.</p> <p>Prepare an asbestos management plan for council workplaces or road works which occur on land containing naturally occurring asbestos.</p>	Section 5
Residential premises	<p>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.</p> <p>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).</p> <p>Respond to public health risks posed by derelict properties or asbestos materials in residential settings.</p>	Section 9
Waste	<p>Manage waste facilities in accordance with environmental protection legislation.</p> <p>Respond to illegal storage, illegal dumping and orphan waste.</p>	Section 10



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Regulate non-complying transport of asbestos containing materials.

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.



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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*.



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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



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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



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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



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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



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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:



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- 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.



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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*.

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.



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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

Refer to Council's Conditions of Consent included in Appendix M

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



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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.

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



Policy

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

- any part of any vehicle in which the person transports the waste is covered, and leak-proof, during the transportation, and
- if the waste consists of bonded asbestos material-it is securely packaged during the transportation, and
- if the waste consists of friable asbestos material-it is kept in a sealed container during transportation, and
- 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

The Berrigan Landfill is the only waste facility in the Berrigan Shire that will accept non-friable asbestos waste. Non-friable asbestos waste is not accepted at Tocumwal or Finley.

Friable asbestos waste is not accepted at any facility in the Berrigan Shire.

The Berrigan Landfill's current hours of operation are as follows:

Tuesday: 1:30pm – 4:00pm

Thursday: 1:30pm – 4:00pm

Sunday: 12:30pm – 4:00pm

Tip hours can be verified by accessing Council's website at www.berriganshire.nsw.gov.au. The Landfill Supervisor can be contacted on 0429 320 762. Current fees can be determined by contacting the Landfill Supervisor, or the Council on 03 5888 5100, or by accessing Council's website. |

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.



Policy

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 149 certificate).



Policy

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



Policy

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.

Note:

- *only appropriately trained Council employees are permitted to remove non-friable asbestos.*
- *a maximum of 10m² of non-friable bonded asbestos is allowed to be removed by qualified Council staff. For quantities that exceed 10m², a licensed contractor will be used.*

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.



Policy

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 by contacting the Human Resource Officer.

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



Policy

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 has an asbestos register which can be found on Council's G Drive, and is kept at the workplace in the Enterprise Risk Manager's Office.]

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.

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 has an Asbestos Management Plan which can be found on Council's "G" drive under Management Plans.]

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)



Policy

- 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.

Safe Work Method Statements on the removal and disposal of asbestos containing material are made available to workers, and where appropriate are discussed at meetings prior to works commencing.

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:



Policy

- 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

A list of employees trained and nominated to remove asbestos as well as the nominated supervisors is kept by Council's Human Resource Officer.

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.



Policy

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.*



Policy

- *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

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

Where council 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 licensed to accept asbestos waste

Berrigan Landfill is not a licensed facility, however has received appropriate consent to lawfully receive non-friable 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 has developed a charging policy for receiving asbestos waste, which reflects the actual cost of managing the asbestos waste, plus any applicable levies.



Policy

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 has developed procedures to avoid asbestos contamination in material intended for resource recovery.

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

Council will require a copy of receipts as per Development Approval and Conditions of Consent (refer Appendix M)..

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 may:

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



Policy

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, management options for council include to:

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

16.4 Recycling facilities

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

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

16.5 Re-excavation of landfill sites

The re-excavation of a council landfill site where significant quantities of asbestos waste are deposited 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*
- *guidelines for disposing of asbestos waste.*

Council also has several internal documents that support this policy. []

- asbestos management plan
- asbestos register
- complaints handling procedures
- Council's risk management policy and framework



Policy

- employee health monitoring plans
- incident report form
- maintenance and inspection schedules for council owned assets
- 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).

18.2 Communicating the policy

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

- Council's Offices at 56 Chanter Street, Berrigan |
- Council's website, <http://www.berriganshire.nsw.gov.au/Council/tabid/54/Default.aspx>
- Council's Intranet

All employees shall receive information about the policy at induction from the Human Resource Officer. |

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

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

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

19. Variations to this policy



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.



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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.

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).



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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
- bitumous 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



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- 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.



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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.



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4. Health hazards

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

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

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

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

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

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

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



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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/gu_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



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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/Finalbuildingapproch.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:



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- 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



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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.



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

not involved in the removal of the asbestos

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:



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- 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,



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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.



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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

Berrigan Shire Council

Rowan Perkins	Fred Exton
General Manager	Director Technical Services
Berrigan Shire Council	Berrigan Shire Council
03) 5888 5100	03) 5888 5100

Myles Humphries	Shane Herezo
Environmental Engineer	Landfill Supervisor
Berrigan Shire Council	Berrigan Shire Council
03) 5888 5100	0429 320 762

Laurie Stevens	Michelle Koopman
Development Manager	Enterprise Risk Manager
Berrigan Shire Council	Berrigan Shire Council
03) 5888 5100	03) 5888 5100

Local Removalists

Paul Head Demolitions	Colin McNamara
Licensed Asbestos Removalist	Licensed Asbestos Removalist
Berrigan	Finley
0428 852 371	03) 5883 1889
	0437 566 948.

Asbestos-related disease organisations (non-exhaustive)

Asbestos Diseases Foundation Australia Inc

Phone: (02) 9637 8759
Helpline: 1800 006 196



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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

Phone: (02) 9286 1000

Toll free (outside Sydney metro): 1800 451 524

Email: nswombo@ombo.nsw.gov.au

Website: www.ombo.nsw.gov.au



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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 wastes

Minimal quantities of non-friable asbestos waste is accepted at the Berrigan Landfill located on Greenhills Road, Berrigan. |

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.

Licensed facilities in close proximity to the Berrigan Shire include:

- Albury
- Deniliquin



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- Corowa
- Moama

Additional fees may apply where deposits are from outside the LGA.

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



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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



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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)



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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



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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-environ-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



Policy

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	Local council	EPA (<i>Protection of the Environment Operations Act 1997</i> Scheduled



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remain undisturbed by any work practice		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: 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
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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



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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



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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



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	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



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- 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



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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



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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:



Policy

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).



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Appendix K – Asbestos licences

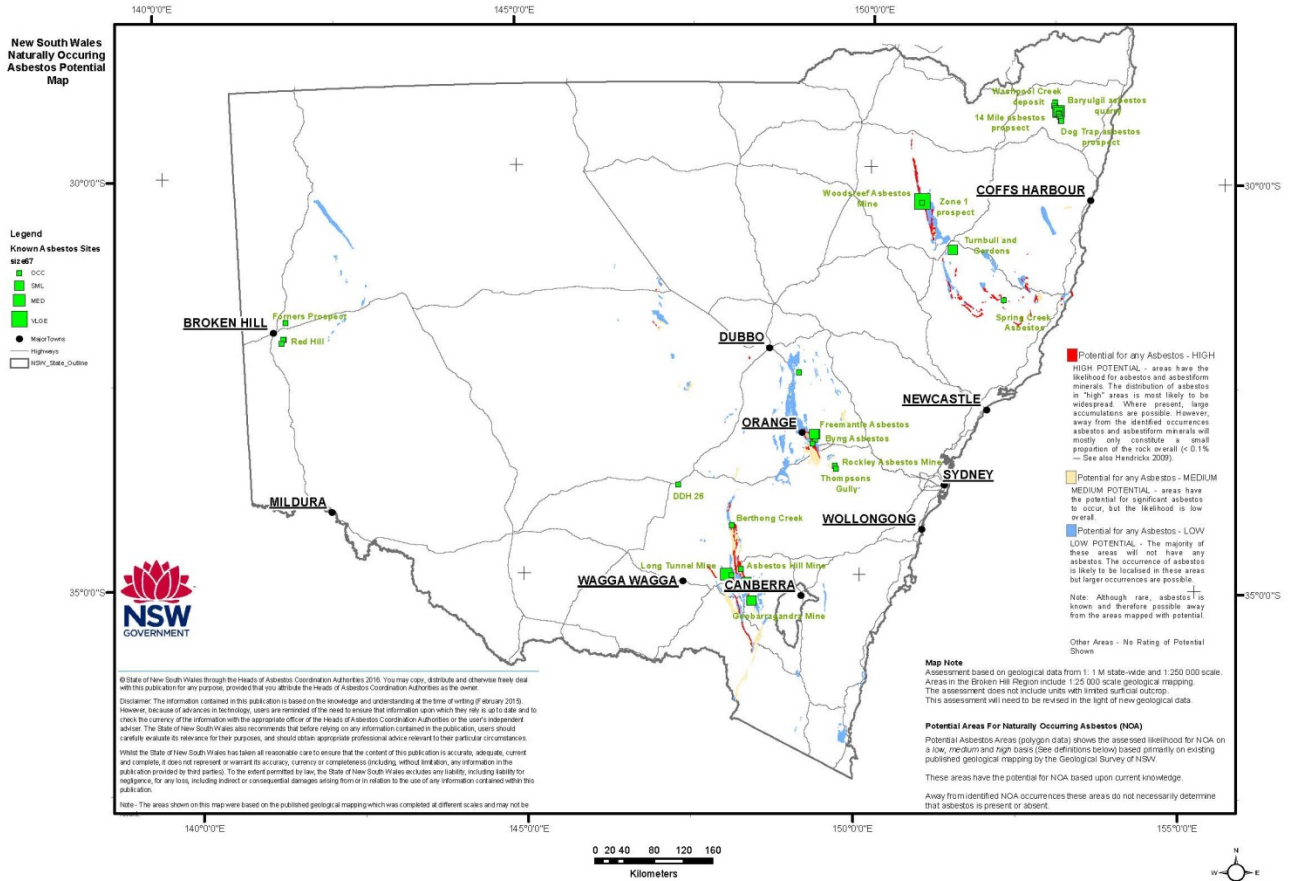
Type of licence	What asbestos can be removed?
Class A	<p>Can remove any amount or quantity of asbestos or asbestos containing material, including:</p> <p>any amount of friable asbestos or asbestos containing material</p> <p>any amount of asbestos containing dust</p> <ul style="list-style-type: none">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

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



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Appendix L – Map





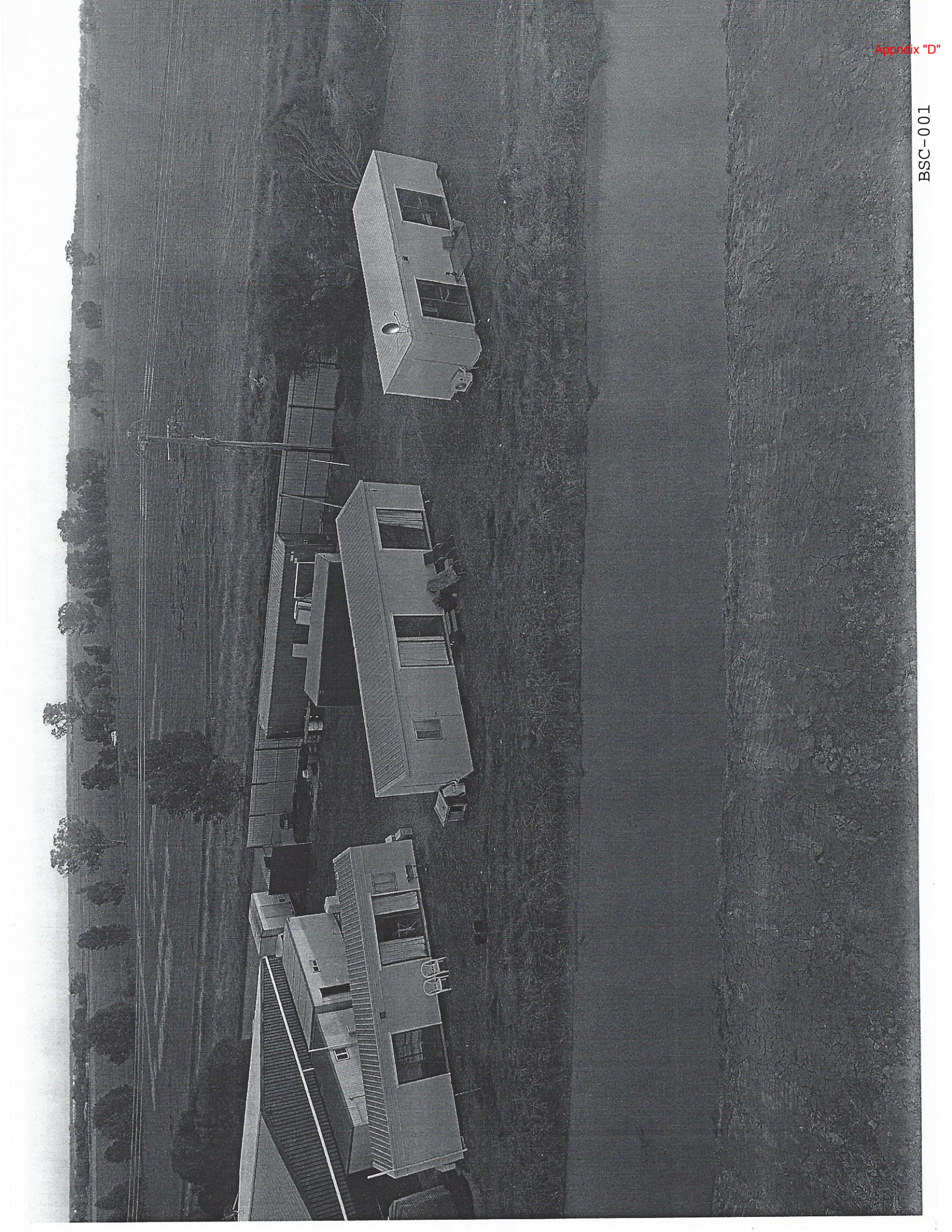
Policy

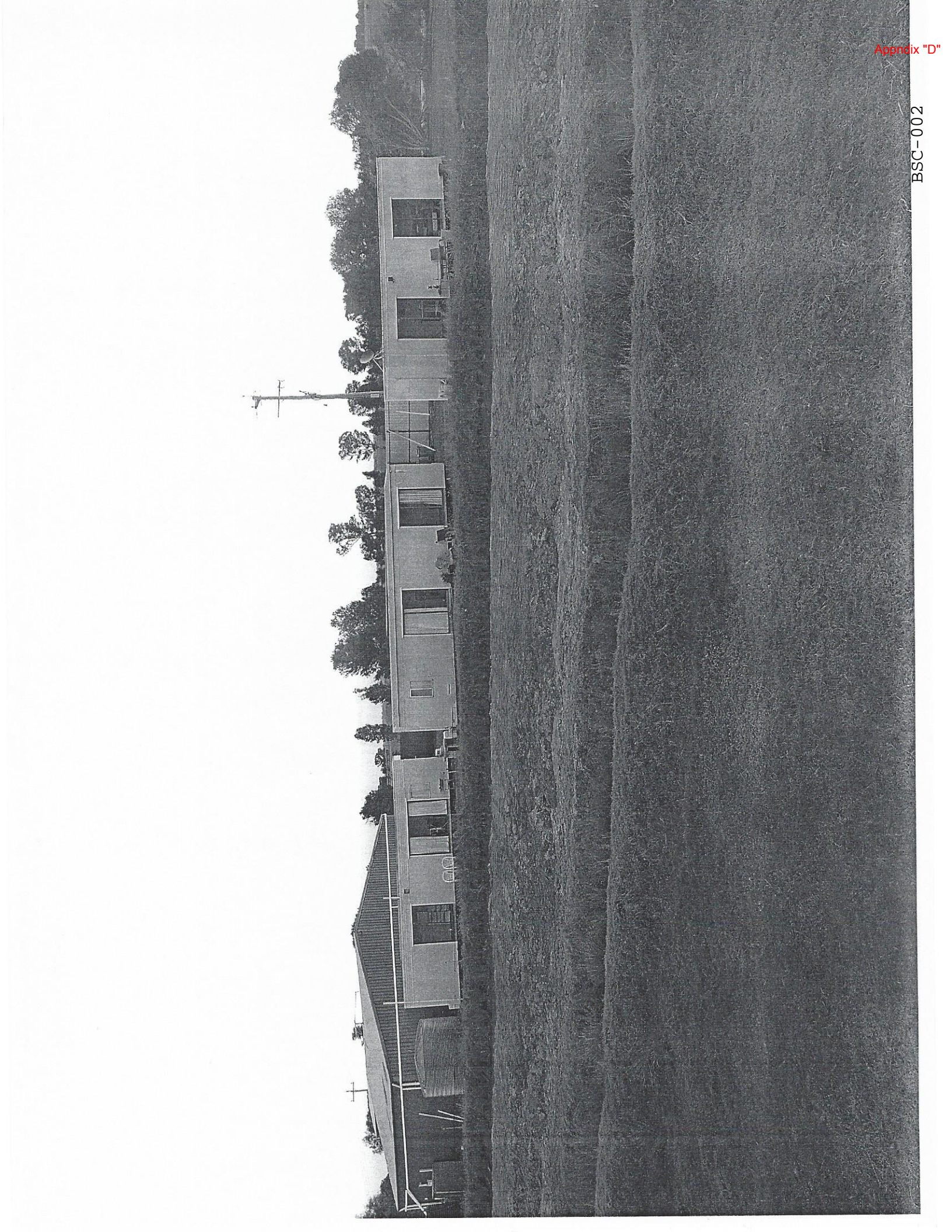
Appendix M – Conditions of Consent

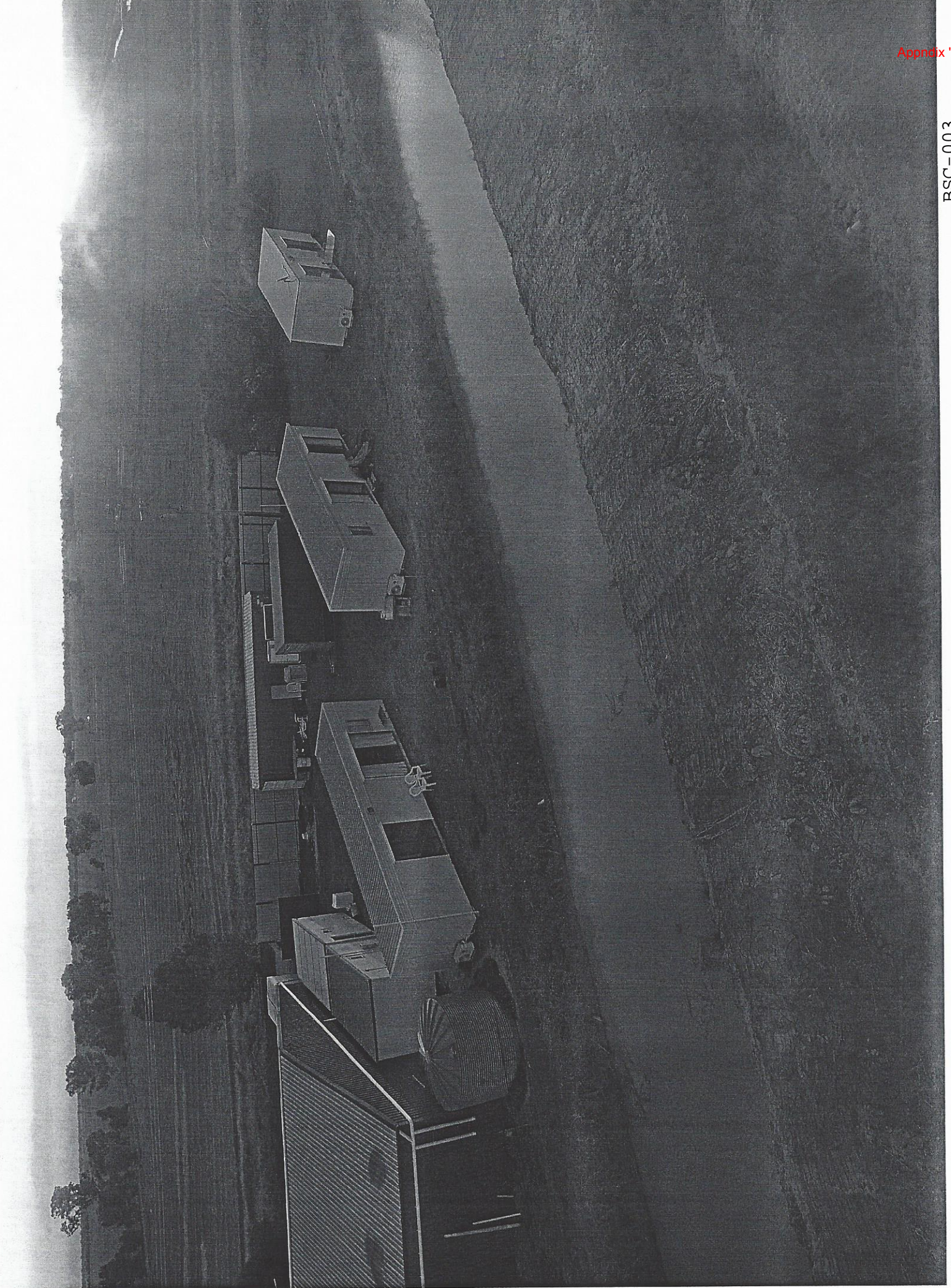
1. All asbestos removal shall be undertaken in accordance with the provisions of the *NSW Work Health and Safety Regulations 2011* and Council's Asbestos Policy.
2. Written notice must be provided to Council five (5) working days (excluding public holidays) prior to commencement of any works.

Written notice is to include the following details:

- Date the demolition will commence;
 - Name, address, contact details (including after hours) and licence number of the demolisher and asbestos removalist (if different)
 - Work must not commence prior to the nominated demolition date.
3. Demolition is to be carried out in accordance with the applicable provisions of AS2601 – 1991 *The Demolition of Structures*. Note: Developers are reminded that SafeWork NSW requires that all plant and equipment used in demolition work must comply with the relevant Australian Standards and manufacturer specifications.
 4. The developer is to provide written notification to owners and occupiers of premises in the immediate vicinity of the development site on asbestos removal work, five (5) working days prior to demolition.
 5. A SafeWork NSW licensed (Class B) contractor must undertake removal of more than 10 square metres of bonded asbestos. Removal of friable asbestos material must only be undertaken by a contractor that holds a current friable asbestos removal (Class A) licence.
 6. The licensed asbestos removalist must ensure that:
 - Signs alerting persons to the presence of asbestos are placed to indicate where the asbestos removal work is being carried out, and
 - Barricades are erected to delineate the asbestos removal area.
 7. All asbestos waste must be stored, transported and disposed of in compliance with the Protection of the Environment Operations (Waste) Regulations 2005. All receipts detailing method and location of disposal must be submitted to Council as evidence of correct disposal.
 8. Where friable asbestos has been removed, an independent licensed asbestos assessor must conduct a clearance inspection and issue a Clearance Certificate. Where more than 10m² of bonded asbestos has been removed, a clearance inspection must be conducted by an independent competent person and a Clearance Certificate issued. A copy of the Clearance Certificate must be provided to Council before the area can be re-occupied for demolition or other work.
 9. All asbestos cement sheeting must be removed, where reasonably practicable prior to the commencement of construction work.







10 Foot Steel Fence

Work Equipment

Entry

Parking ⑤

⑤

Parking ④

④

③

Parking ②

②

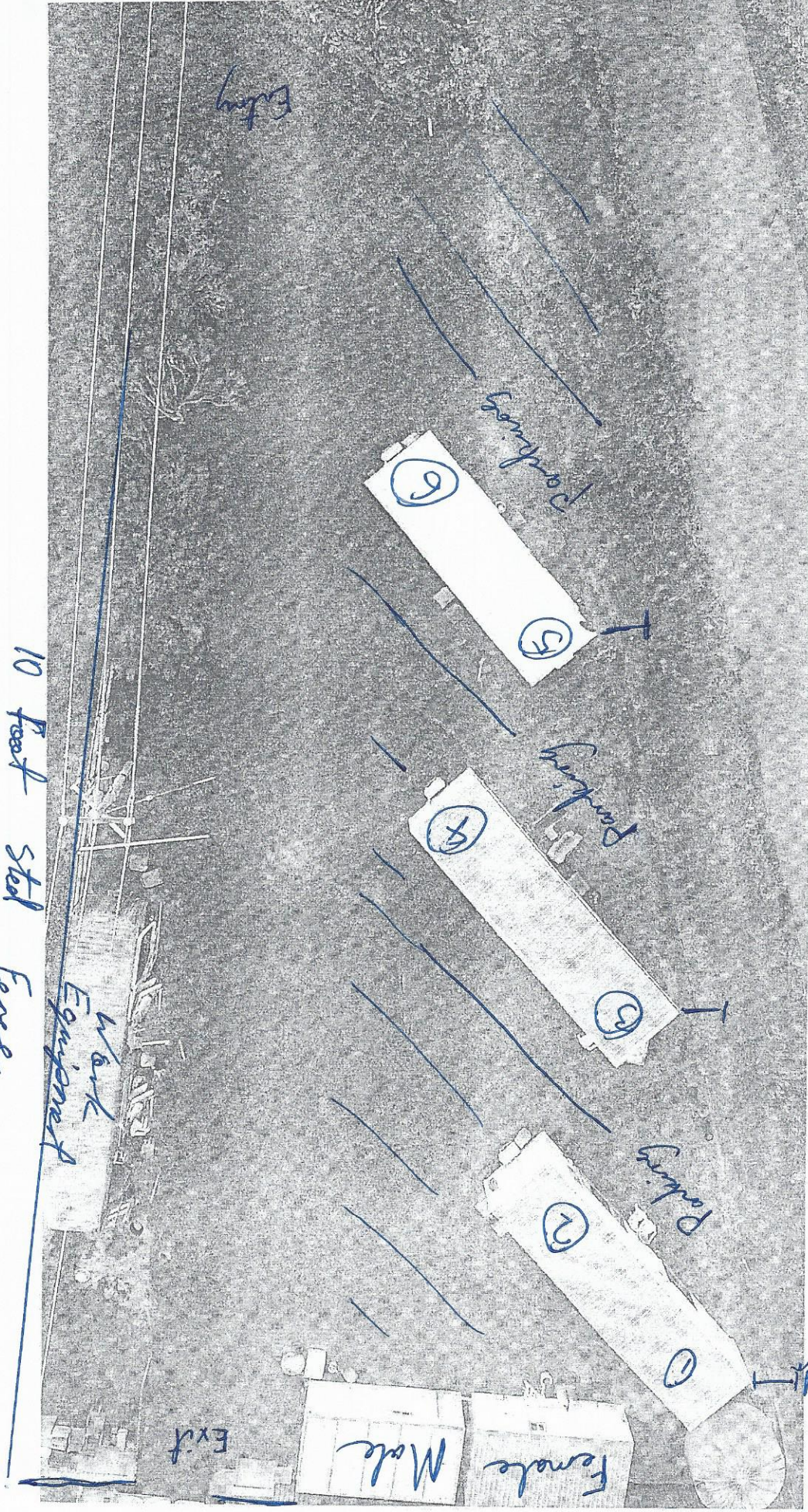
①

from fence

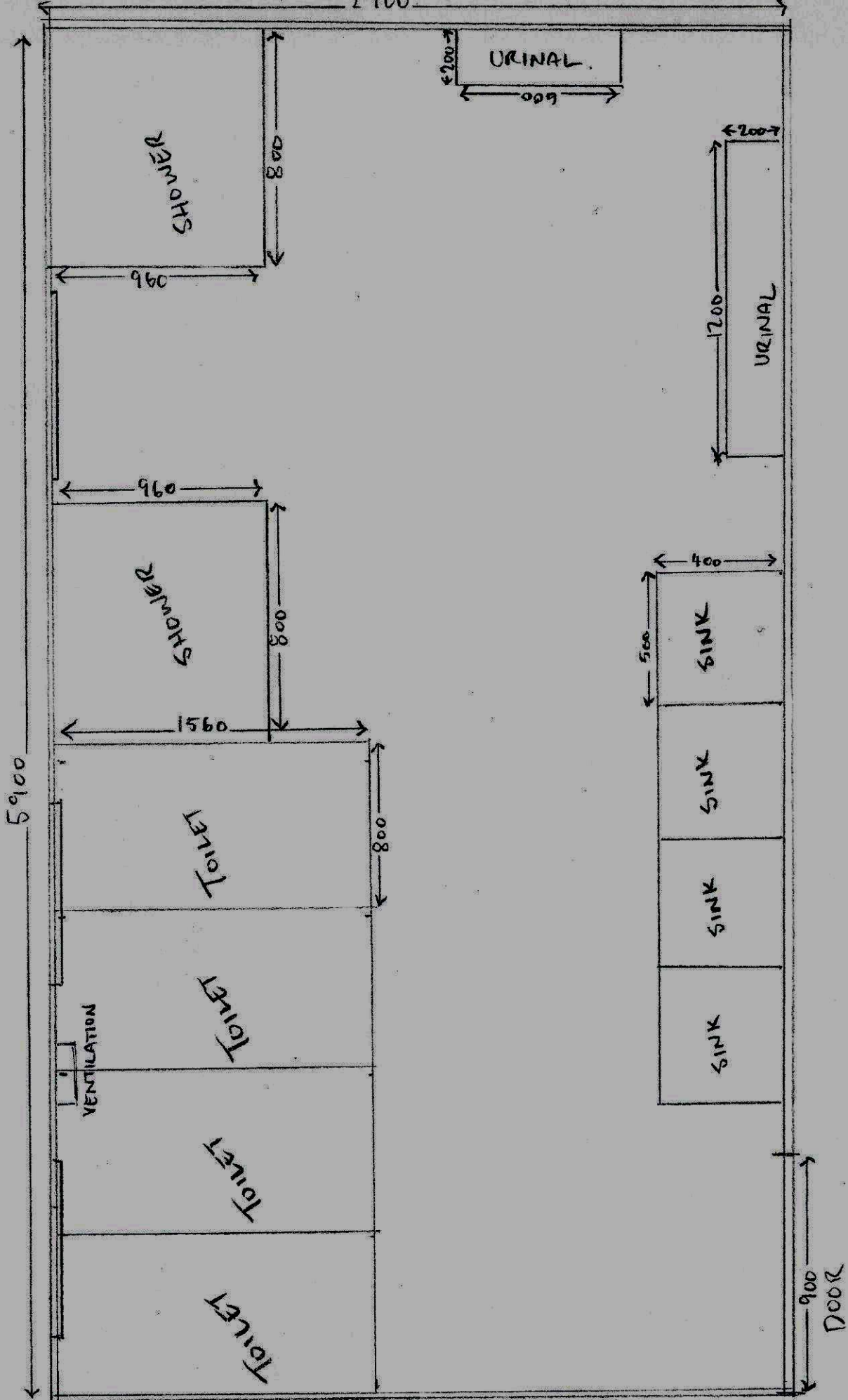
Int

Female Male

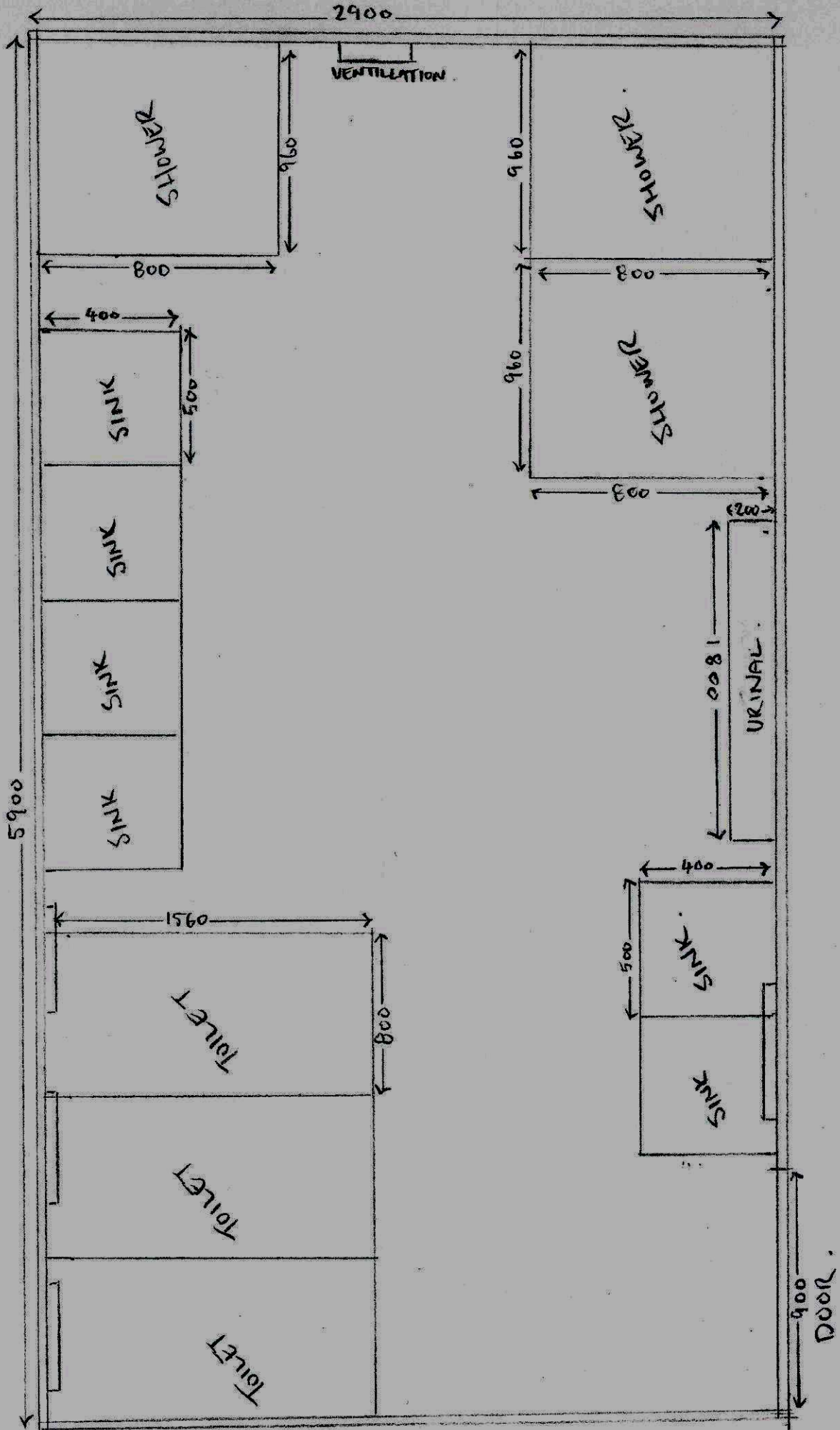
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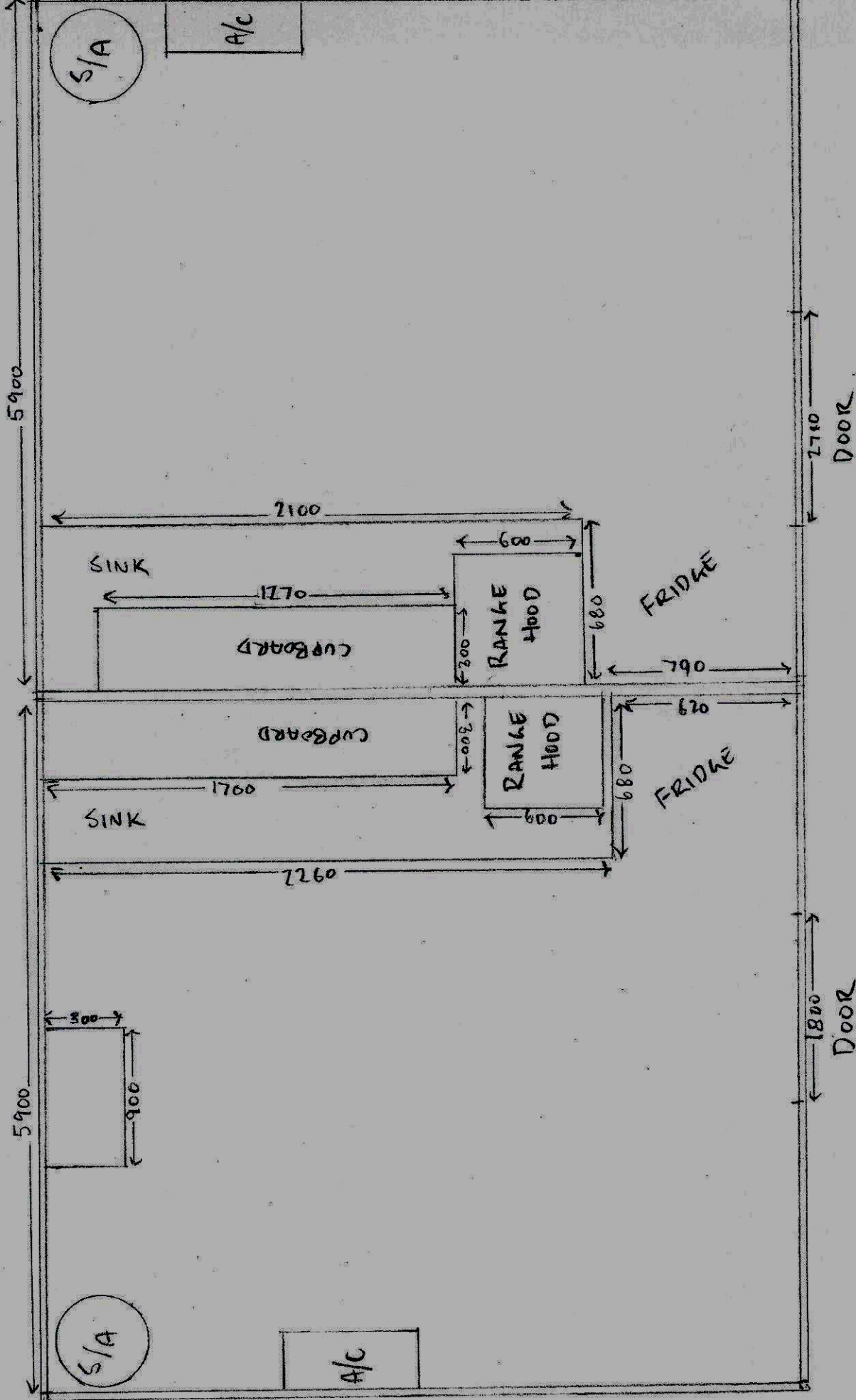


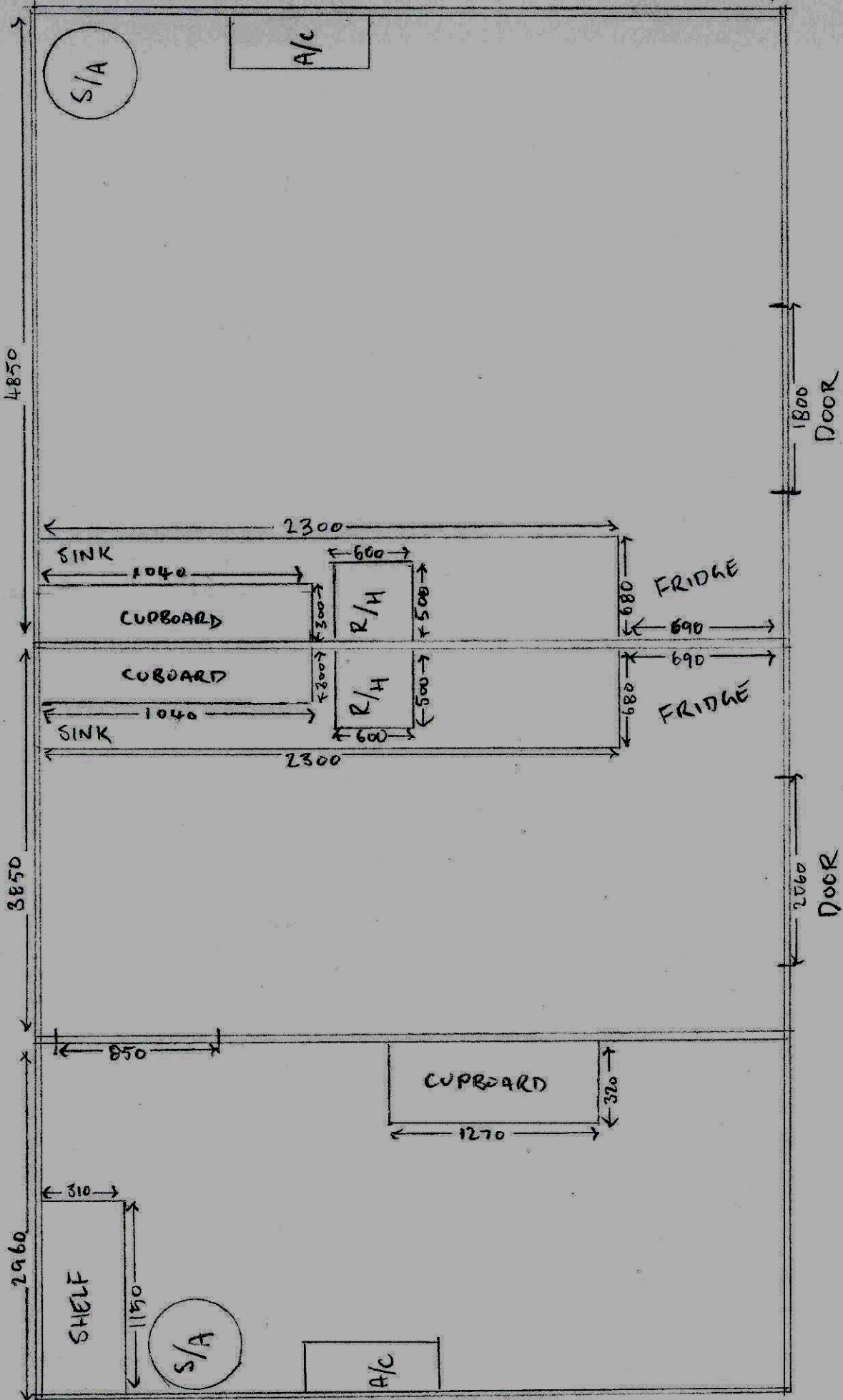
Block ONE - Female

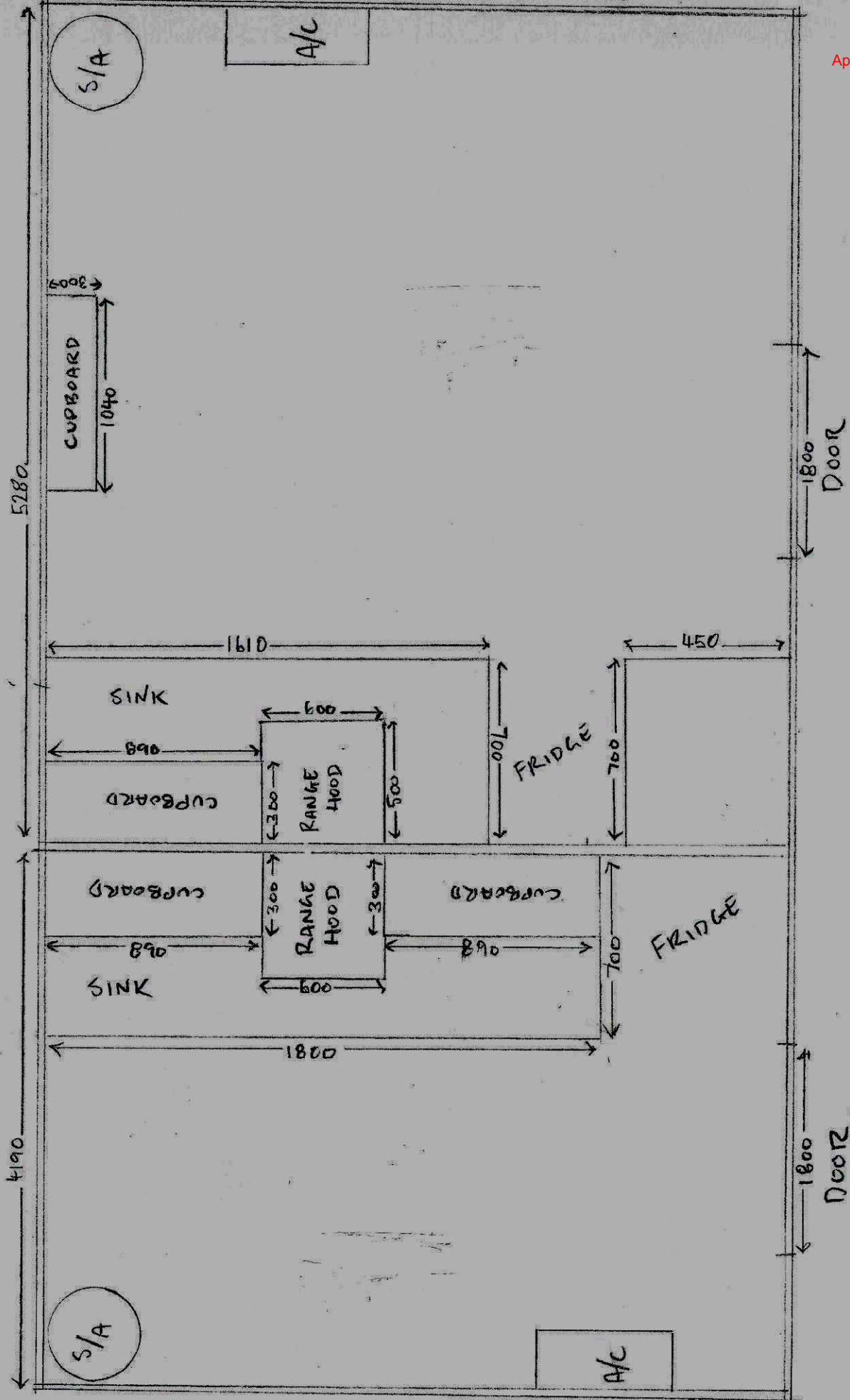


Block Two - male









Room 6

Room 5

Door

Door

Collough Enterprises
 PO Box 348
 Finley NSW 2713
 collough@hotmail.com



21/06/2017
 Ph: (03) 58 034 029
 Mob: 0427 745 243

Attn: Camillus O'Kane
 Berrigan Shire Council
 56 Chanter Street
 PO Box 137
 Berrigan NSW 2712
 mail@berriganshire.nsw.gov.au

*Re: Application No. 138/17/DA/DA – Change of use – Transportable Dwellings to Backpackers
 Accommodation
 646 Fullers Road, Finley NSW 2713 (Lot 1/DP587500)
 Applicant: Hall Shearing*

Dear Mr O'Kane,

We are writing in response to your recent letter regarding the proposed change of the use of the transportable dwellings next door at Hall Shearing. We do have some concerns about the change in use, namely;

- Several of our past employees have stayed at another local backpackers' accommodation. They found that the people likely to use this form of lodging often tended to be disrespectful, irresponsible, and did not care for the property. Our employees were afraid to leave valuables in their room.
- We have four small children and would be concerned for their welfare with backpackers living next door. They walk directly past the site to get to the school bus. Colin also works away from our property most days, leaving Leanna and the children alone at the house.
- We understand that Darren and Tania work away from home during the day and would be concerned that no-one in authority would be on location daily.
- We have quite a lot of expensive machinery and feel we would have to vastly increase our security, which contradicts our purpose in moving out of town.
- We feel the value of our property may be reduced by having a backpacker's accommodation next door.
- We would be concerned about what sort of policy would be involved, including an eviction clause, and whether this would in fact be enforced.

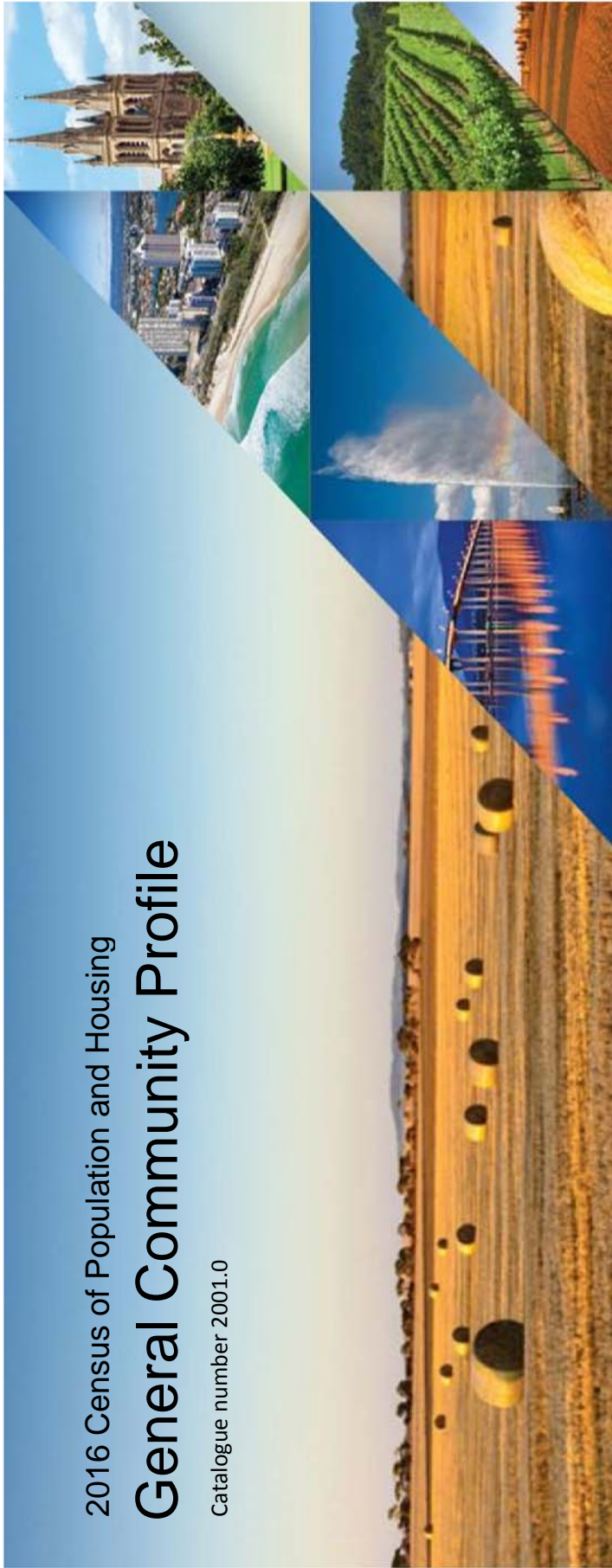
Thank you for this opportunity to voice our concerns.

Regards,

Colin and Leanna Loughridge



Berrigan (A) (LGA10650) 2065.8 sq Kms



2016 Census of Population and Housing General Community Profile

Catalogue number 2001.0



2016 Census of Population and Housing General Community Profile (Catalogue number 2001.0) Berrigan (A) (LGA10650) 2065.8 sq Kms

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Census Data

Along with Community Profiles there is a range of other Census data products that are available for free online, including QuickStats, DataPacks, TableBuilder Guest and TableBuilder Basic.

[Community Profiles](#)
[QuickStats](#)
[DataPacks](#)
[TableBuilder](#)

To help you choose the right Census data product for your project go to the

[Find Census data page](#).

The ABS [Information Consultancy Service](#) can provide customised data tailored to meet your needs when data is not available from the ABS website at the level of detail you require.

Help

To help you more fully understand Census data, a range of options are available.

On each table within this profile, key data items are explained (follow the links under 'Find out more').

A comprehensive range of definitions and classifications are available in the [2016 Census Dictionary](#).

Small random adjustments have been made to all cell values to protect the confidentiality of data. These adjustments may cause the sum of rows or columns to differ by small amounts from table totals. For further information, go to the [User Guide for Community Profiles](#)

For information on the quality of Census data go to: [Understanding the Census and Census Data](#)

If you still can't find what you're looking for [contact the ABS](#).

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G01 SELECTED PERSON CHARACTERISTICS BY SEX (1 of 2)
Count of persons

	Males	Females	Persons
Total persons	4,224	4,236	8,462
Age groups:			
0-4 years	249	219	471
5-14 years	495	482	972
15-19 years	223	198	421
20-24 years	185	155	331
25-34 years	373	377	747
35-44 years	399	447	843
45-54 years	447	490	936
55-64 years	645	664	1,304
65-74 years	713	662	1,370
75-84 years	381	360	739
85 years and over	133	182	313
Counted on Census Night:			
At home	3,889	3,924	7,817
Elsewhere in Australia	332	311	649
Aboriginal and/or Torres Strait Islander persons:			
Aboriginal	94	94	187
Torres Strait Islander	4	9	8
Both Aboriginal and Torres Strait Islander (a)	0	0	3
Total	100	101	198
Birthplace:			
Australia(b)	3,424	3,441	6,866
Elsewhere(c)	322	329	651
Language spoken at home:			
English only	3,685	3,690	7,377
Other language(d)	126	135	260
Australian citizen	3,683	3,730	7,414

This table is based on place of usual residence unless otherwise stated.

- (a) Applicable to persons who are of both Aboriginal and Torres Strait Islander origin.
 (b) Includes 'Australia, (includes External Territories), nfd', 'Norfolk Island' and 'Australian External Territories, nec'
 (c) Includes 'Inadequately described', and 'At sea'. Excludes not stated.
 (d) Includes 'Inadequately described' and 'Non-verbal, so described'. Excludes not stated.
 (e) Comprises 'Preschool', 'Infants/Primary' (including Government, Catholic, Other Non Government), 'Secondary' (including Government, Catholic, Other Non Government), 'Technical or Further Educational Institution (including TAFE Colleges)', and 'University or other Tertiary Institutions'. Excludes persons who did not state which type of educational institution they were attending.
 (f) Applicable to persons aged 15 years and over.
 (g) Data are based on place of enumeration. Excludes overseas visitors.
 (h) Includes 'Visitors only' and 'Other non-classifiable' households, 'Non-private dwellings' and 'Migratory, off-shore and shipping' SA1s.

Please note that there are small random adjustments made to all cell values to protect the confidentiality of data. These adjustments may cause the sum of rows or columns to differ by small amounts from table totals.

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G01 SELECTED PERSON CHARACTERISTICS BY SEX (2 of 2)

Count of persons

	Males	Females	Persons
Age of persons attending an educational institution(e):			
0-4 years	53	64	121
5-14 years	430	419	851
15-19 years	128	140	268
20-24 years	18	26	41
25 years and over	52	115	164
Highest year of school completed(f):			
Year 12 or equivalent	897	1,171	2,069
Year 11 or equivalent	441	483	918
Year 10 or equivalent	951	858	1,809
Year 9 or equivalent	429	305	736
Year 8 or below	300	243	539
Did not go to school	12	9	25
Count of persons in occupied private dwellings(g)	3,628	3,621	7,247
Count of persons in other dwellings(g)(h)	575	513	1,089

This table is based on place of usual residence unless otherwise stated.

(a) Applicable to persons who are of both Aboriginal and Torres Strait Islander origin.

(b) Includes 'Australia, (includes External Territories), nfd', 'Norfolk Island' and 'Australian External Territories, nec'

(c) Includes 'Inadequately described', and 'At sea'. Excludes not stated.

(d) Includes 'Inadequately described' and 'Non-verbal, so described'. Excludes not stated.

(e) Comprises 'Preschool', 'Infants/Primary' (including Government, Catholic, Other Non Government), 'Secondary' (including Government, Catholic, Other Non Government), 'Technical or Further Educational Institution (including TAFE Colleges)', and 'University or other Tertiary Institutions'. Excludes persons who did not state which type of educational institution they were attending.

(f) Applicable to persons aged 15 years and over.

(g) Data are based on place of enumeration. Excludes overseas visitors.

(h) Includes 'Visitors only' and 'Other non-classifiable' households, 'Non-private dwellings' and 'Migratory, off-shore and shipping' SA1s.

G02 SELECTED MEDIANS AND AVERAGES

Median age of persons	49	Median mortgage repayment (\$/monthly)	1,083
Median total personal income (\$/weekly)	524	Median rent (\$/weekly)	180
Median total family income (\$/weekly)	1,251	Average number of persons per bedroom	0.7
Median total household income (\$/weekly)	967	Average household size	2.2

Median age of persons excludes overseas visitors.

Median total personal income is applicable to persons aged 15 years and over.

Median total family income is applicable to families in family households. It excludes families where at least one member aged 15 years and over did not state an income and families where at least one member aged 15 years and over was temporarily absent on Census Night.

Median total household income is applicable to occupied private dwellings. It excludes households where at least one member aged 15 years and over did not state an income and households where at least one member aged 15 years and over was temporarily absent on Census Night. It excludes 'Visitors only' and 'Other non-classifiable' households.

Median mortgage repayment is applicable to occupied private dwellings being purchased and includes dwellings being purchased under a shared equity scheme. It excludes 'Visitors only' and 'Other non-classifiable' households.

Median rent is applicable to occupied private dwellings being rented. It excludes 'Visitors only' and 'Other non-classifiable' households.

Average number of persons per bedroom is applicable to occupied private dwellings. It excludes 'Visitors only' and 'Other non-classifiable' households.

Average household size is applicable to number of persons usually resident in occupied private dwellings. It includes partners, children, and co-tenants (in group households) who were temporarily absent on Census Night. A maximum of three temporary absentees can be counted in each household. It excludes 'Visitors only' and 'Other non-classifiable' households.

G03 PLACE OF USUAL RESIDENCE ON CENSUS NIGHT(a) BY AGE

Count of persons (excludes overseas visitors)

	Age										Total
	0-14 years	15-24 years	25-34 years	35-44 years	45-54 years	55-64 years	65-74 years	75-84 years	85 years and over		
Counted at home on Census Night	1,410	703	695	818	883	1,187	1,187	652	291		7,817
Visitor from:											
Same Statistical Area Level 2 (SA2)	0	4	0	3	0	3	3	0	0		17
Different SA2 in:											
New South Wales	14	15	14	9	25	36	27	4	4		145
Victoria	17	37	34	37	37	66	66	24	5		314
Queensland	0	3	3	5	0	6	9	0	0		28
South Australia	0	0	0	3	0	3	0	4	0		11
Western Australia	0	0	0	0	0	0	0	0	0		0
Tasmania	0	0	0	0	0	3	0	0	0		3
Northern Territory	0	0	0	0	0	0	0	0	0		0
Australian Capital Territory	0	0	0	0	0	0	0	0	0		0
Other Territories	0	0	0	0	0	0	0	0	0		0
Total	31	56	46	53	64	109	94	33	7		504
Total visitors	31	57	46	57	67	113	103	33	10		517
Total	1,444	763	745	871	948	1,297	1,284	686	297		8,335

This table is based on place of enumeration.

(a) This table counts persons where they were staying on Census Night. It also shows the number of persons who were visiting away from their usual residence on Census Night

Please note that there are small random adjustments made to all cell values to protect the confidentiality of data. These adjustments may cause the sum of rows or columns to differ by small amounts from table totals

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G04 AGE BY SEX
 Count of persons

Age (years):	Males		Females		Persons		Males		Females		Persons	
	Males	Females	Males	Females	Males	Females	Males	Females	Males	Females	Males	Females
0	47	35	77	30	40	38	79	60	57	121		
1	45	37	80	31	28	46	74	52	64	118		
2	66	52	120	32	34	34	72	78	70	146		
3	38	52	88	33	41	24	63	81	76	157		
4	51	51	101	34	47	43	87	79	75	155		
0-4 years	249	219	471	30-34 years	191	180	377	357	341	693		
5	48	46	97	35	28	44	72	76	75	143		
6	45	49	94	36	39	39	77	66	77	160		
7	35	60	102	37	39	34	71	67	100	180		
8	59	51	105	38	40	46	82	87	72	135		
9	56	49	112	39	29	51	78	84	84	171		
5-9 years	244	258	508	35-39 years	171	214	382	432	354	782		
10	53	45	99	40	41	40	81	70	59	123		
11	57	32	96	41	49	33	80	71	71	131		
12	49	49	98	42	45	49	92	72	60	121		
13	44	38	82	43	40	50	91	41	53	95		
14	45	54	99	44	57	54	107	74	57	116		
10-14 years	250	220	467	40-44 years	235	224	463	284	306	590		
15	46	43	89	45	55	57	108	75	45	95		
16	50	44	93	46	43	54	98	76	43	86		
17	55	42	91	47	45	43	90	77	55	103		
18	38	37	76	48	46	40	82	78	45	87		
19	37	34	70	49	40	40	78	48	38	85		
15-19 years	223	198	421	45-49 years	224	235	453	230	219	450		
20	34	36	71	50	32	45	77	147	144	290		
21	38	27	69	51	39	51	91	99	102	204		
22	39	34	74	52	64	54	114	27	54	83		
23	33	27	66	53	50	57	107	3	22	19		
24	38	20	60	54	41	52	88	0	0	3		
20-24 years	185	155	331	50-54 years	223	258	485	0	0	3		
25	30	37	66	55	56	65	121	4,224	4,236	8,462		
26	23	37	64	56	49	64	118	Total				
27	39	46	85	57	52	65	119					
28	48	34	80	58	70	67	131					
29	41	35	72	59	64	60	124					
25-29 years	180	189	375	55-59 years	287	323	611					

This table is based on place of usual residence.

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G05 REGISTERED MARITAL STATUS BY AGE BY SEX

Count of persons aged 15 years and over

	Married(a)	Separated	Divorced	Widowed	Never married	Total
			MALES			
15-19 years	0	0	0	0	219	223
20-24 years	5	0	0	0	181	185
25-34 years	136	4	5	0	223	373
35-44 years	246	26	30	0	106	399
45-54 years	256	22	49	0	113	447
55-64 years	377	35	114	22	98	645
65-74 years	490	32	97	41	50	713
75-84 years	250	8	38	61	18	381
85 years and over	70	3	3	44	3	133
Total	1,830	125	348	174	1,011	3,483
			FEMALES			
15-19 years	0	0	0	0	198	198
20-24 years	10	3	0	0	142	155
25-34 years	169	12	10	0	183	377
35-44 years	267	23	40	0	114	447
45-54 years	308	29	83	9	65	490
55-64 years	438	37	108	43	38	664
65-74 years	433	14	82	111	18	662
75-84 years	196	3	16	143	6	360
85 years and over	29	0	0	146	3	182
Total	1,850	127	344	455	760	3,532
			PERSONS			
15-19 years	0	0	0	0	424	421
20-24 years	11	3	0	0	321	331
25-34 years	306	18	15	0	408	747
35-44 years	507	48	74	0	213	843
45-54 years	562	52	134	10	172	936
55-64 years	815	73	218	70	128	1,304
65-74 years	925	46	181	152	70	1,370
75-84 years	450	13	52	199	27	739
85 years and over	105	3	7	190	11	313
Total	3,679	258	690	624	1,772	7,018

This table is based on place of usual residence.

(a) Excludes de facto marriages.

Please note that there are small random adjustments made to all cell values to protect the confidentiality of data. These adjustments may cause the sum of rows or columns to differ by small amounts from table totals.

AUSTRALIAN BUREAU OF STATISTICS 2016 Census of Population and Housing
Berrigan (A) (LGA10650) 2065.8 sq kms

G06 SOCIAL MARITAL STATUS BY AGE BY SEX

Count of persons aged 15 years and over(a)

[List of tables](#)
Find out more:
[Age](#)
[Sex](#)
[Social/Marital Status](#)

	Married in a		Married in a de facto marriage(b)	Not married		Total
	registered marriage	MALES		MALES	MALES	
15-19 years	0	5	5	183	191	
20-24 years	5	29	29	115	149	
25-34 years	117	64	64	119	303	
35-44 years	216	46	46	91	348	
45-54 years	213	213	50	117	383	
55-64 years	313	313	50	179	543	
65-74 years	378	378	29	162	576	
75-84 years	193	9	9	83	289	
85 years and over	49	0	0	40	91	
Total	1,489	284	284	1,098	2,874	
		FEMALES				
15-19 years	0	3	3	161	164	
20-24 years	10	36	36	80	130	
25-34 years	151	69	69	113	334	
35-44 years	241	50	50	107	401	
45-54 years	251	46	46	123	422	
55-64 years	349	56	56	146	550	
65-74 years	329	23	23	169	515	
75-84 years	153	5	5	132	290	
85 years and over	18	0	0	85	103	
Total	1,501	287	287	1,118	2,906	
		PERSONS				
15-19 years	0	6	6	341	356	
20-24 years	11	67	67	197	277	
25-34 years	269	130	130	240	634	
35-44 years	457	95	95	199	753	
45-54 years	469	101	101	240	808	
55-64 years	665	103	103	316	1,093	
65-74 years	702	54	54	329	1,093	
75-84 years	345	19	19	219	581	
85 years and over	68	0	0	129	194	
Total	2,986	574	574	2,220	5,779	

This table is based on place of usual residence.

(a) Excludes persons in 'Visitors only' and 'Other non-classifiable' households, 'Non-private dwellings', and 'Migratory, off-shore and shipping' SA 1s. Excludes persons who were temporarily absent on Census Night

(b) Includes same-sex couples.

Please note that there are small random adjustments made to all cell values to protect the confidentiality of data. These adjustments may cause the sum of rows or columns to differ by small amounts from table totals.

[List of tables](#)
Find out more:
[Age](#)
[Sex](#)
[Indigenous Status](#)

AUSTRALIAN BUREAU OF STATISTICS 2016 Census of Population and Housing
 Berrigan (A) (LGA10650) 2065.8 sq Kms

G07 INDIGENOUS STATUS BY AGE BY SEX
 Count of persons

	Aboriginal and/or Torres Strait Islander(a)		Non-Indigenous		Indigenous status not stated		Total	
	Males	Females	Males	Females	Males	Females	Males	Females
0-4 years	13	8	202	187	28	21	249	219
5-9 years	8	15	208	232	28	15	244	258
10-14 years	12	15	210	187	22	18	250	220
15-19 years	7	9	193	168	22	19	223	198
20-24 years	9	7	152	129	23	14	185	155
25-29 years	5	4	161	163	13	22	180	189
30-34 years	5	6	164	164	22	16	191	180
35-39 years	9	8	153	188	10	17	171	214
40-44 years	8	4	198	200	32	28	235	224
45-49 years	3	4	200	203	19	28	224	235
50-54 years	8	6	201	227	18	24	223	258
55-59 years	3	0	254	299	26	25	287	323
60-64 years	0	3	322	303	30	38	357	341
65 years and over	12	8	1,097	1,075	114	124	1,222	1,202
Total	100	101	3,712	3,718	416	412	4,224	4,236
								8,462

This table is based on place of usual residence.

(a) Comprises persons who identified themselves as being of 'Aboriginal', 'Torres Strait Islander' or 'Both Aboriginal and Torres Strait Islander' origin.

Please note that there are small random adjustments made to all cell values to protect the confidentiality of data. These adjustments may cause the sum of rows or columns to differ by small amounts from table totals.

G08 ANCESTRY(a) BY COUNTRY OF BIRTH OF PARENTS

Count of responses and persons

	Both parents born overseas	Father only born overseas	Mother only born overseas	Both parents born in Australia	Birthplace not stated(b)	Total responses(c)
Australian	22	203	149	3,051	72	3,497
Australian Aboriginal	0	0	0	5	0	8
Chinese	35	3	4	9	0	53
Croatian	0	0	0	0	0	4
Dutch	54	5	14	25	4	112
English	264	183	130	2,748	78	3,409
Filipino	30	0	6	0	3	44
French	13	4	0	19	0	33
German	53	17	9	232	5	311
Greek	3	3	0	5	0	15
Hungarian	3	3	0	3	0	13
Indian	24	0	0	3	0	26
Irish	68	32	32	949	17	1,090
Italian	32	23	5	112	5	186
Korean	3	0	0	0	0	3
Lebanese	0	0	0	7	0	7
Macedonian	0	0	0	0	0	0
Maltese	3	5	0	8	0	25
Maori	9	0	0	5	0	19
New Zealander	22	14	10	7	0	53
Polish	11	9	3	3	0	22
Russian	4	0	0	0	0	4
Scottish	100	60	41	730	10	945
Serbian	3	0	0	0	0	3
South African	14	0	0	0	0	16
Spanish	3	0	0	0	0	3
Sri Lankan	9	3	0	3	0	15
Turkish	0	0	0	0	0	0
Vietnamese	0	0	0	0	0	6
Welsh	7	8	0	20	0	39
Other(d)	125	19	14	86	6	248
Ancestry not stated	14	3	0	158	732	909
Total persons(c)	774	374	260	6,158	893	8,462

This table is based on place of usual residence.

(a) This list of ancestries consists of the most common 30 Ancestry responses reported in the 2011 Census.

(b) Includes birthplace for either or both parents not stated.

(c) This table is a multi-response table and therefore the total responses count will not equal the total persons count.

(d) If two responses from one person are categorised in the 'Other' category only one response is counted. Includes ancestries not identified individually and 'Inadequately described'.

Please note that there are small random adjustments made to all cell values to protect the confidentiality of data. These adjustments may cause the sum of rows or columns to differ by small amounts from table totals.

G09 COUNTRY OF BIRTH OF PERSON(a) BY AGE BY SEX (1 of 6)

Count of persons

	Age										Total
	0-4 years	5-14 years	15-24 years	25-44 years	45-54 years	55-64 years	65-74 years	75-84 years	85 years and over		
	MALES										
Afghanistan	0	0	0	0	0	0	0	0	0	0	0
Australia(b)	222	428	347	610	361	519	558	277	106	3,424	
Bangladesh	0	0	0	0	0	0	0	0	0	0	
Bosnia and Herzegovina	0	0	0	0	0	0	0	0	0	0	
Cambodia	0	0	0	0	0	0	0	0	0	0	
Canada	0	4	0	0	0	0	0	0	0	8	
Chile	0	0	0	0	0	0	0	0	0	0	
China (excludes SARs and Taiwan)(c)	0	0	0	0	3	0	0	0	0	3	
Croatia	0	0	0	0	0	0	0	0	0	0	
Egypt	0	0	0	3	0	0	0	0	0	3	
England	0	3	0	3	12	17	18	21	4	84	
Fiji	0	0	0	3	0	0	0	0	0	0	
France	0	0	0	0	0	0	0	0	0	0	
Germany	0	0	0	0	0	0	3	3	7	18	
Greece	0	0	0	0	0	0	0	0	0	0	
Hong Kong (SAR of China)(c)	0	0	0	0	0	0	0	0	0	0	
India	0	0	0	4	0	0	0	0	0	15	
Indonesia	0	0	0	0	0	0	0	0	0	0	
Iran	0	0	0	0	0	0	0	0	0	0	
Iraq	0	0	0	3	0	0	0	0	0	0	
Ireland	0	0	0	0	0	0	0	0	0	0	
Italy	0	0	0	0	0	0	3	3	0	10	
Japan	0	0	0	0	0	0	0	0	0	0	
Korea, Republic of (South)	0	0	0	0	0	0	0	0	0	0	
Lebanon	0	0	0	0	0	0	0	0	0	0	
Malaysia	0	3	0	5	0	0	0	0	0	11	
Malta	0	0	0	0	0	3	0	0	0	3	
Mauritius	0	0	0	0	0	0	0	0	0	0	
Myanmar	0	0	0	0	0	0	0	0	0	0	

This table is based on place of usual residence.

- (a) This list consists of the most common 50 Country of Birth responses reported in the 2011 Census.
- (b) Includes 'Australia, (includes External Territories), nfd', 'Norfolk Island' and 'Australian External Territories, ncr'.
- (c) Special Administrative Regions (SARs) comprise 'Hong Kong (SAR of China)' and 'Macau (SAR of China)'.
(d) Includes persons who stated their birthplace as Yugoslavia.
- (e) Includes countries not identified individually, 'Inadequately described', and 'At sea'. Excludes not stated.

Please note that there are small random adjustments made to all cell values to protect the confidentiality of data. These adjustments may cause the sum of rows or columns to differ by small amounts from table total.

G09 COUNTRY OF BIRTH OF PERSON(a) BY AGE BY SEX (2 of 6)

Count of persons

	Age										Total
	0-4 years	5-14 years	15-24 years	25-44 years	45-54 years	55-64 years	65-74 years	75-84 years	85 years and over		
	MALES										
Nepal	0	0	0	3	0	0	0	0	0	3	
Netherlands	0	0	0	0	0	0	0	0	0	21	
New Zealand	0	0	0	0	9	13	8	3	0	51	
Northern Ireland	0	0	0	14	0	9	10	0	0	6	
Pakistan	0	0	0	3	0	0	0	0	0	0	
Papua New Guinea	0	0	0	0	0	0	0	0	0	0	
Philippines	0	0	0	0	0	0	0	0	0	0	
Poland	0	3	0	0	0	0	0	0	0	10	
Scotland	0	0	0	0	0	0	0	0	0	0	
Scotland	0	0	0	3	0	3	5	3	0	23	
Singapore	0	0	0	0	0	0	0	0	0	0	
South Africa	0	0	0	3	0	0	0	0	0	6	
South Eastern Europe, nfd(d)	0	0	0	0	0	0	0	0	0	0	
Sri Lanka	0	3	0	4	0	0	0	0	0	4	
Taiwan	0	0	0	0	0	0	0	0	0	0	
Thailand	0	0	0	0	0	0	0	0	0	0	
The Former Yugoslav Republic of Macedonia	0	0	0	0	0	0	0	0	0	0	
Turkey	0	0	0	0	0	0	0	0	0	0	
United States of America	0	0	0	3	0	0	0	0	0	4	
Vietnam	0	0	0	0	0	0	0	0	0	0	
Wales	0	0	0	0	0	0	0	0	0	0	
Zimbabwe	0	0	0	0	0	0	0	3	0	5	
Born elsewhere(e)	0	4	0	3	3	3	4	0	0	3	
Country of Birth Not stated	28	50	49	99	46	70	83	57	13	481	
Total	249	495	408	776	447	645	713	381	133	4,224	

This table is based on place of usual residence.

(a) This list consists of the most common 50 Country of Birth responses reported in the 2011 Census.

(b) Includes 'Australia, (includes External Territories), nfd', 'Norfolk Island' and 'Australian External Territories, nec'.

(c) Special Administrative Regions (SARs) comprise 'Hong Kong (SAR of China)' and 'Macau (SAR of China)'.

(d) Includes persons who stated their birthplace as Yugoslavia.

(e) Includes countries not identified individually, 'Inadequately described', and 'At sea'. Excludes not stated.

Please note that there are small random adjustments made to all cell values to protect the confidentiality of data. These adjustments may cause the sum of rows or columns to differ by small amounts from table total:

G09 COUNTRY OF BIRTH OF PERSON(a) BY AGE BY SEX (3 of 6)

Count of persons

	Age							Total	
	0-4 years	5-14 years	15-24 years	25-44 years	45-54 years	55-64 years	65-74 years		75-84 years	85 years and over
	FEMALES								
Afghanistan	0	0	0	0	0	0	0	0	0
Australia(b)	201	430	302	658	390	535	509	283	139
Bangladesh	0	0	0	0	0	0	0	0	0
Bosnia and Herzegovina	0	0	0	0	0	0	0	0	0
Cambodia	0	0	0	0	0	0	0	0	0
Canada	0	0	3	3	0	0	0	0	0
Chile	0	0	0	0	0	0	0	0	0
China (excludes SARs and Taiwan)(c)	0	0	0	0	0	0	0	0	0
Croatia	0	0	0	0	0	0	0	0	0
Egypt	0	0	0	0	0	0	3	0	0
England	0	0	0	0	14	11	27	21	6
Fiji	0	0	0	0	0	0	0	0	0
France	0	0	0	0	0	0	0	0	0
Germany	0	0	0	3	0	6	10	3	0
Greece	0	0	0	0	0	0	0	0	0
Hong Kong (SAR of China)(c)	0	0	0	0	0	0	0	0	0
India	0	0	0	6	0	0	0	0	0
Indonesia	0	0	0	0	0	0	0	0	0
Iran	0	0	0	0	0	0	0	0	0
Iraq	0	0	0	0	0	0	0	0	0
Ireland	0	0	0	0	0	0	0	0	0
Italy	0	0	0	0	0	0	0	0	0
Japan	0	0	0	0	0	0	0	0	0
Korea, Republic of (South)	0	0	0	0	0	0	0	0	0
Lebanon	0	0	0	0	0	0	0	0	0
Malaysia	0	0	0	7	0	0	0	0	0
Malta	0	0	0	0	0	0	0	0	0
Mauritius	0	0	0	0	0	0	0	0	0
Myanmar	0	0	0	0	0	0	0	0	0

This table is based on place of usual residence.

- (a) This list consists of the most common 50 Country of Birth responses reported in the 2011 Census.
- (b) Includes 'Australia, (includes External Territories), nfd', 'Norfolk Island' and 'Australian External Territories, nct'.
- (c) Special Administrative Regions (SARs) comprise 'Hong Kong (SAR of China)' and 'Macau (SAR of China)'.
(d) Includes persons who stated their birthplace as Yugoslavia.
- (e) Includes countries not identified individually, 'Inadequately described', and 'At sea'. Excludes not stated.

Please note that there are small random adjustments made to all cell values to protect the confidentiality of data. These adjustments may cause the sum of rows or columns to differ by small amounts from table total:

G09 COUNTRY OF BIRTH OF PERSON(a) BY AGE BY SEX (4 of 6)

Count of persons

	Age								Total	
	0-4 years	5-14 years	15-24 years	25-44 years	45-54 years	55-64 years	65-74 years	75-84 years		85 years and over
	FEMALES									
Nepal	0	0	0	3	0	0	0	0	0	3
Netherlands	0	0	0	0	0	6	9	0	0	20
New Zealand	0	3	5	8	7	10	4	0	0	39
Northern Ireland	0	0	0	0	0	0	0	0	0	5
Pakistan	0	0	0	0	0	0	0	0	0	0
Papua New Guinea	0	0	0	0	0	0	0	0	0	0
Philippines	0	4	3	15	8	10	0	0	0	31
Poland	0	0	0	0	0	0	0	0	0	3
Scotland	0	0	0	0	0	3	11	0	0	18
Singapore	0	0	0	0	0	0	0	0	0	0
South Africa	0	0	0	4	0	0	0	0	0	12
South Eastern Europe, nfd(d)	0	0	0	0	0	0	0	0	0	3
Sri Lanka	0	3	0	4	0	0	0	0	0	10
Taiwan	0	0	0	0	0	0	0	0	0	0
Thailand	0	0	0	3	0	0	0	0	0	3
The Former Yugoslav Republic of Macedonia	0	0	0	0	0	0	0	0	0	0
Turkey	0	0	0	0	0	0	0	0	0	0
United States of America	0	0	0	0	0	0	0	0	0	3
Vietnam	0	0	0	0	0	0	0	0	0	0
Wales	0	0	0	0	0	0	0	0	0	0
Zimbabwe	0	0	0	0	0	0	0	0	0	0
Born elsewhere(e)	3	0	0	7	6	6	7	6	0	32
Country of Birth Not stated	18	38	36	87	59	79	74	44	27	465
Total	219	482	355	820	490	664	662	360	182	4,236

This table is based on place of usual residence.

(a) This list consists of the most common 50 Country of Birth responses reported in the 2011 Census.

(b) Includes 'Australia, (includes External Territories), nfd', 'Norfolk Island' and 'Australian External Territories, nec'.

(c) Special Administrative Regions (SARs) comprise 'Hong Kong (SAR of China)' and 'Macau (SAR of China)'.

(d) Includes persons who stated their birthplace as Yugoslavia.

(e) Includes countries not identified individually, 'Inadequately described', and 'At sea'. Excludes not stated.

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G09 COUNTRY OF BIRTH OF PERSON(a) BY AGE BY SEX (5 of 6)

Count of persons

	Age										Total	
	0-4 years	5-14 years	15-24 years	25-44 years	45-54 years	55-64 years	65-74 years	75-84 years	85 years and over			
	PERSONS											
Afghanistan	0	0	0	0	0	0	0	0	0	0	0	0
Australia(b)	414	855	650	1,265	751	1,052	1,065	557	248	0	6,866	
Bangladesh	0	0	0	0	0	0	0	0	0	0	0	
Bosnia and Herzegovina	0	0	0	0	0	0	0	0	0	0	0	
Cambodia	0	0	0	0	0	0	0	0	0	0	0	
Canada	0	4	3	3	0	0	0	0	0	0	11	
Chile	0	0	0	0	0	0	0	0	0	0	0	
China (excludes SARs and Taiwan)(c)	0	0	0	4	7	0	0	0	0	0	10	
Croatia	0	0	0	0	0	0	0	0	0	0	0	
Egypt	0	0	0	3	0	0	5	0	0	0	6	
England	0	3	0	4	19	29	54	43	14	0	168	
Fiji	0	0	0	3	0	0	0	0	0	0	0	
France	0	0	0	0	0	0	0	0	0	0	0	
Germany	0	0	0	4	0	0	18	4	7	0	39	
Greece	0	0	0	0	0	0	0	0	0	0	0	
Hong Kong (SAR of China)(c)	0	0	0	0	0	0	0	0	0	0	0	
India	0	0	0	10	3	0	0	0	0	0	22	
Indonesia	0	0	0	0	0	0	0	0	0	0	0	
Iran	0	0	0	0	0	0	0	0	0	0	0	
Iraq	0	0	0	3	3	0	0	0	0	0	6	
Ireland	0	0	0	0	0	0	0	0	0	0	7	
Italy	0	0	0	0	0	0	7	3	0	0	9	
Japan	0	0	0	0	0	0	0	0	0	0	0	
Korea, Republic of (South)	0	0	0	3	0	0	0	0	0	0	3	
Lebanon	0	0	0	0	0	0	0	0	0	0	0	
Malaysia	0	3	0	0	0	0	0	0	0	0	3	
Malta	4	0	0	14	3	0	0	0	0	0	21	
Mauritius	0	0	0	0	0	3	0	0	0	0	3	
Myanmar	0	0	0	0	0	0	0	0	0	0	0	

This table is based on place of usual residence.

- (a) This list consists of the most common 50 Country of Birth responses reported in the 2011 Census.
- (b) Includes 'Australia, (includes External Territories), nfd', 'Norfolk Island' and 'Australian External Territories, nct'.
- (c) Special Administrative Regions (SARs) comprise 'Hong Kong (SAR of China)' and 'Macau (SAR of China)'.
- (d) Includes persons who stated their birthplace as Yugoslavia.
- (e) Includes countries not identified individually, 'Inadequately described', and 'At sea'. Excludes not stated.

Please note that there are small random adjustments made to all cell values to protect the confidentiality of data. These adjustments may cause the sum of rows or columns to differ by small amounts from table total.

G09 COUNTRY OF BIRTH OF PERSON(a) BY AGE BY SEX (6 of 6)

Count of persons

	Age										Total
	0-4 years	5-14 years	15-24 years	25-44 years	45-54 years	55-64 years	65-74 years	75-84 years	85 years and over		
	PERSONS										
Nepal	0	0	0	3	0	0	0	0	0	3	
Netherlands	0	0	0	0	0	13	18	6	3	42	
New Zealand	0	5	7	23	18	17	16	3	0	93	
Northern Ireland	0	0	0	3	0	0	0	0	0	7	
Pakistan	0	0	0	0	0	0	0	0	0	0	
Papua New Guinea	0	0	0	0	0	0	0	0	0	0	
Philippines	3	5	3	11	8	10	0	0	0	44	
Poland	0	0	0	0	0	0	0	0	0	3	
Scotland	0	0	0	8	7	7	14	3	0	38	
Singapore	0	0	0	0	0	0	0	0	0	0	
South Africa	0	3	0	8	3	0	0	0	0	17	
South Eastern Europe, nfd(d)	0	0	0	0	0	0	0	0	0	3	
Sri Lanka	0	6	0	12	0	0	0	0	0	15	
Taiwan	0	0	0	0	0	0	0	0	0	0	
Thailand	0	0	0	3	0	0	0	0	0	3	
The Former Yugoslav Republic of Macedonia	0	0	0	0	0	0	0	0	0	0	
Turkey	0	0	0	0	0	0	0	0	0	0	
United States of America	0	0	0	3	0	0	3	0	0	10	
Vietnam	0	0	0	0	0	0	0	0	0	0	
Wales	0	0	0	0	0	0	0	0	0	0	
Zimbabwe	0	0	0	3	0	0	3	3	0	5	
Born elsewhere(e)	3	7	0	12	8	7	9	4	0	55	
Country of Birth Not stated	45	85	88	182	106	150	154	104	36	948	
Total	471	972	756	1,596	936	1,304	1,370	739	313	8,462	

This table is based on place of usual residence.

(a) This list consists of the most common 50 Country of Birth responses reported in the 2011 Census.

(b) Includes 'Australia, (includes External Territories), nfd', 'Norfolk Island' and 'Australian External Territories, nec'

(c) Special Administrative Regions (SARs) comprise 'Hong Kong (SAR of China)' and 'Macau (SAR of China)'.
(d) Includes persons who stated their birthplace as Yugoslavia.

(e) Includes countries not identified individually, 'Inadequately described', and 'At sea'. Excludes not stated.

Please note that there are small random adjustments made to all cell values to protect the confidentiality of data. These adjustments may cause the sum of rows or columns to differ by small amounts from table totals.

G10 COUNTRY OF BIRTH OF PERSON(a) BY YEAR OF ARRIVAL IN AUSTRALIA (1 of 2)

Count of persons born overseas(b)

	Year of arrival											Total
	Before 1946	1946 -1955	1956 -1965	1966 -1975	1976 -1985	1986 -1995	1996 -2005	2006 -2010				
Canada	0	0	0	0	0	0	0	0	0	0	0	3
China (excludes SARs and Taiwan)(d)	0	0	0	0	0	0	0	0	0	0	7	3
Croatia	0	0	0	0	0	0	0	0	0	0	0	0
Egypt	0	0	0	0	0	0	0	0	0	0	0	0
Fiji	0	0	0	0	0	0	0	0	0	0	0	0
Germany	0	17	14	6	0	0	0	0	0	0	0	0
Greece	0	0	0	0	0	0	0	0	0	0	0	0
Hong Kong (SAR of China)(d)	0	0	0	0	0	0	0	0	0	0	3	5
India	0	0	0	3	0	0	0	0	0	0	0	0
Indonesia	0	0	0	0	0	0	0	0	0	0	0	0
Iran	0	0	0	0	0	0	0	0	0	0	0	0
Iraq	0	0	0	0	0	0	0	0	0	0	6	0
Ireland	0	0	0	0	0	0	0	0	0	0	0	0
Italy	0	3	3	3	0	0	0	0	0	0	0	0
Japan	0	0	0	0	0	0	0	0	0	0	0	0
Korea, Republic of (South)	0	0	0	0	0	0	0	0	0	0	0	0
Lebanon	0	0	0	0	0	0	0	0	0	0	0	0
Malaysia	0	0	0	0	0	0	0	0	0	0	0	0
Malta	0	0	0	0	0	0	0	0	0	0	0	0
Netherlands	0	12	18	3	0	0	0	0	0	0	5	0
New Zealand	0	0	0	12	20	0	0	14	0	0	23	12
Pakistan	0	0	0	0	0	0	0	0	0	0	0	0
Philippines	0	0	0	0	7	0	0	8	0	0	8	3
Poland	0	0	0	0	0	0	0	0	0	0	0	0
Singapore	0	0	0	0	0	0	0	0	0	0	0	0
South Africa	0	0	0	3	3	0	0	0	0	0	0	5
Sri Lanka	0	0	0	0	0	0	0	0	0	0	0	6
Thailand	0	0	0	0	0	0	0	0	0	0	0	0
The Former Yugoslav Republic of Macedonia	0	0	0	0	0	0	0	0	0	0	0	0
Turkey	0	0	0	0	0	0	0	0	0	0	0	0
United Kingdom, Channel Islands and Isle of Man(e)	0	34	61	70	16	0	0	9	3	0	3	0
United States of America	0	0	0	0	3	0	0	0	0	0	0	0
Vietnam	0	0	0	0	0	0	0	0	0	0	0	0
Zimbabwe	0	0	0	0	0	0	0	0	0	0	0	3
Born elsewhere(f)	0	7	11	17	3	0	0	3	0	0	3	11
Total	3	77	105	126	52	35	65	57				

This table is based on place of usual residence.

- (a) This list of countries consists of the most common Country of Birth responses (excluding Australia) reported in the 2011 Census.
- (b) Excludes persons who did not state their country of birth.
- (c) The year 2016 is the period 1 January 2016 to 9 August 2016.
- (d) Special Administrative Regions (SARs) comprise 'Hong Kong (SAR of China)' and 'Macau (SAR of China)'.
- (e) Comprises 'United Kingdom, Channel Islands and Isle of Man, nfd', 'England', 'Isle of Man', 'Northern Ireland', 'Scotland', 'Wales', 'Guernsey' and 'Jersey'.
- (f) Includes countries not identified individually, 'Inadequately described', and 'At sea'. Excludes not stated.

Please note that there are small random adjustments made to all cell values to protect the confidentiality of data. These adjustments may cause the sum of rows or columns to differ by small amounts from table totals.

G10 COUNTRY OF BIRTH OF PERSON(a) BY YEAR OF ARRIVAL IN AUSTRALIA (2 of 2)

Count of persons born overseas(b)

	Year of arrival							Total
	2011	2012	2013	2014	2015	2016(c)	Not stated	
Canada	3	4	0	0	0	0	0	11
China (excludes SARs and Taiwan)(d)	0	0	0	0	0	0	0	10
Croatia	0	0	0	0	0	0	0	0
Egypt	0	0	0	0	0	0	0	6
Fiji	0	0	0	0	0	0	0	0
Germany	0	0	0	0	0	0	0	39
Greece	0	0	0	0	0	0	0	0
Hong Kong (SAR of China)(d)	0	0	0	0	0	0	0	0
India	0	0	0	3	3	0	0	22
Indonesia	0	0	0	0	0	0	0	0
Iran	0	0	0	0	0	0	0	0
Iraq	0	0	0	0	0	0	0	6
Ireland	0	0	0	0	0	0	0	7
Italy	0	0	0	0	0	0	0	9
Japan	0	0	0	0	0	0	0	0
Korea, Republic of (South)	0	0	0	0	0	0	0	3
Lebanon	0	0	0	0	0	0	0	0
Malaysia	0	0	0	0	3	5	3	21
Malta	0	0	0	0	0	0	0	3
Netherlands	0	0	0	0	0	0	3	42
New Zealand	0	5	0	0	0	0	7	93
Pakistan	0	0	0	0	0	0	0	0
Philippines	0	3	0	0	12	5	3	44
Poland	0	0	0	0	0	0	0	3
Singapore	0	0	0	0	0	0	0	0
South Africa	0	0	0	0	0	0	0	17
Sri Lanka	0	0	0	3	0	0	3	15
Thailand	0	0	0	0	0	0	0	3
The Former Yugoslav Republic of Macedonia	0	0	0	0	0	0	0	0
Turkey	0	0	0	0	0	0	0	0
United Kingdom, Channel Islands and Isle of Man(e)	0	6	0	0	0	0	11	219
United States of America	0	3	0	0	0	0	0	10
Vietnam	0	0	0	0	0	0	0	0
Zimbabwe	0	0	0	0	0	0	0	4
Born elsewhere(f)	0	6	0	9	0	0	3	69
Total	12	31	3	16	22	15	40	651

This table is based on place of usual residence.

- (a) This list of countries consists of the most common Country of Birth responses (excluding Australia) reported in the 2011 Census.
 (b) Excludes persons who did not state their country of birth.
 (c) The year 2016 is the period 1 January 2016 to 9 August 2016.
 (d) Special Administrative Regions (SARs) comprise 'Hong Kong (SAR of China)' and 'Macau (SAR of China)'.
 (e) Comprises 'United Kingdom, Channel Islands and Isle of Man, nfd', 'England', 'Isle of Man', 'Northern Ireland', 'Scotland', 'Wales', 'Guernsey' and 'Jersey'.
 (f) Includes countries not identified individually, 'Inadequately described', and 'At sea'. Excludes not stated.

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G11 PROFICIENCY IN SPOKEN ENGLISH/LANGUAGE BY YEAR OF ARRIVAL IN AUSTRALIA BY AGE (1 of 3)

Count of persons born overseas(a)

	Year of arrival										Total
	Before 2000	2000-2005	2006-2010	2011	2012	2013	2014	2015	2016(b)	Not stated	
	AGED 0-14 YEARS										
Speaks English only	..	4	3	0	7	0	3	0	4	0	18
Speaks other language and speaks English: Very well or well	..	0	3	0	3	0	4	0	0	4	16
Not well or not at all	..	0	0	0	0	0	0	3	0	0	3
Proficiency in English not stated	..	0	0	0	0	0	0	0	0	0	0
Total	..	0	3	0	3	0	4	3	0	4	21
Language and proficiency in English not stated	..	0	0	0	0	0	0	0	0	0	0
Total	..	4	10	0	12	0	9	3	4	4	38
AGED 15-24 YEARS											
Speaks English only	0	0	0	0	0	0	0	0	0	0	10
Speaks other language and speaks English: Very well or well	0	5	0	0	0	0	0	0	0	0	11
Not well or not at all	0	0	0	0	0	0	0	0	0	0	0
Proficiency in English not stated	0	0	0	0	0	0	0	0	0	0	0
Total	0	5	0	0	0	0	0	0	0	0	13
Language and proficiency in English not stated	0	0	0	0	0	0	0	0	0	0	0
Total	0	11	0	0	0	0	0	0	0	0	19
AGED 25-34 YEARS											
Speaks English only	3	3	8	0	8	3	0	3	0	3	30
Speaks other language and speaks English: Very well or well	0	3	16	0	3	0	3	5	6	3	40
Not well or not at all	0	0	0	0	0	0	0	0	0	0	0
Proficiency in English not stated	0	0	0	0	0	0	0	0	0	0	0
Total	0	3	16	0	3	0	3	11	6	3	43
Language and proficiency in English not stated	0	0	0	0	0	0	0	0	0	0	0
Total	4	7	20	7	12	3	3	10	9	7	75
AGED 35-44 YEARS											
Speaks English only	20	6	8	0	0	0	0	0	0	0	35
Speaks other language and speaks English: Very well or well	3	7	13	0	3	0	3	0	0	0	29
Not well or not at all	0	0	0	0	0	0	0	0	0	0	3
Proficiency in English not stated	0	0	0	0	0	0	0	0	0	0	0
Total	3	7	13	3	3	0	3	0	0	0	31
Language and proficiency in English not stated	0	0	0	0	0	0	0	0	0	0	0
Total	23	11	17	3	3	0	4	0	3	0	68

This table is based on place of usual residence.

(a) Excludes persons born in 'Australia, (includes External Territories), nfd', 'Norfolk Island' and 'Australian External Territories, nec' and persons who did not state a country of birth

(b) The year 2016 is the period 1 January 2016 to 9 August 2016.

.. Not applicable

Please note that there are small random adjustments made to all cell values to protect the confidentiality of data. These adjustments may cause the sum of rows or columns to differ by small amounts from table tota

G11 PROFICIENCY IN SPOKEN ENGLISH/LANGUAGE BY YEAR OF ARRIVAL IN AUSTRALIA BY AGE (2 of 3)

Count of persons born overseas(a)

	Year of arrival										Total	
	Before 2000	2000-2005	2006-2010	2011	2012	2013	2014	2015	2016(b)	Not stated		
	AGED 45-54 YEARS											
Speaks English only	48	4	0	0	0	0	0	0	0	0	5	59
Speaks other language and speaks English:												
Very well or well	14	8	3	0	0	0	0	0	0	0	0	26
Not well or not at all	0	0	0	0	0	0	0	0	0	0	0	3
Proficiency in English not stated	0	0	0	0	0	0	0	0	0	0	0	0
Total	14	6	3	0	0	0	0	3	0	0	0	24
Language and proficiency in English not stated	0	0	0	0	0	0	0	0	0	0	0	0
Total	57	10	3	0	0	0	0	3	0	0	4	87
AGED 55-64 YEARS												
Speaks English only	84	4	0	0	0	0	0	0	0	0	3	95
Speaks other language and speaks English:												
Very well or well	3	0	0	0	3	0	0	0	0	0	0	14
Not well or not at all	0	0	0	0	0	0	0	0	0	0	0	0
Proficiency in English not stated	0	0	0	0	0	0	0	0	0	0	0	0
Total	3	0	0	0	3	0	0	0	0	0	4	11
Language and proficiency in English not stated	3	0	0	0	0	0	0	0	0	0	0	3
Total	92	5	0	0	3	0	0	0	0	0	4	109
AGED 65-74 YEARS												
Speaks English only	122	0	0	0	0	0	0	0	0	0	0	134
Speaks other language and speaks English:												
Very well or well	17	0	0	0	0	0	0	0	0	0	0	17
Not well or not at all	0	0	0	0	0	0	0	0	0	0	0	0
Proficiency in English not stated	3	0	0	0	0	0	0	0	0	0	0	3
Total	18	0	0	0	0	0	0	0	0	0	0	18
Language and proficiency in English not stated	0	0	0	0	0	0	0	0	0	0	0	0
Total	145	0	0	0	0	0	0	0	0	0	0	146
AGED 75-84 YEARS												
Speaks English only	64	0	0	0	0	0	0	0	0	0	3	69
Speaks other language and speaks English:												
Very well or well	8	0	0	0	0	0	0	0	0	0	0	9
Not well or not at all	0	0	0	0	0	0	0	0	0	0	0	0
Proficiency in English not stated	0	0	0	0	0	0	0	0	0	0	0	0
Total	8	0	0	0	0	0	0	0	0	0	0	12
Language and proficiency in English not stated	0	0	0	0	0	0	0	0	0	0	0	0
Total	71	0	0	0	0	0	0	0	0	0	4	83

This table is based on place of usual residence.

(a) Excludes persons born in 'Australia, (includes External Territories), nfd', 'Norfolk Island' and 'Australian External Territories, nec' and persons who did not state a country of birth

(b) The year 2016 is the period 1 January 2016 to 9 August 2016.

.. Not applicable

Please note that there are small random adjustments made to all cell values to protect the confidentiality of data. These adjustments may cause the sum of rows or columns to differ by small amounts from table tota

G11 PROFICIENCY IN SPOKEN ENGLISH/LANGUAGE BY YEAR OF ARRIVAL IN AUSTRALIA BY AGE (3 of 3)

	Year of arrival										Total	
	Before 2000	2000-2005	2006-2010	2011	2012	2013	2014	2015	2016(b)	Not stated		
AGED 85 YEARS AND OVER												
Speaks English only	17	0	0	0	0	0	0	0	0	0	3	21
Speaks other language and speaks English: Very well or well	3	0	0	0	0	0	0	0	0	0	0	10
Not well or not at all	0	0	0	0	0	0	0	0	0	0	0	0
Proficiency in English not stated	0	0	0	0	0	0	0	0	0	0	0	0
Total	3	0	0	0	0	0	0	0	0	0	0	10
Language and proficiency in English not stated	0	0	0	0	0	0	0	0	0	0	0	0
Total	29	0	0	0	0	0	0	0	0	0	5	27
TOTAL												
Speaks English only	364	18	17	3	13	3	4	3	5	17	464	
Speaks other language and speaks English: Very well or well	48	21	36	0	13	0	7	10	9	13	163	
Not well or not at all	0	0	0	0	0	0	3	9	0	4	14	
Proficiency in English not stated	3	0	0	0	0	0	0	0	0	0	5	
Total	55	26	35	5	13	0	12	20	10	13	182	
Language and proficiency in English not stated	0	0	0	0	0	0	0	0	0	5	6	
Total	418	44	57	12	31	3	16	22	15	40	651	

This table is based on place of usual residence.

(a) Excludes persons born in 'Australia, (includes External Territories), nfd', 'Norfolk Island' and 'Australian External Territories, nec' and persons who did not state a country of birth
(b) The year 2016 is the period 1 January 2016 to 9 August 2016.

.. Not applicable

Please note that there are small random adjustments made to all cell values to protect the confidentiality of data. These adjustments may cause the sum of rows or columns to differ by small amounts from table totals.

G12 PROFICIENCY IN SPOKEN ENGLISH/LANGUAGE OF PARENTS BY AGE OF DEPENDENT CHILDREN(a) (1 of 3)
Count of dependent children in couple families(b)

	MALE PARENT					Total
	Speaks other language and speaks English					
	Speaks English only	Very well or well	Not well or not at all	Proficiency in English not stated	Language and proficiency in English not stated	
DEPENDENT CHILDREN AGED 0-4 YEARS						
FEMALE PARENT						
Speaks English only	311	3	0	0	3	309
Speaks other language and speaks English:						
Very well or well	10	14	8	0	17	30
Not well or not at all	0	0	0	0	0	0
Proficiency in English not stated	0	0	0	0	0	0
<i>Total</i>	5	14	8	0	17	25
Language and proficiency in English not stated	0	0	0	0	0	0
Total	315	14	8	0	22	336
DEPENDENT CHILDREN AGED 5-9 YEARS						
FEMALE PARENT						
Speaks English only	330	0	0	0	0	334
Speaks other language and speaks English:						
Very well or well	0	14	0	0	12	18
Not well or not at all	0	0	0	0	0	0
Proficiency in English not stated	0	3	0	0	3	3
<i>Total</i>	0	12	0	0	14	17
Language and proficiency in English not stated	3	0	0	0	0	7
Total	334	17	0	0	19	356
DEPENDENT CHILDREN AGED 10-12 YEARS						
FEMALE PARENT						
Speaks English only	181	0	0	0	0	178
Speaks other language and speaks English:						
Very well or well	0	8	0	0	8	12
Not well or not at all	0	0	0	0	0	0
Proficiency in English not stated	0	0	0	0	0	0
<i>Total</i>	0	8	0	0	8	12
Language and proficiency in English not stated	4	0	0	0	0	3
Total	187	12	0	0	12	197

This table is based on place of usual residence.

(a) Comprises children aged under 15 years and dependent students aged 15-24 years, who were present in the household on Census Night.

(b) Excludes same-sex couples. Excludes couple families where the husband/wife or de facto partner was temporarily absent on Census Night.

Please note that there are small random adjustments made to all cell values to protect the confidentiality of data. These adjustments may cause the sum of rows or columns to differ by small amounts from table totals.

G12 PROFICIENCY IN SPOKEN ENGLISH/LANGUAGE OF PARENTS BY AGE OF DEPENDENT CHILDREN(a) (2 of 3)
Count of dependent children in couple families(b)

	MALE PARENT					Total
	Speaks other language and speaks English					
	Speaks English only	Very well or well	Not well or not at all	Proficiency in English not stated	Language and proficiency in English not stated	
DEPENDENT CHILDREN AGED 13-14 YEARS						
FEMALE PARENT						
Speaks English only	113	0	0	0	0	113
Speaks other language and speaks English:						
Very well or well	0	4	0	0	4	4
Not well or not at all	0	0	0	0	0	0
Proficiency in English not stated	0	0	0	0	0	0
<i>Total</i>	0	4	0	0	4	4
Language and proficiency in English not stated	0	0	0	0	0	0
Total	113	4	0	0	4	113
DEPENDENT CHILDREN AGED 15-17 YEARS						
FEMALE PARENT						
Speaks English only	143	0	0	0	0	146
Speaks other language and speaks English:						
Very well or well	0	0	0	0	3	4
Not well or not at all	0	0	0	0	0	0
Proficiency in English not stated	0	0	0	0	0	0
<i>Total</i>	0	0	0	0	3	4
Language and proficiency in English not stated	0	0	0	0	0	0
Total	150	0	0	0	3	152
DEPENDENT CHILDREN AGED 18-20 YEARS						
FEMALE PARENT						
Speaks English only	17	0	0	0	0	17
Speaks other language and speaks English:						
Very well or well	0	0	0	0	0	0
Not well or not at all	0	0	0	0	0	0
Proficiency in English not stated	0	0	0	0	0	0
<i>Total</i>	0	0	0	0	0	0
Language and proficiency in English not stated	0	0	0	0	0	0
Total	17	0	0	0	0	18

This table is based on place of usual residence.

(a) Comprises children aged under 15 years and dependent students aged 15-24 years, who were present in the household on Census Night.

(b) Excludes same-sex couples. Excludes couple families where the husband/wife or de facto partner was temporarily absent on Census Night.

Please note that there are small random adjustments made to all cell values to protect the confidentiality of data. These adjustments may cause the sum of rows or columns to differ by small amounts from table totals.

G:12 PROFICIENCY IN SPOKEN ENGLISH/LANGUAGE OF PARENTS BY AGE OF DEPENDENT CHILDREN(a) (3 of 3)
Count of dependent children in couple families(b)

	MALE PARENT				Total	Language and proficiency in English not stated	Total
	Speaks English only	Very well or well	Not well or not at all	Proficiency in English not stated			
DEPENDENT CHILDREN AGED 21-24 YEARS							
FEMALE PARENT							
Speaks English only	7	0	0	0	0	0	7
Speaks other language and speaks English:							
Very well or well	0	0	0	0	0	0	0
Not well or not at all	0	0	0	0	0	0	0
Proficiency in English not stated	0	0	0	0	0	0	0
<i>Total</i>	0	0	0	0	0	0	0
Language and proficiency in English not stated	0	0	0	0	0	0	0
Total	7	0	0	0	0	0	7

TOTAL DEPENDENT CHILDREN

FEMALE PARENT							
Speaks English only	1,100	6	0	0	6	0	1,103
Speaks other language and speaks English:							
Very well or well	8	42	5	0	46	0	57
Not well or not at all	3	0	0	0	0	0	3
Proficiency in English not stated	0	3	0	0	3	0	3
<i>Total</i>	9	41	5	0	48	0	65
Language and proficiency in English not stated	6	0	0	0	0	4	8
Total	1,113	48	5	0	55	6	1,177

This table is based on place of usual residence.

(a) Comprises children aged under 15 years and dependent students aged 15-24 years, who were present in the household on Census Night.

(b) Excludes same-sex couples. Excludes couple families where the husband/wife or de facto partner was temporarily absent on Census Night.

Please note that there are small random adjustments made to all cell values to protect the confidentiality of data. These adjustments may cause the sum of rows or columns to differ by small amounts from table totals.

G13 LANGUAGE SPOKEN AT HOME(a) BY PROFICIENCY IN SPOKEN ENGLISH/LANGUAGE BY SEX (1 of 6):
Count of persons

	Speaks English only		Speaks other language and speaks English		Total	Not stated(b)	Total
	Very well or well	Not well or not at all	Very well or well	Not well or not at all			
	MALES						
Speaks English only	3,685	..	..	..	..	..	3,685
Speaks other language:							
Afrikaans	..	4	0	0	4	0	4
Arabic	..	8	0	0	8	0	8
Australian Indigenous Languages	..	3	0	0	3	0	3
Chinese languages:							
Cantonese	..	9	3	3	12	0	12
Mandarin	..	4	5	5	6	0	6
Other(c)	..	0	0	0	0	0	0
Total	..	11	8	8	19	0	19
Croatian	..	0	0	0	0	0	0
Dutch	..	3	0	0	3	0	3
French	..	6	0	0	6	0	6
German	..	6	0	0	6	0	6
Greek	..	0	0	0	0	0	0
Indo-Aryan languages:							
Bengali	..	0	0	0	0	0	0
Hindi	..	0	0	0	0	0	0
Punjabi	..	3	0	0	3	0	3
Sinhalese	..	6	0	0	6	0	6
Urdu	..	0	0	0	0	0	0
Other(d)	..	3	0	0	3	0	3
Total	..	10	0	0	12	0	12

This table is based on place of usual residence.

(a) This list of languages consists of the most common Language Spoken at Home responses reported in the 2011 Census.

(b) Includes the categories 'Proficiency in English not stated' and 'Language and proficiency in English not stated'.

(c) Comprises 'Chinese, nfd', 'Hakka', 'Wu', 'Min Nan' and 'Chinese, nec'.

(d) Comprises 'Indo-Aryan, nfd', 'Gujarati', 'Konkani', 'Marathi', 'Nepali', 'Sindhi', 'Assamese', 'Dhivehi', 'Kashmiri', 'Oriya', 'Fijian Hindustani' and 'Indo-Aryan, nec'.

(e) Comprises 'Bikol', 'Bisaya', 'Cebuano', 'Ilokano', 'Ilonggo (Hiligaynon)', 'Pampangan', 'Malay', 'Tetum', 'Timorese', 'Acehnese', 'Balinese', 'Iban', 'Javanese', 'Southeast Asian Austronesian Languages, nec' and 'Southeast Asian Austronesian Languages, nfd'.

(f) Includes languages not identified individually, 'Inadequately described' and 'Non-verbal, so described'.

.. Not applicable

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G13 LANGUAGE SPOKEN AT HOME(a) BY PROFICIENCY IN SPOKEN ENGLISH/LANGUAGE BY SEX (2 of 6):
Count of persons

	Speaks English only		Speaks other language and speaks English		Total	Not stated(b)	Total
	Very well or well	Not well or not at all	Very well or well	Not well or not at all			
	MALES						
Speaks other language (continued):							
Italian	19	0	0	0	19	0	19
Japanese	0	0	0	0	0	0	0
Korean	0	0	0	0	0	0	0
Macedonian	0	0	0	0	0	0	0
Maltese	0	0	0	0	0	0	0
Persian (excluding Dari)	0	0	0	0	0	0	0
Polish	0	0	0	0	0	0	0
Russian	0	0	0	0	0	0	0
Samoan	0	0	0	0	0	0	0
Serbian	0	0	0	0	0	0	0
Southeast Asian Austronesian languages:							
Filipino	0	0	0	0	0	0	0
Indonesian	0	0	0	0	0	0	0
Tagalog	4	0	0	0	5	0	5
Other(e)	8	0	0	0	8	0	8
Total	8	0	0	0	10	0	10
Spanish	0	0	0	0	3	0	3
Tamil	6	0	0	0	6	0	6
Thai	0	0	0	0	0	0	0
Turkish	0	0	0	0	0	0	0
Vietnamese	0	0	0	0	0	0	0
Other(f)	24	8	8	0	32	0	32
Total	112	12	12	0	128	0	126
Language spoken at home not stated	11	0	0	0	11	399	410
Total	3,685	122	12	0	139	405	4,224

This table is based on place of usual residence.

(a) This list of languages consists of the most common Language Spoken at Home responses reported in the 2011 Census.

(b) Includes the categories 'Proficiency in English not stated' and 'Language and proficiency in English not stated'.

(c) Comprises 'Chinese, nfd', 'Hakka', 'Wu', 'Min Nan' and 'Chinese, nec'.

(d) Comprises 'Indo-Aryan, nfd', 'Gujarati', 'Konkani', 'Marathi', 'Nepali', 'Sindhi', 'Assamese', 'Dhivehi', 'Kashmiri', 'Oriya', 'Fijian Hindustani' and 'Indo-Aryan, nec'.

(e) Comprises 'Bikol', 'Bisaya', 'Cebuano', 'Ilokano', 'Ilonggo (Hiligaynon)', 'Pampangan', 'Malay', 'Tetum', 'Timorese', 'Acehnese', 'Balinese', 'Iban', 'Javanese', 'Southeast Asian Austronesian Languages, nec' and 'Southeast Asian Austronesian Languages, nfd'.

(f) Includes languages not identified individually, 'Inadequately described' and 'Non-verbal, so described'.

.. Not applicable

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G13 LANGUAGE SPOKEN AT HOME(a) BY PROFICIENCY IN SPOKEN ENGLISH/LANGUAGE BY SEX (3 of 6):
Count of persons

	Speaks English only		Speaks other language and speaks English		Total	Not stated(b)	Total
	Very well or well	Not well or not at all	Very well or well	Not well or not at all			
Speaks English only	3,690	..	..	..	..	..	3,690
Speaks other language:	..	..	..	..	..	..	..
Afrikaans	3	0	3	0	3	0	3
Arabic	3	0	3	0	3	0	3
Australian Indigenous Languages	5	0	5	0	5	0	5
Chinese languages:	..	..	..	..	..	..	..
Cantonese	5	0	5	0	5	0	5
Mandarin	3	4	4	0	4	0	5
Other(c)	0	0	0	0	0	0	0
Total	10	4	14	0	14	0	16
Croatian	0	0	0	0	0	0	0
Dutch	3	0	3	0	3	0	4
French	0	0	0	0	0	0	0
German	10	0	10	0	10	0	11
Greek	0	0	0	0	0	0	0
Indo-Aryan languages:	..	..	..	..	..	..	..
Bengali	0	0	0	0	0	0	0
Hindi	0	0	0	0	0	0	3
Punjabi	3	0	4	0	4	0	4
Sinhalese	3	0	3	0	3	0	3
Urdu	0	0	0	0	0	0	0
Other(d)	3	0	3	0	3	0	3
Total	10	3	10	3	8	0	8

This table is based on place of usual residence.

(a) This list of languages consists of the most common Language Spoken at Home responses reported in the 2011 Census.

(b) Includes the categories 'Proficiency in English not stated' and 'Language and proficiency in English not stated'.

(c) Comprises 'Chinese, nfd', 'Hakka', 'Wu', 'Min Nan' and 'Chinese, nec'.

(d) Comprises 'Indo-Aryan, nfd', 'Gujarati', 'Konkani', 'Marathi', 'Nepali', 'Sindhi', 'Assamese', 'Dhivehi', 'Kashmiri', 'Oriya', 'Fijian Hindustani' and 'Indo-Aryan, nec'.

(e) Comprises 'Bikol', 'Bisaya', 'Cebuano', 'Ilokano', 'Ilonggo (Hiligaynon)', 'Pampangan', 'Malay', 'Tetum', 'Timorese', 'Acehnese', 'Balinese', 'Iban', 'Javanese', 'Southeast Asian Austronesian Languages, nec' and 'Southeast Asian Austronesian Languages, nfd'.

(f) Includes languages not identified individually, 'Inadequately described' and 'Non-verbal, so described'.

.. Not applicable

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G13 LANGUAGE SPOKEN AT HOME(a) BY PROFICIENCY IN SPOKEN ENGLISH/LANGUAGE BY SEX (4 of 6):
Count of persons

	Speaks English only		Speaks other language and speaks English		Total	Not stated(b)	Total
	Very well or well	Not well or not at all	Very well or well	Not well or not at all			
FEMALES							
Speaks other language (continued):							
Italian	..	7	0	0	7	0	7
Japanese	..	0	0	0	0	0	0
Korean	..	0	0	0	0	0	0
Macedonian	..	0	0	0	0	0	0
Maltese	..	0	0	0	0	0	0
Persian (excluding Dari)	..	0	0	0	0	0	0
Polish	..	0	0	0	0	0	0
Russian	..	0	0	0	0	0	0
Samoan	..	0	0	0	0	0	0
Serbian	..	0	0	0	0	0	0
Southeast Asian Austronesian languages:							
Filipino	..	3	0	0	3	0	3
Indonesian	..	3	0	0	3	0	3
Tagalog	..	10	3	0	9	0	9
Other(e)	..	8	0	0	7	0	7
Total	..	20	0	0	26	0	26
Spanish	..	9	0	0	9	0	9
Tamil	..	4	0	0	4	0	4
Thai	..	3	0	0	3	0	3
Turkish	..	0	0	0	0	0	0
Vietnamese	..	0	0	0	0	0	0
Other(f)	..	32	3	0	30	0	30
Total	..	117	12	0	127	3	135
Language spoken at home not stated	..	8	0	0	7	412	415
Total		3,690	127	9	139	413	4,236

This table is based on place of usual residence.

(a) This list of languages consists of the most common Language Spoken at Home responses reported in the 2011 Census.

(b) Includes the categories 'Proficiency in English not stated' and 'Language and proficiency in English not stated'.

(c) Comprises 'Chinese, nfd', 'Hakka', 'Wu', 'Min Nan' and 'Chinese, nec'.

(d) Comprises 'Indo-Aryan, nfd', 'Gujarati', 'Konkani', 'Marathi', 'Nepali', 'Sindhi', 'Assamese', 'Dhivehi', 'Kashmiri', 'Oriya', 'Fijian Hindustani' and 'Indo-Aryan, nec'.

(e) Comprises 'Bikol', 'Bisaya', 'Cebuano', 'Ilokano', 'Ilonggo (Hiligaynon)', 'Pampangan', 'Malay', 'Tetum', 'Timorese', 'Acehnese', 'Balinese', 'Iban', 'Javanese', 'Southeast Asian Austronesian Languages, nec' and 'Southeast Asian Austronesian Languages, nfd'.

(f) Includes languages not identified individually, 'Inadequately described' and 'Non-verbal, so described'.

.. Not applicable

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G13 LANGUAGE SPOKEN AT HOME(a) BY PROFICIENCY IN SPOKEN ENGLISH/LANGUAGE BY SEX (5 of 6):
Count of persons

	Speaks English only		Speaks other language and speaks English		Total	Not stated(b)	Total
	Very well or well	Not well or not at all	Very well or well	Not well or not at all			
	PERSONS						
Speaks English only	7,377	..	..	..	..	..	7,377
Speaks other language:							
Afrikaans	..	3	0	0	3	0	3
Arabic	..	8	0	0	8	0	8
Australian Indigenous Languages	..	8	0	0	8	0	8
Chinese languages:							
Cantonese	..	18	3	3	20	0	20
Mandarin	..	5	6	6	15	0	19
Other(c)	..	0	0	0	0	0	0
Total	..	22	6	6	31	0	33
Croatian	..	0	0	0	0	0	0
Dutch	..	9	0	0	9	3	8
French	..	8	0	0	8	0	8
German	..	15	0	0	15	0	19
Greek	..	0	0	0	0	0	0
Indo-Aryan languages:							
Bengali	..	0	0	0	0	0	0
Hindi	..	0	3	3	4	0	4
Punjabi	..	3	0	0	7	0	7
Sinhalese	..	7	0	0	7	0	7
Urdu	..	0	0	0	0	0	0
Other(d)	..	3	0	0	3	0	3
Total	..	18	4	4	20	0	20

This table is based on place of usual residence.

- (a) This list of languages consists of the most common Language Spoken at Home responses reported in the 2011 Census.
(b) Includes the categories 'Proficiency in English not stated' and 'Language and proficiency in English not stated'.
(c) Comprises 'Chinese, nfd', 'Hakka', 'Wu', 'Min Nan' and 'Chinese, nec'.
(d) Comprises 'Indo-Aryan, nfd', 'Gujarati', 'Konkani', 'Marathi', 'Nepali', 'Sindhi', 'Assamese', 'Dhivehi', 'Kashmiri', 'Oriya', 'Fijian Hindustani' and 'Indo-Aryan, nec'.
(e) Comprises 'Bkol', 'Bisaya', 'Cebuano', 'Ilokano', 'Ilonggo (Hiligaynon)', 'Pampangan', 'Malay', 'Tetum', 'Timorese', 'Acehnese', 'Balinese', 'Iban', 'Javanese', 'Southeast Asian Austronesian Languages, nec' and 'Southeast Asian Austronesian Languages, nfd'.
(f) Includes languages not identified individually, 'Inadequately described' and 'Non-verbal, so described'.
.. Not applicable

Please note that there are small random adjustments made to all cell values to protect the confidentiality of data. These adjustments may cause the sum of rows or columns to differ by small amounts from table totals.

G13 LANGUAGE SPOKEN AT HOME(a) BY PROFICIENCY IN SPOKEN ENGLISH/LANGUAGE BY SEX (6 of 6):
Count of persons

	Speaks English only		Speaks other language and speaks English		Total	Not stated(b)	Total
	Very well or well	Not well or not at all	Very well or well	Not well or not at all			
	PERSONS						
Speaks other language (continued):							
Italian	..	20	0	0	20	0	20
Japanese	..	0	0	0	0	0	0
Korean	..	3	0	0	3	0	3
Macedonian	..	0	0	0	0	0	0
Maltese	..	0	0	0	0	0	0
Persian (excluding Dari)	..	0	0	0	0	0	0
Polish	..	0	0	0	0	0	0
Russian	..	0	0	0	0	0	0
Samoan	..	0	0	0	0	0	0
Serbian	..	3	0	0	3	0	3
Southeast Asian Austronesian languages:							
Filipino	..	5	0	0	5	0	5
Indonesian	..	3	0	0	3	0	3
Tagalog	..	10	4	0	11	0	11
Other(e)	..	12	0	0	15	0	15
Total	..	30	5	0	38	0	38
Spanish	..	12	0	0	8	0	8
Tamil	..	10	0	0	10	0	10
Thai	..	4	0	0	4	0	4
Turkish	..	0	0	0	0	0	0
Vietnamese	..	0	0	0	0	0	0
Other(f)	..	53	9	0	62	0	62
Total	..	234	24	0	255	7	260
Language spoken at home not stated	..	13	0	0	13	810	822
Total	7,377	248	26	275	813	8,462	

This table is based on place of usual residence.

(a) This list of languages consists of the most common Language Spoken at Home responses reported in the 2011 Census.

(b) Includes the categories 'Proficiency in English not stated' and 'Language and proficiency in English not stated'.

(c) Comprises 'Chinese, nfd', 'Hakka', 'Wu', 'Min Nan' and 'Chinese, nec'.

(d) Comprises 'Indo-Aryan, nfd', 'Gujarati', 'Konkani', 'Marathi', 'Nepali', 'Sindhi', 'Assamese', 'Dhivehi', 'Kashmiri', 'Oriya', 'Fijian Hindustani' and 'Indo-Aryan, nec'.

(e) Comprises 'Bikol', 'Bisaya', 'Cebuano', 'Ilokano', 'Ilonggo (Hiligaynon)', 'Pampangan', 'Malay', 'Tetum', 'Timorese', 'Acehnese', 'Balinese', 'Iban', 'Javanese', 'Southeast Asian Austronesian Languages, nec' and 'Southeast Asian Austronesian Languages, nfd'.

(f) Includes languages not identified individually, 'Inadequately described' and 'Non-verbal, so described'.

.. Not applicable

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AUSTRALIAN BUREAU OF STATISTICS 2016 Census of Population and Housing
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G14 RELIGIOUS AFFILIATION BY SEX

Count of persons

[List of tables](#)
Find out more:
[Religious Affiliation](#)
[Sex](#)

	Males	Females	Persons
Buddhism	12	11	19
Christianity:			
Anglican	768	861	1,626
Assyrian Apostolic	0	0	0
Baptist	15	11	23
Brethren	0	0	0
Catholic	1,095	1,138	2,239
Churches of Christ	0	0	0
Eastern Orthodox	10	9	20
Jehovah's Witnesses	11	12	21
Latter-day Saints	44	60	101
Lutheran	7	24	36
Oriental Orthodox	0	0	0
Other Protestant	9	7	17
Pentecostal	24	28	52
Presbyterian and Reformed	277	275	547
Salvation Army	4	7	12
Seventh-day Adventist	0	0	0
Uniting Church	288	344	628
Christianity, nfd	71	57	130
Other Christian	5	3	8
Total	2,630	2,837	5,464
Hinduism	15	6	23
Islam	10	6	13
Judaism	0	0	0
Other Religions:			
Australian Aboriginal Traditional Religions	3	0	3
Sikhism	3	4	4
Other Religious Groups(a)	8	13	23
Total	17	17	32
Secular Beliefs and Other Spiritual Beliefs and No Religious Affiliation:			
No Religion, so described(b)	1,051	871	1,916
Secular Beliefs(c)	13	8	21
Other Spiritual Beliefs	6	11	17
Total	1,076	888	1,964
Religious affiliation Not stated or Inadequately described	472	473	944
Total	4,224	4,236	8,462

This table is based on place of usual residence.

(a) Comprises 'Bahai', 'Chinese Religions', 'Druse', 'Japanese Religions', 'Nature Religions', 'Spiritualism' and 'Miscellaneous Religions'.

(b) In 2016 the order of the response categories changed on the Census form, no religion moved to the first response.

This may result in higher responses reported for the 'No Religion, so described' category.

(c) 'Secular Beliefs' includes 'Secular Beliefs, nfd', 'Agnosticism', 'Atheism', 'Humanism', 'Rationalism' and 'Secular Beliefs, nec'

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**G15 TYPE OF EDUCATIONAL INSTITUTION ATTENDING
(FULL/PART-TIME STUDENT STATUS BY AGE) BY SEX**

[Full/Part-time Student Status](#)
[Educational Institution: Attendee Status](#)

Count of persons attending an educational institution

	Males	Females	Persons
Preschool	75	80	153
Infants/Primary:			
Government	221	208	427
Catholic	64	81	143
Other Non Government	25	20	50
Total	313	310	619
Secondary:			
Government	148	153	304
Catholic	39	24	66
Other Non Government	23	37	58
Total	210	221	427
Technical or Further Educational Institution(a):			
Full-time student:			
Aged 15-24 years	3	4	5
Aged 25 years and over	0	7	14
Part-time student:			
Aged 15-24 years	18	11	36
Aged 25 years and over	32	32	64
Full/Part-time student status not stated	0	0	0
Total	50	63	113
University or other Tertiary Institution:			
Full-time student:			
Aged 15-24 years	10	20	34
Aged 25 years and over	9	7	14
Part-time student:			
Aged 15-24 years	3	3	11
Aged 25 years and over	6	47	53
Full/Part-time student status not stated	0	0	0
Total	25	80	108
Other type of Educational Institution:			
Full-time student	0	0	8
Part-time student	6	12	20
Full/Part-time student status not stated	0	0	3
Total	11	16	28
Type of Educational Institution not stated	453	472	925
Total	1,134	1,236	2,373

This table is based on place of usual residence.
(a) Includes TAFE colleges.

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G16 HIGHEST YEAR OF SCHOOL COMPLETED BY AGE BY SEX

Count of persons aged 15 years and over who are no longer attending primary or secondary school

	Age							Total		
	15-19 years	20-24 years	25-34 years	35-44 years	45-54 years	55-64 years	65-74 years		75-84 years	85 years and over
	MALES									
Year 12 or equivalent	38	65	160	144	114	154	132	66	22	888
Year 11 or equivalent	16	38	53	66	69	72	77	30	5	425
Year 10 or equivalent	26	40	86	129	150	199	191	68	18	916
Year 9 or equivalent	3	9	21	18	47	93	117	68	19	400
Year 8 or below	0	0	12	3	12	51	86	85	42	292
Did not go to school	0	0	0	0	0	3	3	0	0	12
Highest year of school not stated	29	29	48	39	47	73	104	58	25	442
Total	112	185	373	399	447	645	713	381	133	3,375
	FEMALES									
Year 12 or equivalent	40	91	252	234	169	171	105	66	27	1,154
Year 11 or equivalent	7	10	34	63	100	104	81	35	8	453
Year 10 or equivalent	7	24	39	79	123	223	215	94	28	838
Year 9 or equivalent	0	4	12	17	34	61	85	48	13	275
Year 8 or below	0	0	0	6	5	34	81	55	48	233
Did not go to school	0	0	0	0	0	0	3	0	0	9
Highest year of school not stated	20	19	34	45	54	74	91	63	58	459
Total	85	152	377	447	490	664	662	360	182	3,416
	PERSONS									
Year 12 or equivalent	75	153	409	380	284	327	236	132	47	2,047
Year 11 or equivalent	29	48	83	128	172	182	159	69	16	878
Year 10 or equivalent	33	67	125	211	280	421	406	165	47	1,748
Year 9 or equivalent	5	18	26	40	82	152	198	120	32	677
Year 8 or below	0	0	15	12	16	83	167	136	92	523
Did not go to school	0	0	0	4	0	3	7	3	0	25
Highest year of school not stated	49	43	81	81	101	145	194	117	81	901
Total	193	336	747	843	936	1,304	1,370	739	313	6,787

This table is based on place of usual residence.

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Find out more:
[Total Personal Income](#)
[Age](#)
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G17 TOTAL PERSONAL INCOME (WEEKLY) BY AGE BY SEX (1 of 2)

Count of persons aged 15 years and over

	Age										Total
	15-19 years	20-24 years	25-34 years	35-44 years	45-54 years	55-64 years	65-74 years	75-84 years	85 years and over		
	MALES										
Negative/Nil income	76	11	14	18	13	20	23	11	3	182	
\$1-\$149	35	5	6	4	9	13	21	3	5	103	
\$150-\$299	9	12	17	15	21	58	67	29	14	249	
\$300-\$399	11	11	17	21	24	52	143	116	34	415	
\$400-\$499	13	14	13	15	31	46	100	65	19	307	
\$500-\$649	12	24	18	26	31	40	82	43	8	304	
\$650-\$799	11	20	31	31	37	67	52	23	7	283	
\$800-\$999	7	27	56	38	46	72	38	13	7	303	
\$1,000-\$1,249	0	24	45	60	53	77	41	9	3	305	
\$1,250-\$1,499	0	4	33	35	42	43	15	3	0	183	
\$1,500-\$1,749	0	4	47	31	26	36	6	3	0	144	
\$1,750-\$1,999	0	0	12	28	23	21	3	0	0	90	
\$2,000-\$2,999	0	0	10	31	20	21	13	0	0	99	
\$3,000 or more	0	0	4	16	10	14	8	0	0	53	
Total Personal income not stated	50	24	49	42	51	72	94	56	23	461	
Total	223	185	373	399	447	645	713	381	133	3,483	

FEMALES

Negative/Nil income	66	9	19	26	22	67	17	19	11	245
\$1-\$149	55	6	10	11	22	25	16	13	12	170
\$150-\$299	17	14	41	41	43	60	75	38	16	328
\$300-\$399	11	12	18	41	45	89	160	89	24	484
\$400-\$499	3	18	37	45	44	60	139	70	40	469
\$500-\$649	9	21	55	53	51	66	76	39	20	396
\$650-\$799	4	25	43	44	41	54	41	20	3	290
\$800-\$999	0	14	42	52	55	55	19	6	4	253
\$1,000-\$1,249	0	8	26	38	33	43	17	5	3	171
\$1,250-\$1,499	0	0	28	15	18	26	0	3	0	90
\$1,500-\$1,749	0	0	15	14	17	11	4	3	0	65
\$1,750-\$1,999	0	0	0	9	18	17	0	0	0	50
\$2,000-\$2,999	0	0	6	9	8	10	9	0	3	51
\$3,000 or more	0	0	0	5	5	3	4	7	0	32
Total Personal income not stated	37	24	41	50	59	78	77	48	33	447
Total	198	155	377	447	490	664	662	360	182	3,532

This table is based on place of usual residence.

Please note that there are small random adjustments made to all cell values to protect the confidentiality of data. These adjustments may cause the sum of rows or columns to differ by small amounts from table totals.

AUSTRALIAN BUREAU OF STATISTICS 2016 Census of Population and Housing
 Berrigan (A) (LGA10650) 2065.8 sq Kms

[List of tables](#)
[Find out more:](#)
[Total Personal Income](#)
[Age](#)
[Sex](#)

G17 TOTAL PERSONAL INCOME (WEEKLY) BY AGE BY SEX (2 of 2)

Count of persons aged 15 years and over

	Age								Total	
	15-19 years	20-24 years	25-34 years	35-44 years	45-54 years	55-64 years	65-74 years	75-84 years		85 years and over
	PERSONS									
Negative/Nil income	142	14	35	39	34	87	38	28	13	429
\$1-\$149	87	11	17	18	28	39	41	15	19	271
\$150-\$299	28	29	58	51	65	114	144	64	28	584
\$300-\$399	20	21	36	53	64	137	304	200	55	895
\$400-\$499	13	29	43	65	77	106	234	139	62	771
\$500-\$649	19	42	76	84	85	108	164	83	37	696
\$650-\$799	15	51	76	73	83	121	101	45	14	571
\$800-\$999	8	37	98	91	98	122	63	19	11	561
\$1,000-\$1,249	0	31	70	95	87	113	60	19	7	477
\$1,250-\$1,499	0	4	57	53	67	72	17	9	0	272
\$1,500-\$1,749	0	5	56	47	44	45	12	4	0	208
\$1,750-\$1,999	0	0	14	34	45	34	3	3	0	139
\$2,000-\$2,999	0	0	18	43	27	31	19	4	4	150
\$3,000 or more	0	0	9	17	21	16	12	9	3	88
Personal income not stated	87	48	87	91	118	149	172	107	60	907
Total	421	331	747	843	936	1,304	1,370	739	313	7,018

This table is based on place of usual residence.

Please note that there are small random adjustments made to all cell values to protect the confidentiality of data. These adjustments may cause the sum of rows or columns to differ by small amounts from table totals.

NSW LOCAL ROADS CONGRESS

Making Our Roads Work

5 June 2017

Congress Communiqué

The NSW Roads & Transport Directorate, a partnership between Local Government NSW and the Institute of Public Works Engineering Australasia (IPWEA), in holding the 2017 NSW Local Roads Congress resolved to announce the following communiqué.

The Congress recognizes the contribution of other levels of Government in providing ongoing financial assistance for the management of local roads and infrastructure, particularly in regional areas through:

NSW Government

- Rebuilding NSW
- Regional Road Block Grant and REPAIR Programmes
- Fixing Country Roads
- Fixing Country Rail
- Fixing Country Truck Washes

Australian Government

- Bridges Renewal Programme
- Heavy Vehicle Safety and Productivity Programme
- Black Spot Programme
- Roads to Recovery Program
- Financial Assistance Grants

While the funding of the Roads to Recovery Programme has been maintained with \$4.4 billion from 2013–14 to 2020–21 for the construction, repair and upgrade of local roads; it is critical to the management of council roads there is a need for this funding to become permanent and for the quantum to be increased to support regional freight connections and to provide efficient links between areas of production and national and international ports and markets.

Local Government acknowledges the key role that these funding programs provide in assisting to address social equity, road safety and drive the economy, noting the particular importance of providing support to regional communities. These capital funding programs are vital to supporting productivity improvements by addressing the 'first mile' issues on local and regional roads, to open up access by higher productivity freight vehicles to improve transport efficiency.

The chronic under-funding of basic road resurfacing and renewal works is contributing to worsening road safety outcomes as evidenced by the increasing road toll on local and regional roads. The Congress notes with concern:

- the increasing proportion of fatal and injury crashes occurring in regional NSW, now representing 67% of fatalities
- the increasing proportion and number of fatal and injury crashes occurring on Council roads, now representing over 45% of crashes
- the high percentage of pedestrian fatalities, now representing 18% of all road related deaths in NSW

Information collected by IPWEA (NSW) indicates that very few councils have adopted a Strategic Road Safety Plan as part of their suite of strategic planning tools. This must be addressed to ensure that councils are considering the road safety implications of all the activities they undertake.

The NSW Local Government Road Safety Officers programme is a key part of addressing the road safety issue. The current three year funding program is creating uncertainty for Councils and making it difficult to retain qualified Road Safety Officers. The Congress calls on the NSW Government to make a long term commitment to the NSW Local Government Road Safety Officer programme.

The Congress fully supports Australian Local Government Association's (ALGA) call for:

- *A Local Government - Higher Productivity Investment Plan* of \$200m per year over 5 years be provided by the Federal Government to facilitate increased freight access on local roads by addressing current barriers to effective implementation of the Heavy Vehicle National Law
- *A Local Government Community Infrastructure Program* of \$300m per year over 4 years to help achieve important social and regional policy outcomes, including attraction and retention of skilled workers, preventative health, social cohesion and tolerance, stronger social capital and community resilience and better access to broad-based education, learning and employment.

The Congress fully supports The Local Government NSW (LGNSW) *Submission on the NSW Budget for 2017/18* publication in relation to road and transport infrastructure issues, principally the focus on: *"investment in local infrastructure - roads in particular – as the logical, crucial "last mile" of its infrastructure strategy and a key part of the NSW Government's urban and regional planning agenda, driven by population growth, demand for housing and the need for liveable communities"*.

The Congress notes the significant impact the skills shortage in professional personnel is having on delivering outcomes for the community and calls on the Australian and NSW Governments to work with Local Government to build the capacity of existing professional personnel and support an increased number of cadetships across the Local Government sector.

To further the outcomes of this Congress, the Congress calls on Governments to take the following measures:

NSW Local Government

The Congress calls on all Councils in NSW to:

1. progress the Congress Communiqué by all Councils writing to the relevant Ministers and their local NSW and Australian Government MPs seeking their support for the Congress outcomes
2. continue to improve asset management performance including working with the Office of Local Government to provide transparency and consistency of infrastructure measures within the Integrated Planning & Reporting framework
3. pro-actively address the skills shortage issue by incorporating measures within each Council's Workforce Strategy to:
 - a. build capacity within the Local Government sector by supporting ongoing training and knowledge sharing, including within regional groups and peak professional bodies
 - b. implement a cadetship program with appropriate experiential development and mentoring programs to develop the skills needed to deliver services to our communities in the short and long term
4. actively support the pursuit of innovation and use of improved techniques to better meet community needs.
5. implement Road Safety Auditor training of existing staff available through the partnership with IPWEA NSW and Transport for NSW to develop the specialist skills within all Councils
6. develop strategic road safety plans by no later than 30 June, 2019
7. support long term asset management of local roads by extending membership of Weight of Loads Groups to include a greater number of councils across NSW

NSW Government

The Congress calls on the NSW Government to:

1. work with the LG sector to develop improved infrastructure reporting including 10 year forward infrastructure schedules based on condition, functionality and capacity requirements needed to service the community, now and in longer term
2. develop a sustainable infrastructure funding framework and model utilizing the Integrated Planning and Reporting Framework as the basis gathering an aggregated funding picture for NSW Councils
3. work with the Australian Government to redistribute additional Federal Assistance Grants within NSW to regional to address social equity and reduce the infrastructure renewal funding gap. Any reduction in funding for metropolitan councils to be offset by a one off approval to increase rates above the approved rate cap
4. develop a more meaningful rating system for Councils as an incentive to meeting population density targets, and ensuring Councils are financially sustainable, including consideration of rating vertically to recognize the demands placed upon Councils from high density development
5. continue to provide resources to Local Government for the management and upgrade of transport infrastructure, particularly to address the declining condition of bridges, open up opportunities for higher productivity vehicles
6. implement a new Active Walking Programme to supplement the existing Active Transport Programme, to address the deficiency in footpaths and pedestrian facilities
7. implement a programme through the Department of Planning to develop strategies to determine and mitigate the cumulative impact of State Significant Development, e.g. mining, on communities and transport infrastructure beyond the immediate development area
8. undertake meaningful engagement with Local Government across the regions including to develop the NSW Transport Plan, Regional Transport Plans (inclusive of Freight Plans and identified intermodal options), NSW Freight and Ports Strategy and NSW Road Safety Plan
9. ensure all transport and freight plans refocus on the proposed solutions to provide an integrated network of rail, road transport, intermodals and address the need to overcome institutional impediments to access to rail
10. increase the Regional Roads Block Grant funding to address the \$89 million per year funding gap on Regional Roads
11. commit to ongoing council involvement in existing RMCC arrangements on the state road network
12. support for councils to work with local businesses and communities to implement local and regional Climate Change Plans - particularly in relation to infrastructure.
13. re-assess all environmental legislation to provide clarity and allow road safety to be addressed within road reserves in an efficient and cost effective manner within Local and Regional Road reserves
14. Consider broader landscape solutions, including the current sale of Crown road reserves and the proposed biodiversity funding programs, to address sustainability of fauna and flora, outside of the road corridors.
15. Support councils financially in developing and implementing strategic road safety plans as part of the implementation of the NSW Road Safety Plan 2021
16. Increase financial support for Weight of Loads groups for better road asset management and road safety.
17. to improve reporting and sharing of data with Local Government for emergency situations (road closures etc.)
18. Actively support, and commit to working collaboratively with, the Regional Infrastructure Coordinator, particularly in improving the delivery of road infrastructure across NSW.

NSW & Australian Governments

The Congress calls on the NSW and Australian Governments to:

1. Work with Councils to develop improved integrated regional transport plans
2. Continue the funding to Local Government under grant programmes such as *Fixing Country Roads* and the *Bridges Renewal Programme*
3. Build upon the Fixing Country Rail Programme to target the reduction of freight loads on local and regional roads, including resolving institutional impediments for access to existing rail
4. Provide transport linkages, both rail and road, to the future inland rail line to ensure the best productivity outcomes for NSW and Australia.
5. ALGA work with COAG, informed by IPWEA, and other State LG peak bodies and, to develop a new National Infrastructure Partnership for the three tiers of Government for smarter long term investment planning in transport and community infrastructure.
6. Review the National Disaster relief payments scheme to
 - Establish turnaround times by Government for approvals of works to mitigate the risk of managing damaged road networks
 - Allow Councils to determine the most efficient and effective method of delivery of works, either by day labour or contract
 - Allow Local Government to utilize the funding for betterment of affected assets, to reduce future potential damage, risk and inconvenience to our communities

Australian Government

The Congress calls on the Australian Government to:

1. Work with the NSW Government to review the distribution of Federal Assistance Grants in NSW, having regard to social equity for regional communities with lower populations
2. progressively increase funding to Local Government tied to a percentage of the GST equivalent to 1% of National GDP
3. permanent doubling of Roads to Recovery (to at least \$700 million per annum) from 2019-20
4. reinstate the funding gap created by the FAG indexation freeze and to fund the gap into the future
5. require ARTC to identify, consider and address community infrastructure impacts resulting from increased use of rail freight, as part of their future "Capacity Strategy Plans."

Australian Local Government Association

The NSW Congress seeks the support of ALGA to deliver the NSW Roads Congress outcomes.

Further enquiries:

Warren Sharpe OAM, President IPWEA (NSW) - 0409 398 358

Garry Hemsworth, Director IPWEA (NSW) – 0427 432 216

Mick Savage, Manager Roads & Transport Directorate - 0418 808 085

**MINUTES OF LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING
HELD ON 2 JUNE 2017 IN THE BERRIGAN SHIRE COUNCIL CHAMBERS,
56 CHANTER STREET, BERRIGAN COMMENCING AT 10AM**

Appendix "I"

Meeting was chaired by – Fred Exton LEMO – Berrigan Shire

Present

Jinette Graham	NSW SES Berrigan D/Controller
Bruce Purves	NSW Ambulance
Steve Hoare	Local Land Services (Deni)
Josephine Cusack	D/Team Leader (Red Cross)
Sup. Paul Condon	NSW Police (Deniliquin)
Des Bradley	Team Leader (Red Cross)
Myles Humphries	D/LEMO (Berrigan Shire Council)
Scott Fullerton	REMO (NSW Police)
Daryl Manson	NSW Fire and Rescue
Greydn Davis	NSW RFS
Craig Warwick	NSW RFS
Patrick Westwood	NSW RFS

Invitees

1. Apologies

Craig McIntyre	NSW SES D/RegCon-MYR
Kris Weiss	Tocumwal Search and Rescue Squad President
Justin Greatorex	NSW SES Berrigan Local Controller
Tina Hooper	NSW Ambulance
Sgt Paul Jones	LEOCON - NSW Police (Tocumwal)
Marg Wehner	RFS-Southern Border-(Retired)

Moved: Jinette Graham
Seconded: Craig Warwick

2. CONFIRMATION OF MINUTES of last meeting held on 3 March 2017

Moved: Steve Hoare
Seconded: Greydon Davis

2. BUSINESS ARISING FROM THE MINUTES

- **Progress of DRAFT EM Plan (LEMO)** – Referred to General Business.
- **Levee Upgrade Grant** - The Chair (Fred Exton) advised that a grant had been received to strengthen and raise the existing town levee at Tocumwal between the Tourist Centre and the Newell Highway road bridge. These works are now complete

3. AGENCY REPORTS

- **SES** – (JG) Storm Callouts – Nil, Flood Callouts – Nil, General Land Rescue Callouts -4 (2 Called off), Tocumwal SES still assisting Cobram SES with members, callouts and training.
- **Fire and Rescue** – (DM) Total Callouts Shire Wide – 73, including . Community First Responder (CFR) callouts –, Tocumwal and Finley quiet.
- **Ambulance-** (BP) Staff changes at Berrigan and Finley.
- **Rural Fire Service-** (CW) 62 incidents comprising 361 man-hours. Insp. Marg Wehner is on LSL until March 2018, then retiring from the service. New grasslands tanker to be deployed to Berrigan. Village Firefighter and Advanced Firefighter training continuing.
- **Police** – (PC) REOCON MR Warboys has been appointed as Deputy Commissioner (Regional). Interviews underway for replacement REOCON. Police service is undergoing a state-wide restructure of Local Area Commands.
- **VRA** – Non-Operational and liaising with Council for disposal of excess plant
- **Red Cross** – (DB)

A number of conference were held since the last LEMC including: Zone 29 Conference at Finley, World Red Cross meeting/forum at Albury, Greater Western Region Team Forum at Wagga, Administrative team meeting at Berrigan.

Disaster Welfare Service and Police have adopted a new Disaster Victims Registration (DVR) form that will require some bedding in over the next 12 months.

- **Berrigan Shire Council** –

The chair expressed some frustration with the street renaming project that Council undertook some 2 years ago. There are still gaps in maps and addressing still being used to guide emergency service personnel. In particular a reliance on “Google Maps” is less than satisfactory as this database has no integrity and can be edited by the general public. It was noted that SES rely on Google Maps for task locations (TBC).

The chair and the REMO agreed that “SIX MAPS” employed by the NSW government is the only reliable source of street addressing.

MOTION:

That Council (LEMO) write to Emergency Response Agencies Regional H/Q and confirm that current street mapping system include the updated changes to street addressing in the Shire (attached)

Moved: Scott Fullerton

Seconded: Greydon Davis

- **REMO –**

1. REOCON Mr Warboys has been appointed to the newly created position of Deputy Commissioner – Regional
2. EM NSW have requested that all EMPLANS be completed by July 2017, The REMO asked that a copy be submitted for adoption at the next meeting in October 2017.
3. The NSW State Rescue Board is implementing reforms to Rescue Accreditation in remote areas and in particular a new category called Road Crash Rescue (RCR) with acceptable response times being reduced from 90m to 60m.
4. Scheduled Training Course Dates for the Riverina Murray Emergency Management Region:

TRAINING

- 15th Aug – Intro to EM – Temora SES
- 16th Aug – EOCC – Temora SES
- 13th Sept – Intro to EM – Corowa
- 14th Sept – EOCC – Corowa
- 28/29 Nov. – Evacuation Management - Narrandera

Note: nominations for courses can be accessed on the web at:
www.emergency.nsw.gov.au.

5. Emergency Operations: Nil
6. Exercises: The Riverina Murray Regional Rescue Committee held a remote area marine exercise on the 21st May. There were approx. 85 participants and outcomes will be tabled at the next REMC meeting at Griffith.
7. Next Meeting Riverina Murray REMC: 11:00 hrs Wed 26 July 2017 Griffith FCC/EOC, Wakenden St.

- **Local Lands Services (LLS)- (SH)-**

LLS (Murray) will hold an emergency animal disease exercise on 29th June at Finley Saleyards. The aim is to test the response to a livestock standstill using the Livestock saleyard standstill plan for Finley Saleyards. The exercise will begin at 9.30am and conclude at approximately 3:30pm.

4. CORRESPONDENCE

Inwards

- As per Agenda

Outwards

- Nil

5. EVENTS

- Finley B&S Ball -20th May – Police have flagged proposed changes to licence conditions for any future event.

6. UPDATE OF EMERGENCY CONTACT DETAILS –

The contact list was circulated and amended by members.

7. GENERAL BUSINESS

1. The adopted draft EM plan was displayed and the committee agreed that Council's recreation reserves can serve as primary evacuation centres in all four towns within the shire. Consequence management guides (CMG) were discussed and the REMO will supply guides for major bridge collapse and major road crash incidents on state highways within the shire.

2. Retirement of Inspector Marg Wehner – The committee agreed that a letter of appreciation be prepared and sent to reflect this members input into the LEMC over a number of years.

MOTION:

That the LEMO write to Inspector Wehner to express the committee's gratitude for her valued input into LEMC matters over the past 7 years.

Moved: Paul Condon

Seconded: Greyd'n Davis

8. NEXT MEETING – 6th October 2017, 10am, Berrigan Shire Council Chambers, incorporating the Rescue Sub Committee.

There being no further business the LEMC meeting closed at 11:35am.

9. Rescue Sub Committee Meeting.

Members of this Sub- Committee met immediately after the LEMC meeting. Discussion centred around the time taken to accurately locate the site of a semi-trailer rollover on the Riverina Highway between Berrigan and Savernake. The D/LEMO undertook to compile draft minutes of this meeting and circulate to the LEOCON for approval. The minutes concluded at 11:45am.