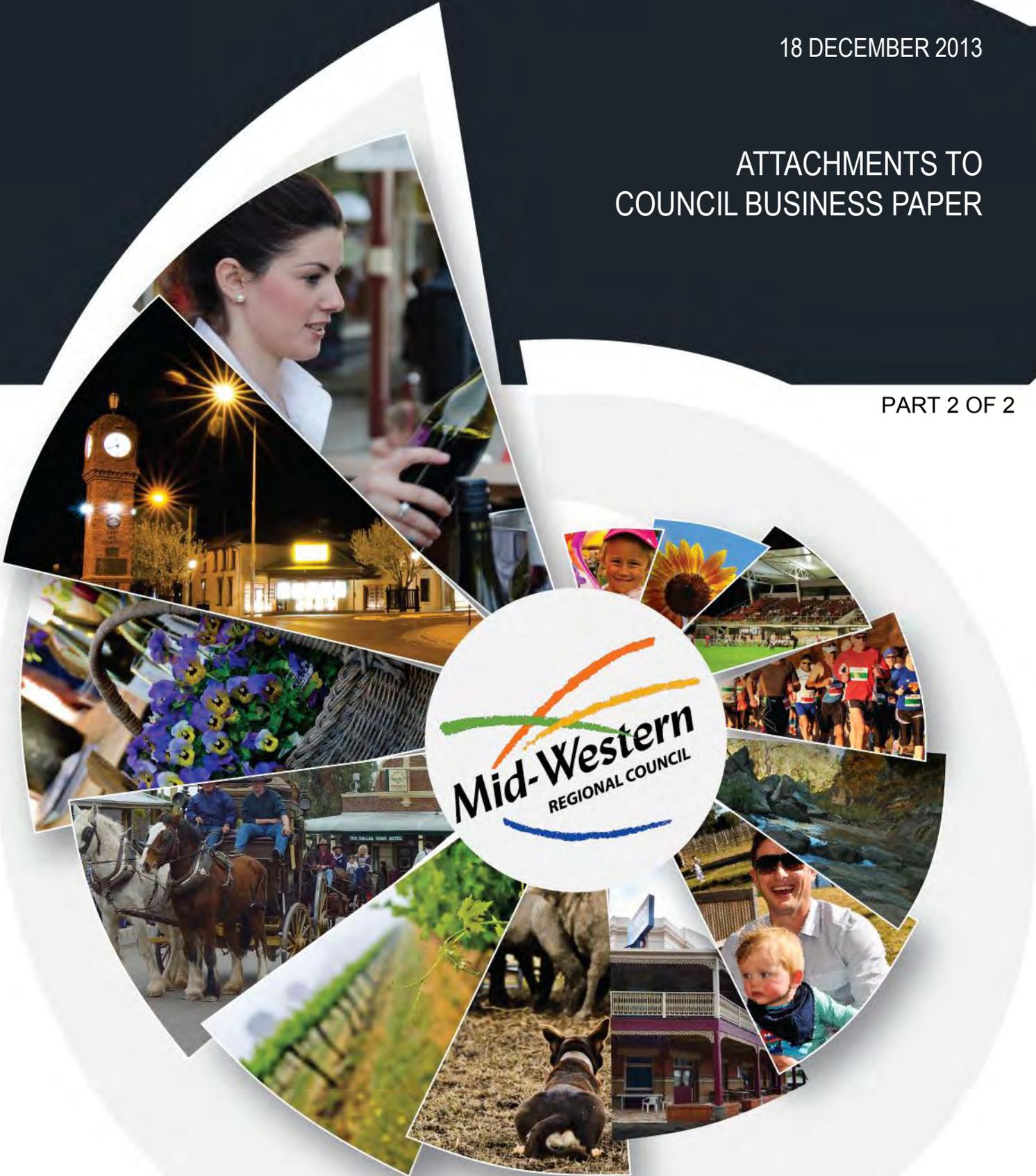




18 DECEMBER 2013

ATTACHMENTS TO  
COUNCIL BUSINESS PAPER

PART 2 OF 2





## Extracts for the Preferred Project Report Crudine Ridge Wind Farm Response to Mid-Western Council Submissions

**3.2.1** Crudine Ridge Wind Farm Pty Ltd is a \$10.00 company with one shareholder being Asia  
*MWRC* Pacific Renewables Limited, registered in Malta holding 1,000 shares paid up to the value of 1 cent each.

**Response:** Crudine Ridge Wind Farm Pty Limited is an Australian company registered in Victoria in April 2010. Its registered office is in Adelaide, South Australia.

Crudine Ridge Wind Farm Pty Limited continues to be ultimately owned by the Wind Prospect Group and Continental Wind Partners, although there have been changes to the shareholding due to internal group re-structures in 2012-3. Such changes are an ordinary part of all businesses, particularly those involving large group structures and development companies.

The comments regarding the ownership and share value of CRWF are misleading and, in any event, are not relevant to the Environmental Assessment (Project EA).

**3.4.1** The company is strongly reliant on Federal Government forced consumer subsidies  
*MWRC* pursuant to Renewable Energy Target legislation. That could net the Crudine Ridge Wind Farm up to \$500,000 per tower per annum. If that subsidy was ever reduced by change in Federal Government policy which is always a strong possibility then the continued reality of the wind farm operation would be questionable. The applicant suggests that the Crudine Ridge Wind Farm is consistent with Council's stated environmental social and economic objectives and will assist in attaining these objectives. This is disputed. The consistency of the project with Council's objectives cannot and should not be asserted unless the project is consistent with the DCP as the DCP has been specifically formulated in accordance with Council's and the community's objectives.

**Response:** Historically, new and emerging technologies have required investment in order to develop greater efficiencies and become competitive in their markets. In electricity generation, industries such as coal, natural gas and oil all benefited from significant state investment during development to become the large industries they are today.

Despite the maturity of those industries and technologies, governments worldwide

continue to spend billions of dollars each year subsidising fossil fuels. In 2008, this figure was \$557 billion, compared to \$46 billion to renewable energy and biofuel in 2010.

The price distortion created by these subsidies, as well as other indirect subsidies, means that the true cost of fossil fuel electricity production is not reflected in the market price.

In Australia, support for renewable energy sources and technology comes solely through the Renewable Energy Target and Renewable Energy Certificates. The Renewable Energy Target sets a goal for the contribution of renewable energy to national energy consumption, which requires electricity retailers to purchase Renewable Energy Certificates from producers of renewable energy, including solar power and wind farms.

The cost of these Renewable Energy Certificates is passed on by the electricity retailers to consumers according to their energy use. This follows the “polluter pays” principle – the more energy you use, the more you pay. Renewable Energy Certificates are issued only for actual production – so there is every incentive for producers to ensure maximum production and efficiency.

The Renewable Energy Target legislation, which creates Renewable Energy Certificates, had bipartisan support for its passage through parliament in 2001, with amendments setting the current target in 2009. Both major political parties have indicated their ongoing support for the Renewable Energy Target.

The merits or otherwise of this or any other policy or legislation are matters for political debate and action. The Proponent and DoPI are both bound to consider and act in accordance with the legal and policy framework which currently exists for renewable energy and the wind farm industry. Further discussion on this point is not relevant to the Project EA.

Please see response to Comment 3.5.1 for matters relating to the MWRC DCP 2013.

3.5.1 MWRC	The applicant has failed to disclose the Mid-Western Development Control Plan for the purposes of the EA. The applicant has failed to consider its provisions and has failed to consider the consistency of the CRWF with the DCP. The failure to consider and disclose the DCP has occurred notwithstanding the applicant’s knowledge of the local planning instrument.
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Response: Mid-Western Regional Council (MWRC) formed a development control plan (DCP) in February 2013 to define development standards that deliver desired outcomes for the Council and community. *Section 6.3: Wind Farms* of the DCP sets out guidelines for the development of large scale wind farms in the MWRC LGA.

As the draft form of the MWRC DCP was released at the same time the Project EA was being finalised for Exhibition, it was DoPI’s view that there was insufficient time to comprehensively consider the draft document.

As such, and now the DCP has been finalised, the Project EA has now been considered against the guidelines set out in the MWRC DCP. Table 4 below outlines guidelines taken

from Section 6.3 of the DCP and identifies where in the Project EA those issues have been addressed.

**Table 4** Outline of the MWRC DCP 2013, and where guidelines are addressed within the Project EA

MWRC DCP 2013	Chapter of the Project EA
Location context	Chapter 3 and 4
Site plan	Chapter 3 and Figure 3.1
Description of the wind turbines	Chapter 3
Land use description	Chapter 3 and 4
Noise impact assessment	Chapter 9
Visual impact assessment	Chapter 8
Electromagnetic radiation assessment	Chapter 15
Construction program and Environmental Management Plan	Chapter 18 and 20
Impact of construction vehicles	Chapter 12
Flora and fauna impacts	Chapter 10
Decommissioning and site restoration	Chapter 18
Addressing agency issues	Chapter 6 and 18
Cultural heritage	Chapter 11
Soil disturbance and impacts on hydrology	Chapter 17 and 18
Consistency with legislation and policy	Chapter 5
Consultation during design process	Chapter 6
Impacts on farming and forestry	Chapter 3, 4 and 10
Impact on adjoining land	Chapters 8, 9, 16, 18 and 19
Cumulative Impacts	Relevant chapters
Wind Turbine setback from residences, roads and property boundaries	Chapter 4, 6 and Chapter 18
Tree screening	Chapter 8
Shadow flicker at existing residences	Chapter 8
Communication Impacts	Chapter 14
Route for construction vehicles	Chapter 12
Impact assessment of transportation route	Chapter 12
Road upgrades and maintenance	Chapter 12
Site facilities	Chapter 3
Description of the grid connection arrangement	Chapter 3

The Project has been designed and assessed in accordance with the DGRs for the Project (Project EA, Section 5.2.3). The DGRs require the EA to address the suitability of the Project with respect to potential land use conflicts and future surrounding land use, taking into account local and strategic land use objectives. The Proponent has given due regard to MWRC DCP 2013 where relevant, however the DCP and the DGRs conflict in certain regards. In particular:

- MWRC DCP 2013 seeks that wind turbines shall not be located within 5 km of any residence not associated with the Project or from any lot upon which a residence may be constructed. The 5 km setback in MWRC DCP 2013 proposes utilising a precautionary principle in addressing perceived visual, noise and health concerns. The Draft Guidelines require assessment of noise, visual and health impacts for residences within 2 km of proposed wind turbines and the proponent to consider seeking

agreement with neighbours within that zone. The DGRs, issued in 2011, require assessment of noise and visual impacts, as well as risks associated with the Project both within and outside a 2 km zone. Noise, visual and health assessments have therefore considered involved and non-involved residences within and outside the 2 km zone; and

- MWRC DCP 2013 seeks that wind turbines be setback 2 km from non-involved property boundaries. The Project EA considered a range of risk and safety issues regarding setbacks in Chapter 18.

**3.6.2** During the exhibition, Council requested hard copies from the proponent who refused to supply these copies.  
*MWRC*

**Response:** It is the role of the DoPI to determine the number of hard and electronic copies of the Project EA required, and to request these of the Proponent. For this Project, the copies requested by the DoPI were provided. It is not the role of the Proponent to determine the Project EA requirements for the Exhibition period.

Despite this, where an additional copy was requested by DoPI for MWRC to replace a missing copy, this was provided immediately. Further, as a result of consultation with the community, including through the Community Consultative Committee, an additional hard copy was printed. This copy was placed in Pyramul Hall, Pyramul for use by local community members who had expressed difficulty in attending Mudgee, Rylstone, Kandos or Bathurst where hard copies were already located.

**3.9.12** Council is concerned regarding the potential impacts of noise on existing and future residents. It is considered that development of this nature fails to take into account the extremely low current background noise levels, inadequacy of modelling to take into account topographical effects and the low tolerance level of rural residents.  
*MWRC*

For the reasons expressed above, Council is concerned that the noise assessment does not fulfil the Director-General's Requirements for the project to properly assess noise impact.

**Response:** The DGRs require operational noise to be assessed against the *South Australian Environmental Noise Wind Farm Guidelines 2003* (the SA Guidelines). The criteria of the SA Guidelines are established to ensure any audible wind farm noise is low enough in level such that it does not adversely impact on the health or amenity of the community (as discussed in Appendix 2). The SA Guidelines are considered to provide some of the most onerous criteria for wind farms in the World.

Notwithstanding this, the assessment goes beyond the requirements of the SA Guidelines and conducts a specific and more onerous analysis for both the daytime and night-time periods in accordance with the Draft Guidelines.

The SA Guidelines establish a base noise level of 35 dB(A). The base noise level generally applies during low wind speed and background noise conditions. The base noise level is significantly more onerous than the criterion established by the World Health Organisation (WHO) *Guidelines for Community Noise* (the WHO Guidelines) of 45 dB(A) to protect against the potential onset of sleep disturbance. The WHO Guidelines criterion is based on bedroom windows being open.

Noise predictions were conducted using the propagation model ISO 9613-2:1996 "Acoustics – Attenuation of sound during propagation outdoors" (ISO 9613) in the SoundPlan noise modelling software. This noise propagation model accounts for the influence of topography and is widely accepted as an appropriate model for the assessment of wind farms when appropriate inputs are used.

Results from the background noise measurements that were conducted for the Project EA are available in the Noise Assessment (Project EA, Appendix 10) and results from subsequent background noise measurements are available in Appendix 1 of this report.

3.9.13 MWRC	Conditions of approval should also specify that, for the purposes of complaints, the applicant should be required to make available to residents who are impacted all necessary wind and noise data to enable independent noise assessments to be undertaken if desired.
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Response: There are commercial sensitivities regarding the release of raw data which can be used to predict wind farm performance. The Proponent will adhere to the relevant legislation of the day regarding the public release of this data but should not be given an unprecedented condition of approval that puts it at a disadvantage to its competitors.

3.10.9 MWRC	Council raises concerns about the location of environmental offsets as this has impacts on a rate basis. In this regard the project requires an offset of between 206-460ha to meet the OEH Interim Offset Policy. There are potentially five (5) properties that are for sale that meet the criteria and three (3) properties have been identified whose owners are interested in entering into 'perpetuity conservation covenant'. Of these eight (8) possible properties only two of the smaller properties are located within the Mid-Western area.
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It is recommended that following project approval and prior to construction the Proponent will purchase one or more of the properties and/or enter into legally binding 'in perpetuity conservation covenant' with the relevant land owner to meet the required level of offsets. The offsets will then either be transferred to the NSW Minister for the Environment as an addition to the public reserve network or will have

the covenant registered on the title.

Response: Noted. Please see response to Comment 3.10.4.

**3.10.10**  
*MWRC* The issue of offsets and loss of rate due to the offset land becoming non-rateable because it becomes part of the public reserve network or has a conservation covenant attached has recently been raised with the Minister and Director General of Planning. In this particular case, the issue is that most of the impacts, not only at the construction phase but also for the ongoing operation of the wind farm, will be in our LGA because 75% of the project is located in our area. This combined with the possible impacts on vegetation and biodiversity from any road upgrades to accommodate the level of traffic and transport (described above) means that Mid-Western will shoulder most of the burden in respect to neighbouring LGAs. Should the State Government amend the way offsets for large developments are rated, to recognise that these areas are required for the development to operate and therefore should be able to be rated as 'Business', then Mid-Western will be carrying a disproportionate share of the costs and impacts of the development while neighbouring LGAs may stand to gain through being able to levee a higher rate on the offset areas.

Response: The Proponent is undertaking activities to fulfil offset requirements as detailed by State and Federal guidelines. Comment 3.10.10 is beyond the scope for the Proponent to comment on. The Proponent will continue to engage with OEH, SEWPaC and local Councils through the development of the Project on a range of subjects, including offsets.

**3.12.19**  
*MWRC* The EA states that one of the preferred routes to the Crudine Ridge Wind Farm site is by the Golden Highway to Mudgee via the Castlereagh Highway including through Gulgong and then onto the site via Hill End Road, Windeyer Road and Pyramul Road. Additional to this route the proponents also require access to their substation up on Bombandi and Crudine Roads. The Bombandi Road is no more than a farm track and will require substantial upgrade. Crudine Road is generally wide enough but the traffic lanes will require to be upgraded and drainage installed.

Response: Upgrade requirements along Bombandi Road, and the then proposed transport routes were acknowledged in the Project EA. Similarly, Section 6 PPR and Appendices 3 and 4 acknowledge and detail upgrade requirements for the preferred transport routes for the Project.

**3.12.20**  
*MWRC* The proponents will cart components through Gulgong township. The current road through the Gulgong township is not designed for the type of loads proposed by the Crudine Ridge Wind Farm EA. Council will require \$500,000 to upgrade this road for a distance of 2 kms in Gulgong township to acceptable safety standards.

Response: Heavy vehicles currently utilise routes through Gulgong. Further, the route described was assessed for over-dimensional vehicle transport by Downer Infrastructure (see Appendix 4). Based on Downer Infrastructure's engineering experience with wind turbine component haulage, only minor works were recommended at one right hand turn (Medley Road / Castlereagh Hwy corner) (Appendix 4 pg. 26), and no other road upgrades

are required with respect to the type of loads proposed. As such, a lump sum of \$500,000 was considered beyond what is reasonably required to upgrade the corner.

Further to this assessment, in response to a request by MWRC use of this intersection has now been discounted. A route variation proposed by MWRC has now been assessed and is preferred (see Section 6.4.3).

**3.12.21** *MWRC* The Golden Highway is outside of this Council's jurisdiction and thus no comment is made. The Castlereagh Highway from the intersection of the Golden Highway is predominantly in the Mid-Western Regional Council area, and is a State Highway. Other than the portion of the Castlereagh Highway through Gulgong the road is considered adequate to cope with the heavy and wide loads stated in the EA. In stating that the road is adequate Council does make the comment that the road is non-conforming to Austroads standards in many areas.

Response: Noted.

**3.12.22** *MWRC* The EA (Section 4.1 in Appendix 14) sets out the significant numbers of "over-size" (width and/or length) and the "over-mass" or both for loads to the site for the components. These vehicles can only travel on roads with RMS and Council operating permits. The loads will be up to 70 tonnes in weight and 63 metres in length.

Response: Noted. Please see response to Comment 3.12.9.

**3.12.23** *MWRC* In addition to these over-size and over-mass loads, there will also be considerable traffic movements, within legal weight limits, of trucks carrying construction material to site. For example, some days there will be 84 truck movements per day to cart pre-mix product for towers.

Response: The additional traffic generation of standard heavy vehicles and light vehicles is acknowledged. It should be noted that the figure of 84 vpd used in the Project EA was the peak construction period estimate – a period of approximately four months of construction. For the majority of the construction period (14 months out of 18 month construction period) the daily traffic generation would be significantly less (less than a quarter of the peak four months). Construction traffic, including the standard heavy trucks and light vehicles, will be managed under the relevant CEMP sub-plan, which will be prepared through consultation with RMS and local Councils.

Please see Section 6 and Appendix 3 for further discussion regarding standard heavy vehicle movements and preferred transport routes.

**3.12.24** *MWRC* Additional to this, up to 100 construction workers will be on-site daily for certain periods travelling to the site daily in presumably light vehicles.

Response: Additional light vehicle generation associated with the construction phase of the Project is acknowledged. Note that the figure quoted is the estimation of the peak construction period - a period of approximately four months. It is estimated that for the majority of the construction period, up to approximately 50 construction staff will be accessing the Project site. Further, the addition of light vehicles during the operational

phase of the Project was assessed as negligible (Appendix 3).

**3.12.25** The component vehicles will travel the Golden and Castlereagh Highways but all traffic will use the Hill End, Windeyer and Pyramul Roads. The Hill End Road currently has traffic volumes of 381 vehicles per day (5.7% heavy). The Windeyer Roads has 389 vpd (7% heavy) and Pyramul Road 89 vpd (6.9% heavy). The Austroad standard for this expected traffic volume – that is local traffic and the expected construction traffic – will require this road to be upgraded to the following:

*MWRC*

	Hill End / Windeyer Roads (m)	Pyramul Road (m)
Traffic Lanes	2 x 3.5	2 x 3.1
Shoulder (sealed)	2 x 0.5	2 x 0.5
Shoulder (unsealed)	2 x 1.0	2 x 1
Total Carriageway	10.0	9.2

Response: Upgrades to roads where required have been acknowledged and identified within the Traffic and Transport Report (Appendix 14, Project EA). Likely upgrades required for the preferred transport routes are discussed in Section 6 PPR and detailed in Appendix 4.

However, the upgrades proposed by MWRC above are considered to be beyond what would be reasonably required and are based on incorrect Austroad Standards. The correct Austroad standards for these roads (based on traffic volumes) are listed in Table 7 below. Irrespective of this, these standards refer to permanent upgrades, despite the construction period for the Project being an 18 month period only. Upgrading roads to permanent Austroad standards is inappropriate and excessive in light of the impacts proposed and assessed when other upgrade options are available in conjunction with suitable traffic management.

Table 7 Relevant Austroad Standards for the relevant roads

	Hill End Road (m)	Windeyer Road (m)	Pyramul Road (m)
Traffic Lanes	2 x 3.1	2 x 3.1	1 x 3.5
Shoulder (sealed)	0.5	0.5	0.5
Shoulder (unsealed)	1.5	1.5	2.0
Total Carriageway	7.7	7.7	5.5

**3.12.26** Attached to this submission is a detailed analysis of the road with the upgrades required at various points. This analysis gives a summary of upgrading works required plus costs. It must be noted by the Department of Planning as the determining authority that it is normal for Council to request this level of upgrade (and costs) for state significant developments to be contributed by the proponent. The Department of Planning has imposed the Ulan Road Strategy on the coal mines in the Ulan area, the Cobbora coal mine (and State Government) is currently in discussion with Council for

*MWRC*

major infrastructure upgrade and most other developments in the region have accepted their responsibility to upgrade infrastructure. The Crudine Ridge Wind Farm need to be brought into line with all other developments in our region and accept the responsibility of user pays.

The attachments includes photographs which clearly shows the roads, nothing more than a country lane in parts. The road is narrow and well below acceptable standards for almost the total 53 km to cater for the type of traffic being proposed by the proponent.

**Response:** The Proponent notes MWRC's concern regarding the use of the Hill End / Windeyer and Pyramul Road route for standard heavy and over-dimensional vehicles. The MWRC submission also identifies Aarons Pass Road as an alternative route option for construction traffic. In recognising this, the Proponent has undertaken assessments of the Castlereagh Highway / Aarons Pass Road route, and is proposing this as the preferred over-dimensional route for the construction period. See Section 6 PPR and Volume 1 for full details of the assessments undertaken.

The upgrades recommended by MWRC, however, are considered to be beyond what is reasonably required and inappropriate for the amount of traffic generated by the Project, and the length of the construction period. Upgrades required along Aarons Pass Road have been identified and include widening at certain corners, general road widening to 6 m where required and gravel paving of the road. Sealing and widening to 9.5 m is not considered necessary to accommodate Project related traffic, including over-dimensional traffic, given the temporary nature of the impacts (Appendices 3 and 4). Moreover, widening the road to 9.5 m would have considerable impact on the roadside vegetation corridor along the road. MWRC itself has identified the significance of these remnant communities. The Proponent has considered this ecological value and has sought to minimise, to the greatest extent possible, potential vegetation clearance and general impacts on the roadside vegetation.

**3.12.27 MWRC** The roads with the increased volume from the construction traffic will become a significant safety issue if not upgraded. It is simply not reasonable to allow this volume of over-size, over-mass and construction vehicles onto these roads without substantial upgrades.

**Response:** The Proponent is committed to maintaining safety during all phases of the Project via actions and commitments within the relevant CEMP sub-plan to be prepared and actioned in conjunction with local Councils and RMS. Where upgrades to proposed transport routes have been identified to safely accommodate Project related traffic, these have been acknowledged and committed to. Upgrades to Aarons Pass Road and other road sections as identified and proposed are detailed in Appendices 3 and 4. Again, construction traffic impacts need to be considered in light of the assessment of both the average construction period (approximately 14 out of 18 months) and the peak construction period (approximately four out of 18 months).

**3.12.28** The proponent will argue that the high value of traffic is only for a short period of time  
*MWRC* somewhere around 18 months to 2 years. In this Council's opinion that is irrelevant as the traffic over-sized and over-weight and including a greater number, will travel this road causing extreme safety dangers to other users. It is unacceptable if this road is not upgraded to the Austroad Standards as required by all other users.

**Response:** Road upgrades to Austroad Standards are not required for the construction of wind farms. Unlike other major projects, such as mines, the bulk of road impacts associated with wind farms occur during construction. An 18 month period is proposed for construction of the Project, after which any damage resulting from construction traffic will be repaired at the Proponent's cost (see Statement of Commitment 024). Gravel roads such as Aarons Pass Road (once upgraded as proposed) have successfully been used to build a number of wind farms previously constructed by experienced engineering companies such as Downer Infrastructure (Appendix 4).

**3.12.29** The proponents require rolling stoppages whilst transporting the components. On many  
*MWRC* parts of the roads there will be no areas for local traffic to get off the road to allow these vehicles to pass.

**Response:** Construction traffic is temporary, considered to be 18 months (average Project traffic volumes), of which approximately four months would be peak Project traffic volumes. All traffic movements would be strictly controlled through implementation of CEMP sub-plans, VMPs, driver code of conduct, the RMS over-size permit system and other necessary permits and licences. Rolling stops, just one proposed mitigation measure, would be controlled by the RMS permit system, using experienced transport operators with upstream warning vehicles, passing bays and other measures where required.

However, concerns about the ability for local traffic to pull off the roads along the originally proposed route, including Hill End / Windeyer / Pyramul Roads, is acknowledged. Route assessments undertaken in response to feedback identified significant sections of narrow carriageways, which, if utilised by Project traffic, would severely restrict use by local traffic. In contrast, assessment of Aarons Pass Road identified a number of locations that would be suitable for passing bays with only minor upgrades (Appendix 4).

**3.12.30** The preferred route for transportation of the components includes travelling through  
*MWRC* Gulgong on the Castlereagh Highway. Council will require some road improvement works to ensure traffic safety is maximised and that the pavement is capable of handling the overweight loads.

**Response:** Please refer to response to Comment 3.12.19 and 3.12.20.

**3.12.31** The cost of upgrading these roads is estimated at \$26.168 million.  
*MWRC*

**Response:** Upgrades proposed by MWRC are considered by Samsa Consulting to be

excessive considering the temporary nature of the construction traffic. Downer Infrastructure and Rex J Andrews, with extensive experience in transporting and building wind farms, undertook a route survey, swept path and vertical alignment analysis of a number of potential over-dimensional routes including the preferred routes. Required upgrades were identified and a preliminary estimate of \$2,440,000 to upgrade Aarons Pass Road to a suitable standard was provided. The Proponent will continue to engage with MWRC regarding required road upgrades and relevant EMP sub-plans.

**3.12.32** *MWRC* The Mid-Western Regional Council objects to the proposed Crudine Ridge Wind Farm project on the basis that current local road network is inadequate and incapable of having the traffic on it as proposed by the proponent in the EA. Further, the Council considers that the upgrading of the Hill End Road, Windeyer Road, Pyramul Road, Bombandi Road and Crudine Road as proposed by the proponent falls well short of reasonable traffic safety criteria.

**Response:** Please refer to Section 6 PPR, which details upgrades that have been identified to ensure the proposed transport routes are suitable for the construction phase of the Project. Please see response to Comment 3.12.19 for comments regarding Bombandi Road.

**3.13.5** *MWRC* Council is concerned that the installation of wind turbines will restrict aerial fire fighting and thereby increase risk to non-host properties during episodes of extreme fire danger. It is considered that an analysis should be undertaken in conjunction with the local fire fighting service of the increased risk that arises from the inability to use aerial fire fighting options prior to the determination of the application. Whilst the EA indicated that fire fighting methods can be adapted to accommodate the wind turbines there is no comparison between the potential increase of risk and extent of the fire due to an inability to use aerial methods due to the presence of the turbines.

**Response:** The Proponent appreciates the concerns expressed by MWRC in relation to aerial fire fighting - in fighting fires on rural land, access to the fire front is a central issue. As set out in Chapter 13 of the Project EA, the Rural Fire Service has stated that the presence of the wind turbines is unlikely to restrict fire fighting operations. Airservices Australia also did not express any concern about potential impact on aerial firefighting, and stated that they did not anticipate that the Project would affect navigational equipment (as listed in the Project EA).

In fact, as set out in Chapter 16 of the Project EA, the Project will improve access to land within the Project site through the installation of new access roads over terrain which previously had only unmade tracks, if any. This will assist fire fighters to reduce response times and provides the ability to more easily access fires on properties within and neighbouring the Project.

In addition, the Proponent will create a Bushfire Emergency and Evacuation Plan prior to the commencement of construction, adhere to all regulations under the *NSW Rural Fires Act 1997* and the Cudgegong Draft Bushfire Risk Management Plan and consult with the RFS and the NSW Fire Brigade to decrease its impact on fire and bushfire hazards. These measures are discussed in detail in Chapter 16 of the Project EA.

3.16.2 Council is concerned that the installation of wind turbines will restrict aerial fire fighting and thereby increase risk to non-host properties during episodes of extreme fire danger. It is considered that an analysis should be undertaken in conjunction with the local fire fighting service of the increased risk that arises from the inability to use aerial fire fighting options prior to the determination of the application. Whilst the EA indicated that fire fighting methods can be adapted to accommodate the wind turbines there is no comparison between the potential increase of risk and extent of the fire due to an inability to use aerial methods due to the presence of the turbines.

Response: Please refer to response to Comment 3.13.5.

3.17.14 The EA fails to identify annual water requirements but outlines the process required to secure a water licence. It is estimated that during construction of the wind farm in the order of 8.9 ML of water would be required for concrete with a further 11.7 ML of water required for road construction and dust suppression. The EA states that where a ground water source is not available then water will be brought to site by an external water supplier. This will have additional impacts on traffic number and roads.

Council would encourage that a full assessment be undertaken of the cumulative impacts of redirection of water away from agricultural users to State Significant Development. It is considered that potential long term impact on agriculture within this catchment need to be assessed in light of this disturbing trend.

Response: As noted, the Project EA estimates the water required for the 18 month construction phase of the Project. Once constructed, there are very minimal water requirements for Project operation. It was assessed in the Project EA that the Project is of sufficient distance from other existing and proposed projects that it is anticipated there will be no cumulative effect on groundwater, riparian and watercourse corridors and wetlands as a result of the Project.

EMPs and appropriate EMP sub-plans will address and action management measures to accommodate scenarios that result from the licensing and approval processes.

3.18.6  
MWRC

There is considerable evidence available that the cumulative effect of wind towers creates a micro-climate of its own. One such study is documented from Illinois in the United States, undertaken by a proponent of wind farms, and has shown that there has been a 2 degree change in temperature, and a substantial drop in rainfall. In fact, the cumulative effect of wind towers pushes moisture-laden air higher into the atmosphere, forcing it some considerable distance away from the affected area before it is able to condense and turn into rain. Bearing in mind that Mudgee township will be only 10 kilometres away (as the crow flies) from one of these wind farms, the whole area is going to be affected with a change in climate much wider than the proponents are acknowledging. This may affect the existing grape industry which is already experiencing difficult economic times. The EA cites studies in other areas but fails to provide any assessment within the local context. As such it is impossible for Council to provide an informed comment. For these reasons, the application fails to satisfy the Director General's Requirements in relation to a specific local examination of micro-climate impacts.

Response: Consideration of microclimate impacts is not a DGR for the Project. Nor is the Project 10 km from Mudgee, but approximately 40 km to the south. Notwithstanding the absence of a requirement to consider the subject, the Proponent undertook a review of the existing literature related to microclimate effects, described in Section 18.8 of the Project EA.

Other proposed or existing wind energy projects are the subject of the Project EA only insofar as considering and assessing cumulative impacts. Given the distance between the Project and other proposed or existing wind farms in the area, potential cumulative impacts are unlikely to occur.

Furthermore, if the issue of a change in climate and economic downturn is of central concern, then it is worthy to note the significant contribution to climate change that open cut coal mines, a number of which are in close proximity to Mudgee, make through the release of greenhouse gases to the atmosphere. In 2009 fugitive emissions from coal and gas accounted for 7 % of Australia's total emissions (DCCEE 2012). Fugitive emissions from coal mining accounted for the largest proportion of

emissions in that sector (DCCEE 2012).

3.18.7  
MWRC

Council is aware that a number of wind towers around the world are no longer operating and thus the towers are now left dormant and weathering badly. Some are now rusting and have become an eyesore of the landscape. Council requests that if the company does not have the financial sustainability to continue operating, then it certainly won't have the financial resources to rehabilitate the site, and thus this removal of the towers should not be at the expense of taxpayers or of ratepayers. A bank bond in favour of the NSW State Government must be endorsed to offer this state and this community protection from an environmental eyesore.

Council makes the strong submission that the proponents must prepare bank bonds in favour of the NSW State Government to the value of \$70,000 per tower for rehabilitation.

Response: The submission from MWRC is misguided. The Project is a private venture and the Project infrastructure will be installed on private land. Even if this matter were not addressed between the Proponent and the landowner, as described below, it is very difficult to imagine the circumstances in which any level of government could become responsible for the cost of decommissioning or removal of the infrastructure.

Table 3.3 of the Project EA provides an anticipated Project timeline including decommissioning. Section 3.9.1 explains why this is only anticipated, as the Project is required to obtain Development Approval, project financing where appropriate and wind turbine component supply and construction contracts prior to progressing along the timeline. Once these milestones are accomplished, wind farms generally have a lifespan of 20 to 25 years followed by either decommissioning or repowering.

The Proponent does not intend on providing a decommissioning bond because commitments related to decommissioning are covered in the individual landowner lease agreements, as stated in Section 3.9.10 of the Project EA. These agreements cover the removal of relevant and agreed infrastructure at the end of the lease period and are commercially confidential, so cannot be provided in the Project EA. As described in Section 18.9 of the Project EA, the cost of decommissioning would be more than covered by the material and recyclable cost of the wind turbines, electrical infrastructure and ancillary components, if it is necessary to fund decommissioning in this manner. This is consistent with the Taralga judgement (*Taralga Landscape Guardians Inc v Minister for Planning and RES Southern Cross Pty Ltd*).

A decommissioning plan will be prepared towards the end of the Project's life detailing what and how components will be removed from the site or left in situ. This will cover any required surveys prior to commencing decommissioning, such as flora and fauna and traffic impacts. It will then detail the timescale and process of decommissioning within the timeframe allowed by the planning consent. As the make and number of wind turbines is not yet known, and given the potential change to the environment during the operational phase of the Project, it is logical to prepare the decommissioning plan towards the end of the Project's life.

3.19.1  
MWRC

Council has concerns regarding the potential for adverse impacts of noise on land valuations on those properties in the vicinity of the wind farm particularly those properties that are not hosting turbines. The EA in addressing wind farms cites several studies that support the proposition that wind farms in themselves do not adversely affect property values. These studies rely on case studies of other areas (including overseas) but the EA fails to provide an analysis of the study findings within the context of the project area and region. The EA appears to recognise that the “underlying land use may affect the properties sensitivity to price impacts” but fails then to make any attempt to examine the potential impacts within the project area. Notwithstanding the EAs inadequacy to truly examine the potential impacts on land values, it should be noted that there has been a recent court case in experience in Southern Gippsland (32% reduction in value was recognised by Council for rating purposes) indicates that there is a real and significant impact on land values. In addition, the ability for studies to accurately assess the impact is severely affected by the reduced marketability of properties once a wind farm is proposed within an area.

The EA fails to assess the potential economic and social impact of devaluation of property on Council and land holders.

Response: Section 19.1 of the Project EA covers the potential impact of wind turbines on land value, including recent independent reports exploring the matter. The most recent report by the NSW Valuer General (*Preliminary Assessment of the Impact of Wind Farms on Surrounding Land Values in Australia, August 2009*) investigated eight wind farms, two in NSW and six in Victoria.

“The main finding was that the wind farms do not appear to have negatively affected property values in most cases. Forty (40) of the 45 sales investigated did not show any reductions in value. Five (5) properties were found to have lower than expected sale prices (based on a statistical analysis). While these small number of price reductions correlate with the construction of a wind farm further work is needed to confirm the extent to which these were due to the wind farm or if other factors may have been involved.”

This section of the Project EA also states that many factors can influence the perceived and actual property value. In most rural areas the main determinant for property and land values is the agricultural productivity of the land, both to sustain animals and to grow crops. Such productivity is not linked to the development of a wind farm in the area, but is dependent on the innate quality of the land and the farming practices used in operating an agricultural business upon it.

MWRC relies on a single instance in which a Victorian local council reduced a landowner’s rates in response to a specific complaint from that individual. In that

particular case, the council concerned said that the rates had been reduced not because of proximity to the wind farm or any wind turbines, but due to the proximity of the concrete batching plant to be used during construction of the wind farm, and the potential disturbance during the construction period. Clearly, it would be anticipated that the rates would return to market levels once construction was complete. The chief executive of the council involved stated that "I don't believe it is a precedent because valuation reviews are done on their own merits".

The Project has assessed the potential visual and noise impact on the surrounding area and deemed them to be acceptable within current guidelines. There is no reason to presume that the Project will affect the market value of any nearby properties.

3.19.2  
MWRC

The EA recognises the difficulty in truly identifying impacts so it concludes that it is unnecessary to address this impact. To suggest a Community Fund or estimated local economic impact may compensate individual land holders is ridiculous. The EA fails to explore and therefore adequately address the following issues:

1. The impact on land value having regard to current land uses and underlying drivers of people to live in the locality.
2. Having regard to the land use, the sensitivity of valuations in relation to those land uses.
3. The demography of the area and the potential impact of reduced land market and values on the long term life plans of residents in terms of superannuation investment, retirement and development potential.
4. The social impacts of an aging isolated community that can no longer sell their properties at reasonable prices due to the impacts of the wind farm.
5. The impacts on Council rate revenue due to reduction in land valuations and the cumulative impact of potential for 700 turbines across the LGA.

Council suggests that the potential impact on land values is a real impact of the project which the proponent has failed to adequately address and mitigate.

Response: Please refer to response to Comment 3.19.1.

3.19.3  
MWRC

Council disagrees with the statement within the EA that the wind farms will increase the number of tourists to the region. It is conceded that upon their introduction to Australia the turbines may have provided an increase in tourism to some areas for their novelty value but with the current numbers spread across the state it is considered that it is unlikely that wind farms would act as an attractor for tourists to the Mid-Western region and therefore be responsible for an increase in tourism.

Response: In Chapter 19 of the Project EA, the Proponent discusses the possibility that the Project may attract tourists to the area. In doing so, the Project EA refers to the actual and reported experiences of other operators and communities around Australia, which have experienced a marked increase in tourism relating to wind farms. The Project EA also relates the findings of an independent survey that 32 % of NSW residents believe that wind farms would contribute to an increase in tourism.

MWRC is entitled to hold the opinion that there will be no increase in tourism to the area, however it is noted that this view does not coincide with the opinion of a significant portion of the general public and the experience of a number of wind farms around Australia, as described in the Project EA.

3.19.4  
MWRC

The Community Well Being assessment is superficial relying on case studies of other wind farms to identify potential increases in employment and failing to make an assessment of potential impacts within the context of the Mid-Western Region. The EA states: "Cumulative impacts: It is not anticipated that the development of other wind farms in the region will have an adverse cumulative effect to community well being. Instead these wind farms will provide jobs and resources into the surrounding Councils and will help both Councils reach their aspirations and visions." The EA fails to identify which other wind farms it is taking into account and fails to take into account the impact of other State Significant development currently operating and proposed within the region and the impact of housing, skill shortage and infrastructure provision. The Mid-Western region is currently experiencing considerable and significant pressures generated by the existing coal mining cluster centred at Ulan (i.e. Ulan, Moolarben and Wilpinjong coal mines) which will be further exacerbated when the proposed Mt Penny, Cockatoo and Inglenook coal mines and the Lue Silver mine come online. The Mid Western region currently has full employment and is experiencing skill shortages with the resultant upward pressure on wages in those skill fields and also has workforce drain from industries other than mining to the mining sector resulting in servicing gaps across a wide range of activities. Further, there is significant pressure on a limited housing stock, which hasn't kept pace with the rapid mining expansion, with the result that there is zero vacancy for rental accommodation and a rising rental market that is having an ever increasing impact on the community. The main impacts in regard to rental housing has been the dislocation of lower socio-economic groups to more isolated areas and financial pressures on other necessary and important community professionals who are struggling to compete with mining sector incomes in terms of access to housing in the Mudgee area. There are also considerable pressures on health services in the region due to increasing demands on a limited resource.

Response: The issues raised by MWRC in this comment are properly dealt with in Chapter 19 of the Project EA. However, the Proponent has considered the submissions made by MWRC and, for the sake of completeness, commissioned a further assessment by Umwelt Pty Ltd (Appendix 5). This assessment shows, in greater detail, the likely impacts of the Project on the local community, including analysis of housing and employment levels during both the construction and operation phases of the Project. In particular, given MRWC's concerns regarding the potential cumulative impacts of other project in the regions, the assessment contains a comparison between the impacts of the Project and those of the Ulan Coal Mines Continued Operations Project (UCOP).

As shown in the extracted Table below, and consistent with the analysis provided by the Proponent in the Project EA, Umwelt's assessment found that the Project

workforce during the two year construction phase would be approximately 50 staff during average periods and 100 staff during peak periods.

**Table B Comparison of construction workforce parameters**

Parameter	CRWF	UCOP
Construction Staff (average period)	50	220
Construction Staff (peak period)	100	350
Construction period (years)	2	3.75
Construction job years (FTE employees x length of construction)	133	825
Anticipated peak local workforce (20%)	20	70
Anticipated peak workforce from outside the region (80%)	80	280
Incoming workforce staying in Mudgee (15%)	12	42
Increase to population in Mudgee over construction period	0.12 %	0.43 %
Maximum annual construction light vehicle movements	40	972
Maximum annual construction heavy vehicle movements	21	12

It is anticipated that the construction workforce will be comprised of local staff as available and staff from outside the region if and as required. The current forecast is for the construction workforce to be comprised of approximately 20 % local staff. This represents an anticipated incoming peak workforce of 80 people, of which 12 people will be accommodated in Mudgee – a population increase of approximately 0.12 %.

Again consistent with the Project EA, Umwelt’s assessment also found that the current available capacity at existing establishments for short term accommodation in Mudgee statistical local area alone was sufficient to accommodate the incoming workforce during the construction phase.

MRWC’s concerns are specifically acknowledged in Section 2.1 of the assessment, and Umwelt state that “[i]t is considered that the temporary CRWF workforce is unlikely to have a significant negative impact on temporary accommodation within the MWRC LGA.”

The assessment also acknowledged, per the assessment performed for UCOP, that the construction workforce are not anticipated to bring families and “consequently long term loading on social infrastructure is not anticipated to be significant with regard to construction populations”.

Finally, Umwelt’s assessment also found that a worst case scenario of 75 % of the Project’s proposed operation workforce of 15 persons relocating from outside the area, would result in approximately 11 households relocating to the MWRC or Bathurst LGAs. As a result, that the worst case scenario “is unlikely to significantly affect MWRC housing availability or affordability”.

A full copy of the assessment is contained in Appendix 5.

3.19.5 MWRC	The data used to describe the existing situation in terms of industry break-down in our area is taken from a secondary source, ie Council’s Comprehensive Land Use Study. This information is dated and therefore more up to date primary sources
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should have been accessed such as Australian Bureau of Statistics information. Further the data taken from Council's study has been selectively used in the assessment and therefore provides an inaccurate picture of the current status of industry breakdown in our region. This assessment should not only have accessed more up to date information, including any data that may have been released from the most recent Census held in 2011 but also the DP&I website should have been checked to establish whether any large developments had been approved in our region.

Response: At the time of preparation and submission of the Project EA, the statistics from the 2011 Census for Industry of Employment by Occupation were not available. These statistics were released by the Australian Bureau of Statistics on 20<sup>th</sup> November 2012.

In the absence of that information, the Proponent used the same information on which MWRC has based its Comprehensive Land Use Strategy – the document which MWRC intends to "provide clear direction and guide future development in the area for the next 15 to 20 years" (MWRC website).

To the extent that approved developments in the area are relevant to the Project EA, such developments have been appropriately considered by the Proponent, as required by the DGRs.

3.19.6  
MWRC

These are matters that should have been addressed in the socio-economic assessment as there are implications of not only where the temporary workforce will be sourced from but also where they are likely to be housed during the construction phase. The cumulative impacts of this development taking into account the already considerable impacts on the community from an ever expanding mining sector needs to be re-assessed with suggested mediation options examined as part of the EA. These issues were raised as part of the adequacy review and were not addressed in the final EA. Mid-Western Regional Council considers it is imperative that State Significant Developments are not assessed in isolation but a more strategic and holistic view is taken of the cumulative impacts on the region. It is considered that the socio-economic assessment included in the EA is a farce that fails to identify the impacts of this and other State Significant Developments in this region and therefore fails to identify mitigating measures.

Response: In response to MWRC's comments regarding the Socio-Economic Assessment, the Proponent has sought further comment and specific consideration of the issues raised by MWRC from Umwelt Pty Ltd. The comments from MWRC appear to overlook the relatively small size of the operational workforce for the Project, as well the temporary nature and comparatively small size of the construction workforce. Umwelt's assessment deals with the impacts of the Project on the region, taking into account UCOP's impacts, and demonstrates that:

"CRWF will have minimal impacts on the services and infrastructure in the region...

As long term increases are within anticipated population projections and no

significant changes to property rental or purchase affordability are predicted, no corresponding mitigation measures are recommended...

The effective assessment of the temporary construction workforce against the Manidis Roberts (2012) data is not possible given the long term perspective within the Manidis Roberts (2012) report. A preliminary assessment regarding the proposed 15 operational roles within the context of the Manidis Roberts (2012) report indicates that the increase in infrastructure loading due to the 15 operational employees and their families is not of sufficient significance for Council to change current or planned infrastructure developments, or require significant mitigative measures."

3.19.7  
MWRC

The Director-General's Requirements in relation to the project require "[A]n analysis of the potential for social and economic impacts on the local community." This is a "Key Assessment" requirement in relation to which the DGR's state that the assessment must address the worst case as well as representative impacts. In addition, the DGR's require "A conclusion justifying the project taking into consideration the ... social and economic impacts of the project." The proponent fails to provide any proper analysis of the potential for social and economic impacts for the local community. The proponent's EA fails to place the proposed wind farm of Crudine Ridge into any "local community" framework at all. The "Mid Western Regional Council – Local Services Assessment Final Report by Manidis Roberts Pty Ltd is the defining document dealing with the current and future socio-economic position of the local area.

Response: Please refer to Appendix 5 and responses to Comments 3.19.4, 3.19.6 and 3.19.8.

3.19.8  
MWRC

The Council is requiring that the Voluntary Planning Agreement (VPA) be included as a condition of consent. At the time of writing this submission the proponents have not commenced discussion on the contents of a VPA. This is unusual for a proponent of a major development in our region. It is important to this Council that the VPA be a condition of consent. This is because if the wind farm business is ever sold the VPA goes with the consent on the land and thus Council is not required to chase the purchaser to require the new company to adhere to the VPA payments. It is becoming practice that VPAs become a condition of consent.

There is no doubt that this development will have a significant social, environmental and community effect on the Mid-Western community. A VPA agreed by a proponent in a neighbouring Council for a wind farm development includes a community levy of \$2,000,000 over 25 years for 33 towers. That equates to \$80,000 per year for 33 towers. That extrapolates to \$257,000 per annum or \$6,425,000 for the 25 year period. This amount would be paid direct to Council and used for community and social purposes as the Council thinks fit.

Response: The submission by MWRC overlooks the Proponent's proposed Community Fund, which will provide a significant financial contribution each year to benefit the community in the immediate vicinity of the Project. The Proponent has committed to

the provision of these funds, as set out in Chapter 19 of the Project EA, and proposed that use of these funds be administered by a committee made up of the local community, Council and the Proponent. This proposal allows the funds to be directed to projects and activities which are supported by, and which will directly benefit, members of the community most affected by the Project – those in the immediate vicinity.

Notwithstanding the comments by MWRC, the assessment by Umwelt provides a background to the ad hoc and context specific use of VPAs, as well as the current review of such agreements being undertaken by the NSW Government. Per Umwelt's assessment, "[t]he NSW Government has recognised that the current system of VPAs is flawed and has led to unpredictable and unfair outcomes for proponents, which do not reflect the underlying principles of the development contribution system of reasonableness and accountability".

In these circumstances, and although the Proponent is willing to discuss alternative options with MWRC, it may be that the best outcome for the local community is achieved by the allocation and administration of this fund proceeding as outlined in the Project EA.

The assessment by Umwelt also provides an analysis of the amount of the Community Fund proposed in the Project EA compared to both the amounts requested by MWRC and the amounts contributed by mining operations in the local area using data obtained from the report prepared by Manidis Roberts Pty Ltd and referred to by MWRC in their submission. The table below is extracted from the assessment, and shows these amounts as well as the number of employees involved in each of the relevant projects or operations.

Table 9 Comparison between VPAs and proposed Project Community Fund

Project	VPA - Social infrastructure	VPA - Road Maintenance	Calculated Total Over a 20 year Period	Operational Employees
Moolarben	\$750,000	\$1,000,000	\$1,750,000	196
Ulan	\$3,475,000	\$1,050,000	\$4,525,000	459
Project	VPA - Social infrastructure	VPA - Road Maintenance	Calculated Total Over a 20 year Period	Operational Employees
Wilpinjong	-	\$650,000	\$650,000	346
Charbon	\$16,611 p.a.	\$0.01/tonne, plus \$0.05 public rd or \$0.77 highway levy	\$632,220 (not inc. in public/highway levy)	149
CRWF	\$168,750 p.a.	-	\$3,375,000	15

MWRC VPA Request of CRWF	\$257,000 p.a.	\$636,000	\$5,776,000	-
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The Umwelt report uses employee numbers as a method of comparison of demand on social infrastructure created by each project, and also compares the levels of impact of each project on roads. After performing this analysis, Umwelt concludes that:

“In their submission dated 07 March 2013, MWRC (2013) has failed to demonstrate that it has appropriately considered [the] key underlying principles of the contribution system, in particular, MWRC has failed to demonstrate that its currently proposed VPA contribution demonstrates nexus and proportionality...

Comparison between SIAs undertaken for CRWF and UCOP indicates that the CRWF is a substantially smaller operation than UCOP, with a different scale of social impacts, notably regarding construction and operational workforces, other social impacts and with regard to VPAs in the local area...

When compared with previous VPA agreement outcomes in the MWRC LGA as within Manidis Roberts (2012), and assessed according to socio-economic impact quantified through workforce levels, the CRWF ‘community fund’ offers substantially higher contributions than some other major projects in the area. If a similar logic was applied to both CRWF and UCOP with regard to VPA outcomes due to social impact per operational employee, CRWF would be expected to contribute a total of \$147,900 over 20 years, or \$7,395 per annum.”

The Proponent notes that there was an error in the calculation of the Community Fund in Chapter 19, section 19.4.3 of the Project EA, which used the figure of 165 MW as the basis of the calculation. As per Statement of Commitment 088, the Proponent is proposing to contribute \$1,250 per installed mega watt (MW) to the Community Fund, which could total up to 168,750 per annum, equating to up to \$3.37 million over an estimated 20 year Project life. The correct figure of 135 MW has been used by Umwelt in their assessment.

3.19.9 MWRC Additional to that, Council would be seeking a road maintenance fee included in the VPA equivalent of \$12,000 per kilometre per annum from Mudgee township to the wind farm site. This is part of the route which is not a State Highway and the distance is 53 kilometres.

Thus included in the VPA there needs to be an annual roads contribution fee of \$636,000. This would assist Council in the maintenance of the Hill End, Windeyer and Pyramul roads once upgraded.

Both the community contribution and the roads contribution should be adjusted annually by the CPI for the life of the wind farm.

Response: Please refer to the Section 6 PPR for changes to the proposed transport routes.

The Proponent will continue to liaise with Council regarding impacts to Council roads, and notes the findings of the transport comparison performed by Samsa Consulting Pty Ltd (see Appendix 7). In their report, Samsa compare the transport and traffic impacts of the Project to those of Ulan Coal Continued Operations (UCCO) Project. The comparison conducted by Samsa demonstrates that, similarly to the VPA comparison performed by Umwelt, the impacts of the two projects are significantly different, with the impacts of UCCO far outweighing those of the Project.

In particular, the comparison highlights that the construction period of the Project, despite representing the peak of traffic and vehicle movements during the life of the Project, will have significantly less long-term impact than the daily vehicle movements for UCCO.

The report concludes that "while both project assessments concluded that the road networks would maintain satisfactory levels of service after addition of project traffic generation, the proposed traffic volumes generated by UCCO are significantly higher than those generated by CRWF. Moreover, the higher UCCO traffic generation would occur over a long project life span (21 years) compared to the temporary peak heavy vehicle traffic generation for CRWF (approximately 4 months out of an 18 month construction period)."



18 DECEMBER 2013

ATTACHMENT

6.2.11

2013LV Base Date  
– Rate Estimate Analysis



## 2013 LV Base Date - Rate Estimate Analysis

### Model Summary

This rate model is primarily to highlight the impact of the change from 2011 to 2013 base date valuations. Total revenue has been maintained overall and individually for each Category in order to highlight the effect of the value changes.

### Rates Assumptions

\*\*\*The total revenue raised from each category has been maintained at the current 2013/14 level for this comparison, therefore:-

\*\*\*There has been no annual percentage increase factored into this comparison

\*\*\*Minimums remain at the 13/14 level for this comparison

### RATES / LV ANALYSIS

\*\*\*The Table below subsequently indicates:-

\*\*\*under the heading of Revenue, a 0% increase to overall Revenue within each Category

\*\*\*under the heading of Land Value, a comparison of the 2011 base date to that of 2013 and indicates 6.09% variation

\*\*\*under the heading of Rates/Minimums the new rates in \$ and new Minimum Cut-Offs to produce same revenue based upon 2013 LVs

**Note** - *The revenue shift from Res Rural to Res Urban is because the Res Urban LV (13.5%) increased more than Res Rural LV (5.6%) while they continue to pay the same rate in \$*

### LV DRILLDOWN

\*\*\*These Summaries shows Basic Statistics and a Range Analysis by category

\*\*\*shows LV ranges and subsequent changes to rates payable, again in ranges

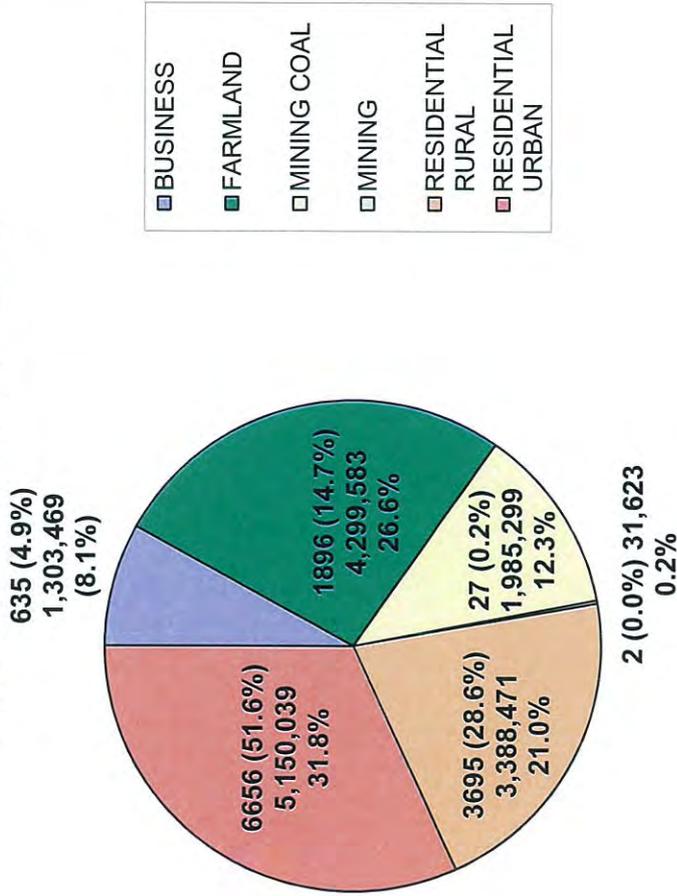
\*\*\*Graphs highlight information in table

**2013 LV Base Date - Rate Estimate Analysis**

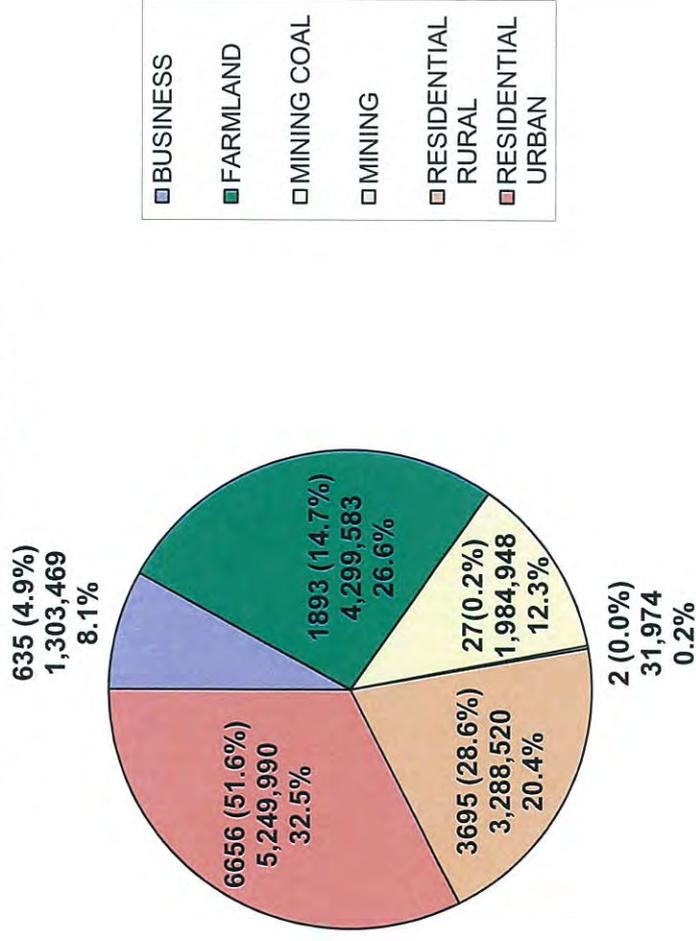
Category / Sub-category	No of Assts	REVENUE			LAND VALUE			RATES / MINIMUMS						
		2013/2014 Actual	2013/2014 Projected	Difference	% variation	2013/2014 2011 LV BD	2013/2014 2013 LV BD	Difference	% variation	Rate In \$ 2013/2014	Minimum 2013/2014	NEW Rate In \$ 2013/2014	NEW Minimum 2013/2014	Minimum LV cut-off
BUSINESS	635	1,303,469	1,303,469	0	0.0%	135,507,110	137,537,180	2,030,070	1.5%	0.922521	575.98	0.909010	595.56	65,517
FARMLAND	1893	4,299,583	4,299,583	-0	0.0%	736,919,391	744,310,791	7,391,400	1.0%	0.580605	575.98	0.574792	595.56	103,613
MINING COAL	27	1,985,299	1,984,948	-351	0.0%	28,062,454	27,687,442	-375,012	-1.3%	7.074573	575.98	7.169127	595.56	8,307
MINING	2	31,623	31,974	351	1.1%	447,000	446,000	-1,000	-0.2%	7.074573	575.98	7.169127	595.56	8,307
RESIDENTIAL RURAL	3695	3,388,471	3,288,520	-99,951	-2.9%	450,303,184	475,375,059	25,071,875	5.6%	0.688833	575.98	0.624635	595.56	95,345
RESIDENTIAL URBAN	6656	5,150,039	5,249,990	99,951	1.9%	651,774,940	739,681,268	87,906,328	13.5%	0.688833	575.98	0.624635	595.56	95,345
RESIDENTIAL	10351	8,538,510	8,538,510	0	-0.1%	1,102,078,124	1,215,056,327	112,978,203	10.3%	0.688833	575.98	0.624635	595.56	95,345
<b>TOTAL</b>	<b>12,908</b>	<b>16,158,485</b>	<b>16,158,485</b>	<b>0</b>	<b>0.0%</b>	<b>2,003,014,079</b>	<b>2,125,037,740</b>	<b>122,023,661</b>	<b>6.09%</b>					

Graph Information  
 2013 LV Base Date - Rate Estimate Analysis

## 2013/2014 Rate Revenue Based on 2011 LV's

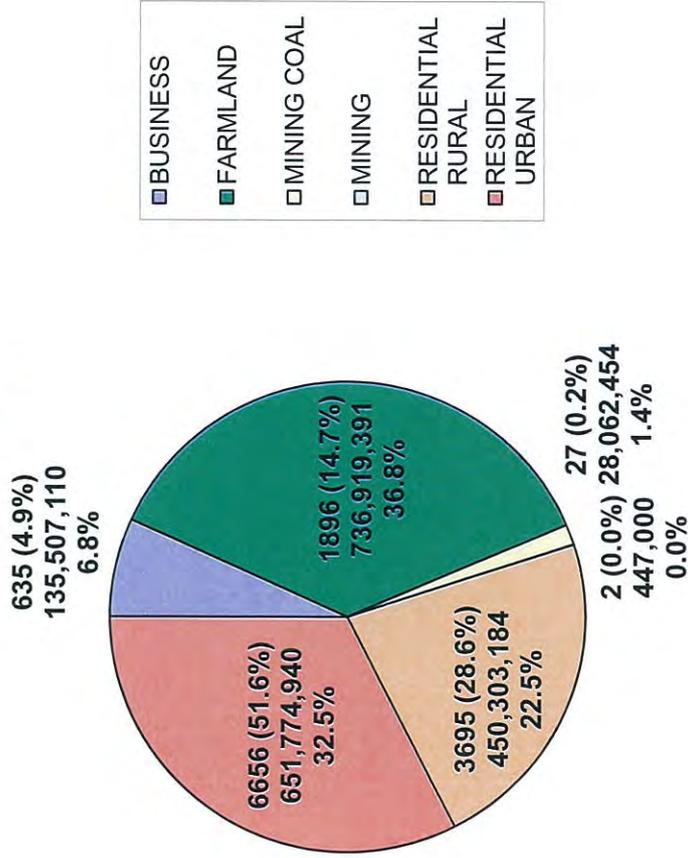


## 2013/2014 Rate Revenue Based on 2013 LV's

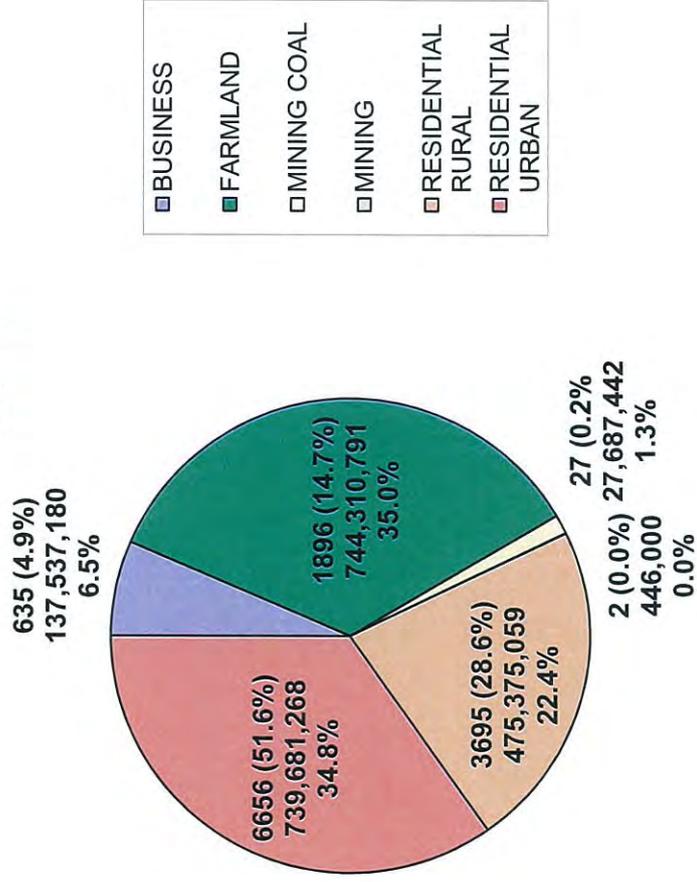


**Graph Information**  
**2013 LV Base Date - Rate Estimate Analysis**

## Land Value Based on 2011 LV's



## Land Value Based on 2013 LV's



**Minimum Rate Summary**  
**2013 LV Base Date - Rate Estimate Analysis**

Refer to page 36 of the DLG rating & Revenue raising manual for reference to income paid via minimums

Category	Min Amt	No of Props	No of Mins	%	Total Rev.	Min. Rev.	%
Business	595.56	635	173	27.2%	1,303,469	103031.88	7.9%
Farmland	595.56	1893	135	7.1%	4,299,583	80400.6	1.9%
Mining Coal	595.56	27	0	0.0%	1,984,948	0	0.0%
Mining	595.56	2	0	0.0%	31,974	0	0.0%
- Rural	595.56	3695	1402	37.9%	3,288,520	834975.12	25.4%
- Urban	595.56	6656	2777	41.7%	5,249,990	1653870.12	31.5%
Residential	595.56	10351	4179	40.4%	8,538,510	2488845.24	29.1%
<b>Total</b>	<b>595.56</b>	<b>12908</b>	<b>4487</b>	<b>34.8%</b>	<b>16,158,485</b>	<b>2,672,278</b>	<b>16.5%</b>

# Business

## Basic Statistics

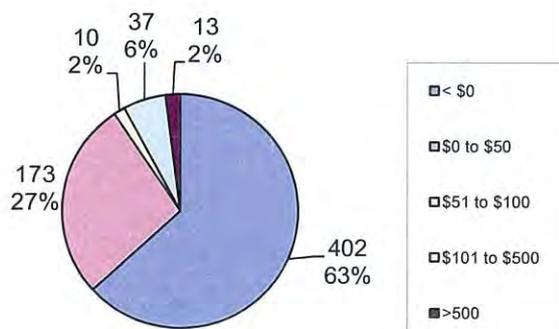
	Land Value			Rates Estimate		
	% Change All Properties	2011 Base Date LV	2013 Base Date LV	% Change All Properties	2011 Base Date \$	2013 Base Date \$
Average	1%	213,397	216,594	0%	2,053	2,053
Median	0%	139,000	144,000	-1%	1,282	1,309
Highest	221%	2,280,000	2,280,000	216%	21,033	20,725
Lowest	-50%	10	10	-51%	596	596

NB. The % figures shown in this table relate to data for all properties and are not calculated from the differences shown between 11 & 13 LV & rates

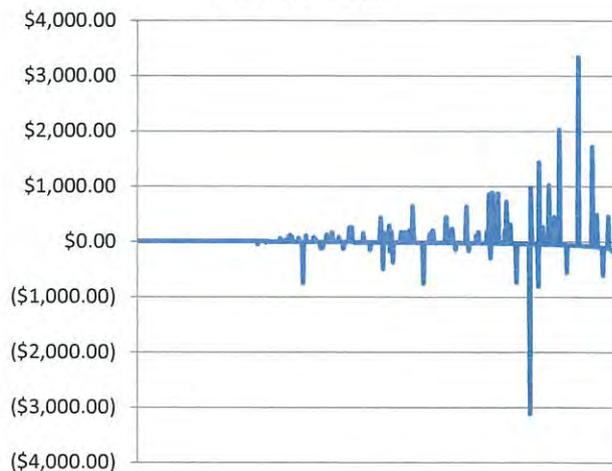
## Range Analysis

LV Range	Rate Range - 2013/14 Estimate - 2013 LV's	
	\$ Change	No. Props
0 to 75,000	< \$0	28
	\$0 to \$50	172
	\$51 to \$100	1
	\$101 to \$500	0
	>500	0
75,001 to 150,000	< \$0	111
	\$0 to \$50	1
	\$51 to \$100	7
	\$101 to \$500	12
	>500	0
150,001 to 300,000	< \$0	138
	\$0 to \$50	0
	\$51 to \$100	2
	\$101 to \$500	20
	>500	7
300,001 to 750,000	< \$0	100
	\$0 to \$50	0
	\$51 to \$100	0
	\$101 to \$500	4
	>500	6
>750,000	< \$0	25
	\$0 to \$50	0
	\$51 to \$100	0
	\$101 to \$500	1
	>500	0

**BUSINESS - Rate Change Summary**  
No. & % of properties within rate increase range



**Rates \$ Changes**



# Farmland

## Basic Statistics

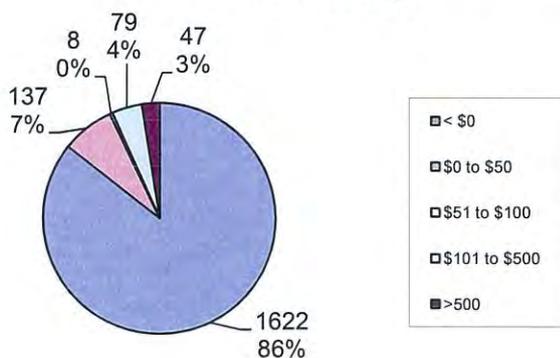
	Land Value			Rates Estimate		
	% Change All Properties	2011 Base Date LV	2013 Base Date LV	% Change All Properties	2011 Base Date \$	2013 Base Date \$
<b>Average</b>	1%	389,287	393,191	0%	2,271	2,271
<b>Median</b>	0%	273,000	277,000	-1%	1,585	1,592
<b>Highest</b>	107%	5,110,000	4,930,000	105%	29,669	28,337
<b>Lowest</b>	-48%	300	300	-47%	14	14

NB. The % figures shown in this table relate to data for all properties and are not calculated from the differences shown between 11 & 13 LV & rates

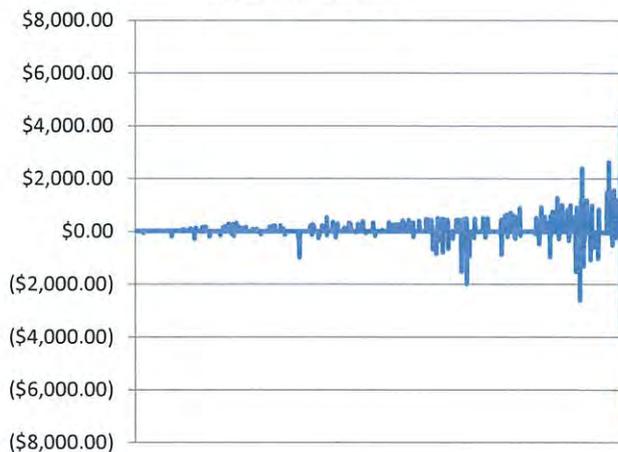
## Range Analysis

LV Range	Rate Range - 2013/14 Estimate - 2013 LV's	
	\$ Change	No. Props
0 to 75,000	< \$0	4
	\$0 to \$50	44
	\$51 to \$100	0
	\$101 to \$500	0
	>500	0
75,001 to 150,000	< \$0	220
	\$0 to \$50	90
	\$51 to \$100	2
	\$101 to \$500	7
	>500	0
150,001 to 300,000	< \$0	622
	\$0 to \$50	2
	\$51 to \$100	4
	\$101 to \$500	36
	>500	1
300,001 to 750,000	< \$0	608
	\$0 to \$50	1
	\$51 to \$100	1
	\$101 to \$500	35
	>500	20
>750,000	< \$0	168
	\$0 to \$50	0
	\$51 to \$100	1
	\$101 to \$500	1
	>500	26

**FARMLAND - Rate Changes Summary**  
No. & % of properties within rate increase range



**Rates \$ Changes**



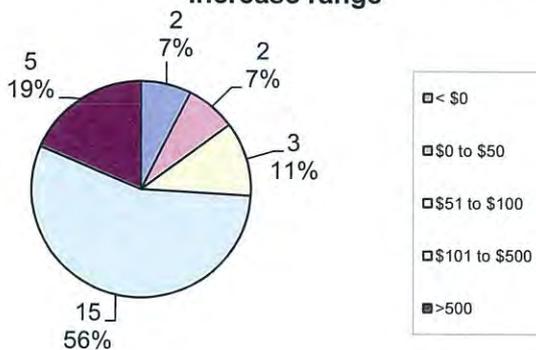
# Mining Coal

	Basic Statistics					
	% Change All Properties	Land Value		% Change All Properties	Rates Estimate	
		2011 Base Date LV	2013 Base Date LV		2011 Base Date \$	2013 Base Date \$
Average	-1%	1,039,350	1,025,461	0%	73,530	73,517
Median	0%	194,000	179,000	1%	13,725	12,833
Highest	4%	7,495,000	7,761,000	5%	530,239	556,396
Lowest	-22%	22,000	22,000	-21%	1,556	1,577

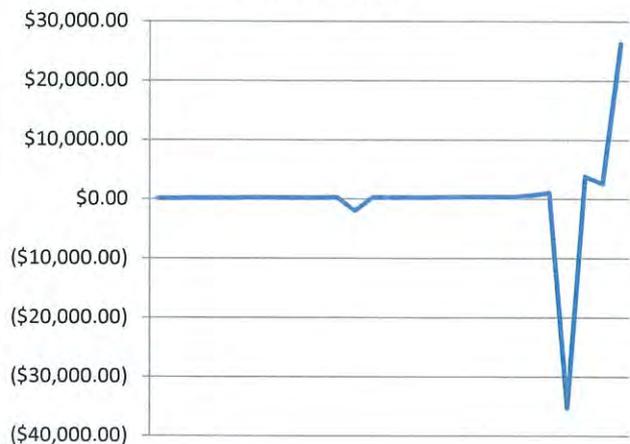
NB. The % figures shown in this table relate to data for all properties and are not calculated from the differences shown between 11 & 13 LV & rates

Range Analysis		
LV Range	Rate Range - 2013/14 Estimate - 2013 LV's \$ Change	No. Props
0 to 75,000	< \$0	0
	\$0 to \$50	2
	\$51 to \$100	0
	\$101 to \$500	0
	>500	0
75,001 to 150,000	< \$0	0
	\$0 to \$50	0
	\$51 to \$100	3
	\$101 to \$500	4
	>500	0
150,001 to 300,000	< \$0	1
	\$0 to \$50	0
	\$51 to \$100	0
	\$101 to \$500	9
	>500	0
300,001 to 750,000	< \$0	0
	\$0 to \$50	0
	\$51 to \$100	0
	\$101 to \$500	2
	>500	1
>750,000	< \$0	1
	\$0 to \$50	0
	\$51 to \$100	0
	\$101 to \$500	0
	>500	4

**MINING COAL - Rate Changes Summary**  
No. & % of properties within rate increase range



**Rates \$ Changes**

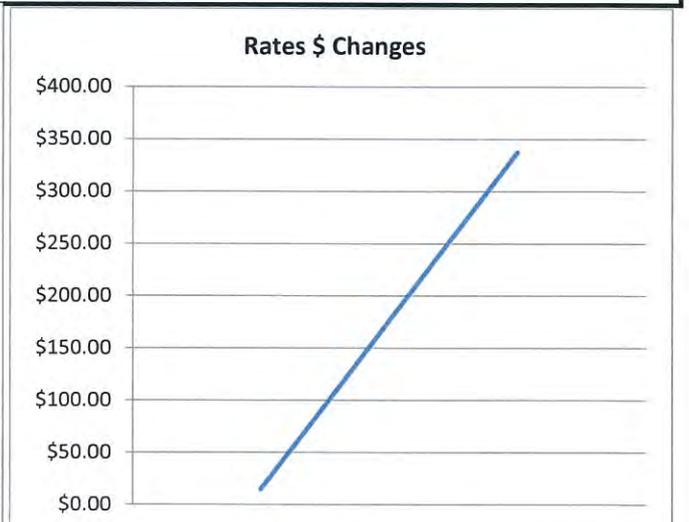
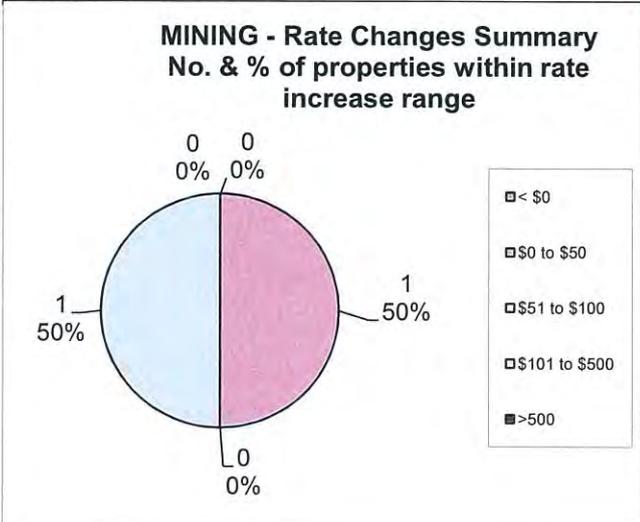


# Mining

Basic Statistics							
	% Change All Properties	Land Value		% Change All Properties	Rates Estimate		
		2011 Base Date LV	2013 Base Date LV		2011 Base Date \$	2013 Base Date \$	
Average	0%	223,500	223,000	1%	15,812	15,987	
Median	0%	223,500	223,000	1%	15,812	15,987	
Highest	0%	432,000	431,000	1%	30,562	30,899	
Lowest	0%	15,000	15,000	1%	1,061	1,075	

NB. The % figures shown in this table relate to data for all properties and are not calculated from the differences shown between 11 & 13 LV & rates

Range Analysis		
LV Range	Rate Range - 2013/14 Estimate - 2013 LV's \$ Change	No. Props
<b>0 to 75,000</b>	< \$0	0
	\$0 to \$50	1
	\$51 to \$100	0
	\$101 to \$500	0
	>500	0
<b>75,001 to 150,000</b>	< \$0	0
	\$0 to \$50	0
	\$51 to \$100	0
	\$101 to \$500	0
	>500	0
<b>150,001 to 300,000</b>	< \$0	0
	\$0 to \$50	0
	\$51 to \$100	0
	\$101 to \$500	0
	>500	0
<b>300,001 to 750,000</b>	< \$0	0
	\$0 to \$50	0
	\$51 to \$100	0
	\$101 to \$500	1
	>500	0
<b>&gt;750,000</b>	< \$0	0
	\$0 to \$50	0
	\$51 to \$100	0
	\$101 to \$500	0
	>500	0

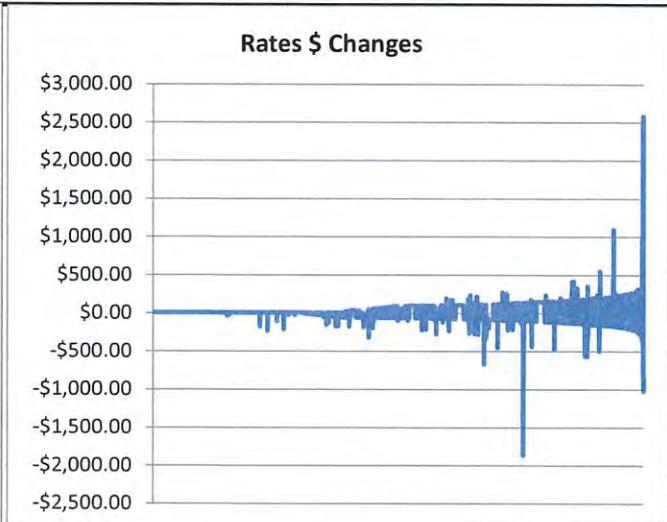
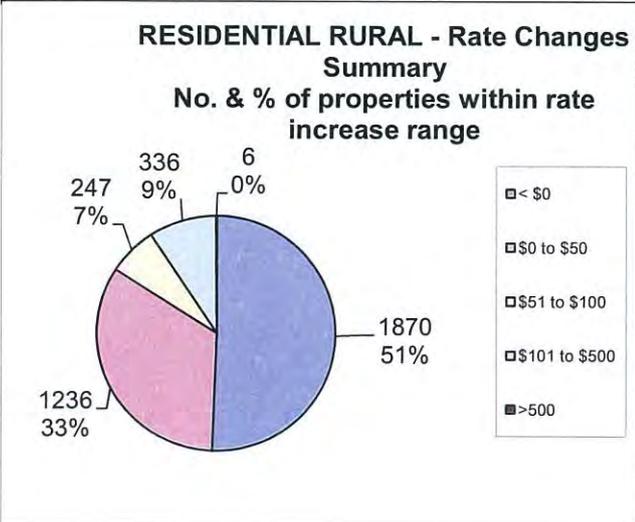


# Residential Rural

Basic Statistics							
	% Change All Properties	Land Value		% Change All Properties	Rates Estimate		
		2011 Base Date LV	2013 Base Date LV		2011 Base Date \$	2013 Base Date \$	
<b>Average</b>	6%	121,868	128,654	-3%	917	890	
<b>Median</b>	0%	101,000	110,000	0%	696	687	
<b>Highest</b>	600%	1,600,000	1,600,000	183%	11,021	9,994	
<b>Lowest</b>	-98%	300	100	-64%	31	28	

NB. The % figures shown in this table relate to data for all properties and are not calculated from the differences shown between 11 & 13 LV & rates

Range Analysis		
LV Range	Rate Range - 2013/14 Estimate - 2013 LV's \$ Change	No. Props
<b>0 to 75,000</b>	< \$0	11
	\$0 to \$50	852
	\$51 to \$100	0
	\$101 to \$500	0
	>500	0
<b>75,001 to 150,000</b>	< \$0	1086
	\$0 to \$50	383
	\$51 to \$100	241
	\$101 to \$500	28
	>500	0
<b>150,001 to 300,000</b>	< \$0	648
	\$0 to \$50	1
	\$51 to \$100	6
	\$101 to \$500	296
	>500	3
<b>300,001 to 750,000</b>	< \$0	123
	\$0 to \$50	0
	\$51 to \$100	0
	\$101 to \$500	12
	>500	2
<b>&gt;750,000</b>	< \$0	2
	\$0 to \$50	0
	\$51 to \$100	0
	\$101 to \$500	0
	>500	1

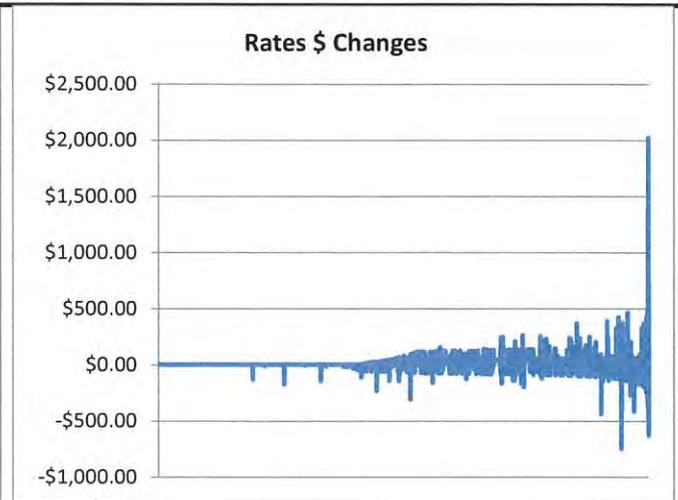
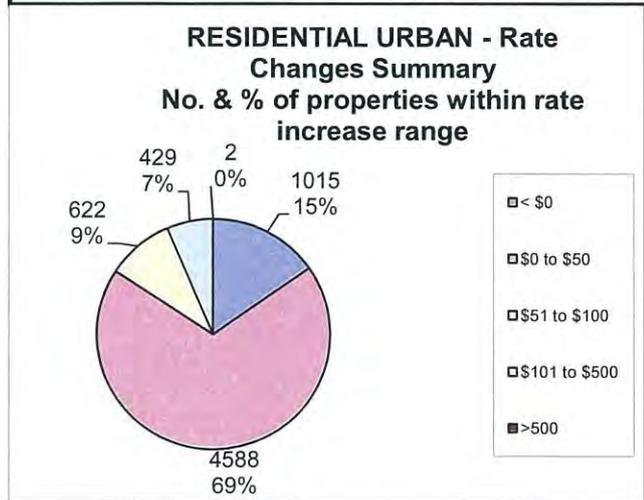


# Residential Urban

Basic Statistics						
	% Change All Properties	Land Value		% Change All Properties	Rates Estimate	
		2011 Base Date LV	2013 Base Date LV		2011 Base Date \$	2013 Base Date \$
Average	13%	97,923	111,130	2%	774	789
Median	15%	93,650	107,000	0%	645	668
Highest	340%	986,000	986,000	71%	6,792	6,159
Lowest	-43%	250	280	-37%	596	596

NB. The % figures shown in this table relate to data for all properties and are not calculated from the differences shown between 11 & 13 LV & rates

Range Analysis		
LV Range	Rate Range - 2013/14 Estimate - 2013 LV's \$ Change	No. Props
0 to 75,000	< \$0	3
	\$0 to \$50	1749
	\$51 to \$100	0
	\$101 to \$500	0
	>500	0
75,001 to 150,000	< \$0	570
	\$0 to \$50	2484
	\$51 to \$100	265
	\$101 to \$500	347
	>500	0
150,001 to 300,000	< \$0	386
	\$0 to \$50	355
	\$51 to \$100	353
	\$101 to \$500	73
	>500	0
300,001 to 750,000	< \$0	54
	\$0 to \$50	0
	\$51 to \$100	4
	\$101 to \$500	9
	>500	1
>750,000	< \$0	2
	\$0 to \$50	0
	\$51 to \$100	0
	\$101 to \$500	0
	>500	1



List of properties subject to 2011 BD LV change

Objections & Reassentiments

Prop No.	Property Address	Reason for change	Original 2011 LV	Amended 2011 LV	2013 LV	LV Change	LV % Change
20907	Wallangra 96 Bergalin Road GULGONG NSW 2852	Objection - Owner Initiated	231000	116000	500000	384000	331.0%
3889	Davimel Park 297 Honeysett Road TALLAWANG NSW 2852	Objection - Owner Initiated	149000	100000	149000	49000	49.0%
19730	5806 Ilford Sofala Road SOFALA NSW 2795	Objection - Owner Initiated	130000	87500	130000	42500	48.6%
21792	3 Killens Road BUDDEN NSW 2849	LPI Review - Objection	2490000	1710000	2490000	780000	45.6%
19921	Carinya 48 Worlds End Road YARRABIN NSW 2850	LPI Review - Objection	502000	350000	502000	152000	43.4%
14166	Roselea 586 Narrango Road DABEE NSW 2849	LPI Review - Objection	578000	420000	578000	158000	37.6%
11408	1772 Blue Springs Road BUNGABA NSW 2852	Objection - Owner Initiated	119000	100000	136000	36000	36.0%
14740	Groove Station 611 Groove Road GROWEE NSW 2849	LPI Review - Reassentiment	721000	495000	671000	176000	35.6%
21534	85 Henry Bayly Drive MUDGEE NSW 2850	LPI Review - Objection	450000	275000	372000	97000	35.3%
20412	241 Mt Vincent Road RUNNING STREAM NSW 2850	LPI Review - Objection	495000	352000	475000	123000	34.9%
14165	Macks 1388 Narrango Road OLINDA NSW 2849	LPI Review - Objection	327000	175000	235000	60000	34.3%
13172	Waterside 842 Wallawaugh Road HARGRAVES NSW 2850	LPI Review - Objection	346000	260000	346000	86000	33.1%
14555	Willow View 4780 Ilford Sofala Road SOFALA NSW 2795	LPI Review - Objection	853000	645000	853000	208000	32.2%
14535	Nalya 2701 Crudline Road CRUDINE NSW 2795	LPI Review - Objection	718000	545000	718000	173000	31.7%
10170	Warraweena 3108 Road 5007 PYRAMUL NSW 2850	LPI Review - Objection	460000	350000	460000	110000	31.4%
4160	436 Spring Creek Road GULGONG NSW 2852	Objection - Owner Initiated	308000	235000	308000	73000	31.1%
14480	Sylvania Park 6172 Wollar Road BYLONG NSW 2849	LPI Review - Reassentiment	379000	230000	301000	71000	30.9%
5354	3090 Yarrabin Road TWELVE MILE NSW 2850	LPI Review - Objection	383000	255000	333000	78000	30.6%
20947	Cortina 4602 Wollar Road WOLLAR NSW 2850	LPI Review - Reassentiment	4630000	3550000	4630000	1080000	30.4%
21723	17 Mortimer Street MUDGEE NSW 2850	Objection - Owner Initiated	294000	248000	323000	75000	30.2%
14572	4885 Ilford Sofala Road SOFALA NSW 2795	LPI Review - Objection	351000	270000	351000	81000	30.0%
20612	Eugalong 899 Upper Piambong Road PIAMBONG NSW 2850	LPI Review - Reassentiment	405000	275000	355000	80000	29.1%
14752	Yarran View 86 Lee Creek Road LEE CREEK NSW 2849	LPI Review - Reassentiment	455000	353000	455000	102000	28.9%
7438	Jamaica Park 499 Mebul Road MEBUL NSW 2852	LPI Review - Objection	807000	630000	807000	177000	28.1%
6384	Gil Gal 312 Gingers Lane BIRRIWA NSW 2844	LPI Review - Objection	401000	265000	339000	74000	27.9%
14566	Lynwood 2452 Crudline Road CRUDINE NSW 2795	LPI Review - Objection	323000	253000	323000	70000	27.7%
8757	162 Gollan Road GOOLMA NSW 2852	LPI Review - Reassentiment	389000	305000	389000	84000	27.5%
14738	The Arm 377 Growee Road RYLSTONE NSW 2849	LPI Review - Reassentiment	537000	385000	487000	102000	26.5%
10027	2703 Lower Piambong Road PIAMBONG NSW 2850	LPI Review - Objection	294000	214000	270000	56000	26.2%
14172	169 Bonbank Lane DABEE NSW 2849	LPI Review - Reassentiment	769000	610000	769000	159000	26.1%
20094	Redbank 1004 Tara Loop Road ILFORD NSW 2850	LPI Review - Objection	795000	632000	795000	163000	25.8%
13466	Bellambi Heights 696 Castlereagh Highway BERYL NSW 2852	LPI Review - Objection	627000	500000	627000	127000	25.4%
14140	Murrumbo 6749 Bylong Valley Way BUDDEN NSW 2849	LPI Review - Objection	1440000	1090000	1360000	270000	24.8%
14149	Tryalton 6280 Bylong Valley Way BUDDEN NSW 2849	LPI Review - Objection	898000	725000	898000	173000	23.9%
6346	Barbadoon 190 Trilby Lane BERYL NSW 2852	LPI Review - Objection	843000	690000	843000	153000	22.2%
14161	Dabee 355 Narrango Road DABEE NSW 2849	LPI Review - Objection	3210000	2630000	3210000	580000	22.1%
11848	Belvedere 172 Beechworth Road HARGRAVES NSW 2850	LPI Review - Reassentiment	335000	275000	335000	60000	21.8%
21273	Keouville 122-136 Bara-Lue Road LUE NSW 2850	LPI Review - Objection	728000	540000	655000	115000	21.3%
6917	Belbourie 1372 Hill End Road GRATTAI NSW 2850	LPI Review - Objection	497000	370000	447000	77000	20.8%
14743	Talooby 188 Ginghi Road GINGHI NSW 2849	LPI Review - Objection	742000	550000	663000	113000	20.5%
16022	Flora Glen 875 Cudgegong Road CARWELL NSW 2849	LPI Review - Objection	493000	395000	475000	80000	20.3%
21292	810 Mt Vincent Road ILFORD NSW 2850	LPI Review - Reassentiment	216000	180000	216000	36000	20.0%
16589	233 Bylong Valley Way ILFORD NSW 2850	LPI Review - Objection	477000	398000	477000	79000	19.8%
3415	Deiva 1038 Lue Road MOUNT KNOWLES NSW 2850	LPI Review - Objection	599000	500000	599000	99000	19.8%
20575	Karuma 108 Karuma Road GOOLMA NSW 2852	LPI Review - Objection	778000	650000	778000	128000	19.7%
19453	Eldon Court 151 Bombandi Road AARONS PASS NSW 2850	LPI Review - Objection	536000	393000	470000	77000	19.6%
6883	Maroombah 543 Triamble Road HARGRAVES NSW 2850	LPI Review - Objection	662000	513000	612000	99000	19.3%
16565	161 Bombandi Road AARONS PASS NSW 2850	LPI Review - Reassentiment	447000	375000	447000	72000	19.2%
14622	Little Springs 374 Coxs Creek Road RYLSTONE NSW 2849	LPI Review - Objection	624000	465000	554000	89000	19.1%
21863	6022 Ilford Sofala Road SOFALA NSW 2795	LPI Review - Reassentiment	297000	250000	297000	47000	18.8%
9941	Hilldale 2567 Lower Piambong Road PIAMBONG NSW 2850	LPI Review - Objection	329000	245000	291000	46000	18.8%

### Objections & Reassessments

Prop No.	Property Address	Reason for change	Original 2011 LV	Amended 2011 LV	2013 LV	LV Change	LV % Change
14160	Fernside 1015 Narrango Road OLINDA NSW 2849	LPI Review - Objection	2830000	2400000	2830000	430000	17.9%
21594	Sunnyside 7668 Bylong Valley Way BYLONG NSW 2849	Objection - Owner Initiated	4410000	3580000	4210000	630000	17.6%
6438	Stubbo 810 Barneys Reef Road STUBBO NSW 2852	LPI Review - Objection	1010000	860000	1010000	150000	17.4%
16592	Hillcrest 7433 Castlereagh Highway ILFORD NSW 2850	LPI Review - Objection	781000	669000	781000	112000	16.7%
20271	2094 Hill End Road GRATTAI NSW 2850	LPI Review - Objection	323000	260000	300000	40000	15.4%
19183	Derowang 2160 Barigan Road BARIKAN NSW 2850	LPI Review - Objection	791000	643000	741000	98000	15.2%
5023	Guntawang 594 Goolma Road GULGONG NSW 2852	LPI Review - Reassessment	1210000	1050000	1210000	160000	15.2%
1828	46 Mortimer Street MUDGEE NSW 2850	Objection - Owner Initiated	100000	80000	92000	12000	15.0%
14169	Falcon 820 Narrango Road DABEE NSW 2849	LPI Review - Objection	1830000	1610000	1830000	220000	13.7%
6446	Avoca 913 Barneys Reef Road STUBBO NSW 2852	LPI Review - Objection	880000	496000	562000	66000	13.3%
6880	Redbank 5006 Hill End Road HARGRAVES NSW 2850	LPI Review - Objection	661000	540000	611000	71000	13.1%
21789	Ringwood 6166 Bylong Valley Way BUDDEN NSW 2849	LPI Review - Objection	632000	562000	632000	70000	12.5%
13029	1021 Mebul Road MEBUL NSW 2852	LPI Review - Objection	348000	310000	348000	38000	12.3%
21247	Bylong Station 7961 Bylong Valley Way BYLONG NSW 2849	LPI Review - Reassessment	2120000	1810000	2000000	190000	10.5%
18950	11 Kilkenny Avenue MUDGEE NSW 2850	Objection - Owner Initiated	182000	161000	177000	16000	9.9%
20927	Kelloshiel 1358 Triamble Road HARGRAVES NSW 2850	LPI Review - Objection	719000	615000	669000	54000	8.8%
9404	1 Industrial Avenue GULGONG NSW 2852	Objection - Owner Initiated	235000	220000	235000	15000	6.8%
21012	Dalmey 1620 Ullamilla Road ULLAMILLA NSW 2850	LPI Review - Objection	936000	810000	856000	46000	5.7%
10000	250 Grattai Creek Road GRATTAI NSW 2850	LPI Review - Objection	401000	358000	370000	12000	3.4%
20210	Karrann Court 1A Sydney Road MUDGEE NSW 2850	Objection - Owner Initiated	294000	245000	252000	7000	2.9%
21191	Birkalla 675 Birkalla Road BUNGABA NSW 2852	LPI Review - Objection	921000	825000	844000	19000	2.3%
16545	Overturon 2401 Upper Turon Road RUNNING STREAM NSW 2795	LPI Review - Reassessment	483000	359000	362000	3000	0.8%
2472	2352 Lue Road HAVILAH NSW 2850	LPI Review - Objection	143000	115000	115000	0	0.0%
2593	1373 Powells Road BARIKAN NSW 2850	LPI Review - Objection	393000	325000	325000	0	0.0%
2689	Balmoral 17 Kurtz Lane STONY CREEK NSW 2850	LPI Review - Objection	762000	575000	575000	0	0.0%
2698	229 Hughes Road TWO MILE FLAT NSW 2852	LPI Review - Objection	991000	758000	758000	0	0.0%
3255	Lenarrybe 1083 Blue Springs Road COPE NSW 2852	LPI Review - Objection	1230000	985000	985000	0	0.0%
3447	Westmount 888 Hill End Road ERUDGERE NSW 2850	LPI Review - Objection	745000	607000	607000	0	0.0%
3495	Westmore 724 Upper Piambong Road PIAMBONG NSW 2850	LPI Review - Objection	313000	260000	260000	0	0.0%
3845	Rosemount 298 Honeysett Road TALLAWANG NSW 2852	LPI Review - Objection	1100000	805000	805000	0	0.0%
3865	Tallara 117 Tucklan Road TALLAWANG NSW 2852	LPI Review - Objection	877000	720000	720000	0	0.0%
4087	678 Windeyer Road GRATTAI NSW 2850	LPI Review - Objection	486000	395000	395000	0	0.0%
5384	Yallabee 272 Merotherie Road STUBBO NSW 2852	LPI Review - Objection	1380000	1150000	1150000	0	0.0%
5936	Tudor Hills 405 Mount Misery Road MUDGEE NSW 2850	LPI Review - Objection	278000	175000	175000	0	0.0%
6180	1517 Lower Piambong Road PIAMBONG NSW 2850	LPI Review - Objection	638000	550000	550000	0	0.0%
6181	Blackboy 2093 Lower Piambong Road PIAMBONG NSW 2850	LPI Review - Objection	553000	440000	440000	0	0.0%
6311	Clearview 800 Puggoon Road TALLAWANG NSW 2852	LPI Review - Objection	609000	505000	505000	0	0.0%
6312	The Willows 798 Puggoon Road TALLAWANG NSW 2852	LPI Review - Objection	821000	695000	695000	0	0.0%
6349	Avoca 681 Barneys Reef Road STUBBO NSW 2852	LPI Review - Objection	443000	349000	349000	0	0.0%
6436	Argyll 955 Barneys Reef Road STUBBO NSW 2852	LPI Review - Objection	579000	485000	485000	0	0.0%
6451	1282 Barneys Reef Road STUBBO NSW 2852	LPI Review - Objection	400000	274000	274000	0	0.0%
6452	1280 Barneys Reef Road STUBBO NSW 2852	LPI Review - Objection	637000	517000	517000	0	0.0%
6523	Nagundie 1535 Barneys Reef Road TALLAWANG NSW 2852	LPI Review - Objection	1030000	800000	800000	0	0.0%
6527	Greenmount 330 Whistons Lane TALLAWANG NSW 2852	LPI Review - Objection	622000	530000	530000	0	0.0%
6528	Greenmount 332 Whistons Lane TALLAWANG NSW 2852	LPI Review - Objection	432000	350000	350000	0	0.0%
6699	Glenroy 1330 Pyramul Road PYRAMUL NSW 2850	LPI Review - Objection	616000	490000	490000	0	0.0%
6773	Glenmore 590 Prices Lane PYRAMUL NSW 2850	LPI Review - Objection	851000	660000	660000	0	0.0%
6782	808 Prices Lane PYRAMUL NSW 2850	LPI Review - Objection	422000	283000	283000	0	0.0%
6784	Kurrawarra 252 Burns Road ULLAMILLA NSW 2850	LPI Review - Objection	1730000	1500000	1500000	0	0.0%
6926	2091 Lower Piambong Road PIAMBONG NSW 2850	LPI Review - Objection	390000	325000	325000	0	0.0%
6927	Macon 2097 Lower Piambong Road PIAMBONG NSW 2850	LPI Review - Objection	535000	475000	475000	0	0.0%
7212	Budgalong 3497 Goolma Road GOOLMA NSW 2852	LPI Review - Objection	396000	250000	250000	0	0.0%

## Objections & Reassentainments

Prop No.	Property Address	Reason for change	Original 2011 LV	Amended 2011 LV	2013 LV	LV Change	LV % Change
7442	Pinelea 816 Upper Mebul Road MEBUL NSW 2852	LPI Review - Objection	249000	210000	210000	0	0.0%
7675	Bindah Road 5131 PIAMBONG NSW 2850	LPI Review - Objection	552000	450000	450000	0	0.0%
7824	Tallara Cottage 7 Corfishs Lane TALLAWANG NSW 2852	LPI Review - Objection	1650000	1410000	1410000	0	0.0%
8317	Pine Lea 337 Upper Mebul Road MEBUL NSW 2852	LPI Review - Objection	258000	200000	200000	0	0.0%
9451	Blairmount 944 Birkalla Road BUNGABA NSW 2852	LPI Review - Objection	356000	264000	264000	0	0.0%
10003	Shalamah 248 Grattai Creek Road GRATTAI NSW 2850	LPI Review - Objection	360000	278000	278000	0	0.0%
10040	Pine Lea 817 Upper Mebul Road MEBUL NSW 2852	LPI Review - Objection	705000	640000	640000	0	0.0%
10042	Carinya 327 Old Coach Road PYRAMUL NSW 2850	LPI Review - Objection	443000	367000	367000	0	0.0%
10183	Bara 1044 Bara Road BARA NSW 2850	Objection - Owner Initiated	192000	122000	122000	0	0.0%
10191	Tallawangra 176 Yarrabin Road COLLINGWOOD NSW 2850	LPI Review - Objection	927000	717000	717000	0	0.0%
10341	Pine View 728 Gollan Road GOOLMA NSW 2852	LPI Review - Objection	421000	340000	340000	0	0.0%
10343	1448 Lue Road MOUNT KNOWLES NSW 2850	LPI Review - Objection	499000	350000	350000	0	0.0%
11028	Vallee Hi 1973 Castlereagh Highway CUDGEGONG NSW 2850	LPI Review - Objection	307000	287000	287000	0	0.0%
11063	Woodside 1333 Campbells Creek Road WINDEYER NSW 2850	LPI Review - Objection	677000	562000	562000	0	0.0%
11087	Hillview 34 Drews Lane HOME RULE NSW 2850	LPI Review - Objection	534000	426000	426000	0	0.0%
11240	Garlyn Park 726 Gollan Road GOOLMA NSW 2852	LPI Review - Objection	411000	315000	315000	0	0.0%
11464	Wallawaugh 887 Wallawaugh Road HARGRAVES NSW 2850	LPI Review - Objection	498000	450000	450000	0	0.0%
11470	Nungarrin 1448 Castlereagh Highway TALLAWANG NSW 2852	LPI Review - Objection	412000	369000	369000	0	0.0%
11617	Killawarra 479 Wallawaugh Road HARGRAVES NSW 2850	LPI Review - Objection	827000	720000	720000	0	0.0%
11656	1026 Castlereagh Highway BERYL NSW 2852	LPI Review - Objection	588000	480000	480000	0	0.0%
11791	Roxanna 910 Birriwa Bus Route South MERTHERIE NSW 2844	LPI Review - Objection	340000	282000	282000	0	0.0%
12192	The Willows 846 Ullamilla Road ULLAMILLA NSW 2850	LPI Review - Objection	345000	316000	316000	0	0.0%
12327	Fairfield 3480 Goolma Road GOOLMA NSW 2852	LPI Review - Objection	1200000	1050000	1050000	0	0.0%
12553	Ullamilla 1276 Ullamilla Road ULLAMILLA NSW 2850	LPI Review - Objection	955000	800000	800000	0	0.0%
13066	Millenbong 680 Grattai Creek Road GRATTAI NSW 2850	LPI Review - Objection	504000	408000	408000	0	0.0%
13329	Sugarloaf 2430 Hill End Road GRATTAI NSW 2850	LPI Review - Objection	280000	240000	240000	0	0.0%
13355	Taranah 226 Upper Piambong Road PIAMBONG NSW 2850	LPI Review - Objection	2010000	1647000	1647000	0	0.0%
13977	2099 Lower Piambong Road PIAMBONG NSW 2850	LPI Review - Objection	653000	553000	553000	0	0.0%
14028	South Crowie 1969 Lower Piambong Road PIAMBONG NSW 2850	LPI Review - Objection	487000	295000	295000	0	0.0%
14144	7650 Bylong Valley Way BYLONG NSW 2849	LPI Review - Objection	894000	705000	705000	0	0.0%
14147	Meadsville 7458 Bylong Valley Way BYLONG NSW 2849	LPI Review - Objection	471000	355000	355000	0	0.0%
14177	Tarwyn Park 401 Upper Bylong Road UPPER BYLONG NSW 2849	LPI Review - Objection	973000	870000	870000	0	0.0%
14184	Tarwyn Park 327 Woolleys Road UPPER BYLONG NSW 2849	LPI Review - Objection	520000	405000	405000	0	0.0%
14323	933 Brogans Creek Road BROGANS CREEK NSW 2848	LPI Review - Objection	343000	275000	275000	0	0.0%
14483	Willow Glen 847 Narrango Road OLINDA NSW 2849	LPI Review - Objection	527000	363000	363000	0	0.0%
14497	Grassy 215 Nullo Mountain Road OLINDA NSW 2849	LPI Review - Objection	565000	422000	422000	0	0.0%
14504	Canaan Park 875 Nullo Mountain Road RYLSTONE NSW 2849	LPI Review - Objection	219000	130000	130000	0	0.0%
14517	1-7 McLachlan Street RYLSTONE NSW 2849	LPI Review - Objection	345000	275000	275000	0	0.0%
14525	Glendaire 1575 Crudine Road CRUDINE NSW 2795	LPI Review - Objection	702000	600000	600000	0	0.0%
14534	1769 Crudine Road CRUDINE NSW 2850	LPI Review - Objection	566000	442000	442000	0	0.0%
14623	Pata-Mara 2936 Bylong Valley Way RYLSTONE NSW 2849	LPI Review - Objection	682000	540000	540000	0	0.0%
14684	625 Dolomite Road DUNGEREE NSW 2849	LPI Review - Objection	414000	325000	325000	0	0.0%
14697	13 Coricudy Road OLINDA NSW 2849	LPI Review - Objection	677000	540000	540000	0	0.0%
14699	325 Coricudy Road OLINDA NSW 2849	Objection - Owner Initiated	820	300	300	0	0.0%
14701	Breakaway 253 Coricudy Road OLINDA NSW 2849	LPI Review - Objection	257000	169000	169000	0	0.0%
14744	109 Gingham Road GINGHI NSW 2849	LPI Review - Objection	262000	190000	190000	0	0.0%
14840	Kooringle 569 Mt Vincent Road RUNNING 5STREAM NSW 2850	LPI Review - Objection	491000	400000	400000	0	0.0%
14912	Weenoona 1417 Coricudy Road KELGOOLA NSW 2849	LPI Review - Objection	639000	511000	511000	0	0.0%
14921	Talooby 1054 Upper Bylong Road BYLONG NSW 2849	LPI Review - Objection	475000	367000	367000	0	0.0%
14940	Yulingah 476 Powells Road PYANGLE NSW 2850	LPI Review - Objection	349000	257000	257000	0	0.0%
15024	Murrumbo 9090 Bylong Valley Way MURRUMBO NSW 2849	LPI Review - Objection	4430000	3500000	3500000	0	0.0%
15084	1896 Nullo Mountain Road NULLO MOUNTAIN NSW 2849	LPI Review - Objection	771000	680000	680000	0	0.0%

## Objections & Reassentiments

Prop No.	Property Address	Reason for change	Original 2011 LV	Amended 2011 LV	2013 LV	LV Change	LV % Change
15099	Robmar 42SS Bylong Valley Way RYLSTONE NSW 2849	LPI Review - Objection	317000	265000	265000	0	0.0%
15112	510 Reedy Creek Road RYLSTONE NSW 2849	LPI Review - Objection	299000	245000	245000	0	0.0%
15270	Coomber 123 Cudgegong Road RYLSTONE NSW 2849	LPI Review - Objection	849000	590000	590000	0	0.0%
16539	2273 Upper Turon Road RUNNING STREAM NSW 2795	LPI Review - Objection	1010000	600000	600000	0	0.0%
16541	Mulara 675 Berwick Road RUNNING STREAM NSW 2850	LPI Review - Objection	363000	285000	285000	0	0.0%
16571	Donasville 173 Crudine Road AARONS PASS NSW 2850	LPI Review - Objection	1060000	871000	871000	0	0.0%
16581	Nolac 302 Crudine Road AARONS PASS NSW 2850	LPI Review - Objection	1090000	786000	786000	0	0.0%
16634	Ravenswood 4548 Lue Road RYLSTONE NSW 2849	LPI Review - Objection	598000	500000	500000	0	0.0%
16635	Ravenswood 4550 Lue Road RYLSTONE NSW 2849	LPI Review - Objection	749000	665000	665000	0	0.0%
16694	467 Old Ilford Road ILFORD NSW 2850	LPI Review - Objection	509000	387000	387000	0	0.0%
16699	1290 Razorback Road RUNNING STREAM NSW 2850	LPI Review - Objection	1280000	966000	966000	0	0.0%
16744	50 Ilford Hall Road ILFORD NSW 2850	Objection - Owner Initiated	50000	30000	30000	0	0.0%
18564	Waterview 325 Crudine Road AARONS PASS NSW 2850	LPI Review - Objection	2090000	1430000	1430000	0	0.0%
18629	318 Upper Botobolar Road BOTOBOLAR NSW 2850	LPI Review - Objection	474000	350000	350000	0	0.0%
18690	Meroo Manor 1415 Queens Pinch Road QUEENS PINCH NSW 2850	LPI Review - Objection	565000	415000	415000	0	0.0%
18786	1998 Yarrabin Road YARRABIN NSW 2850	LPI Review - Objection	549000	453000	453000	0	0.0%
18982	Wyoming 4613 Hill End Road HARGRAVES NSW 2850	LPI Review - Objection	673000	528000	528000	0	0.0%
19286	1454 Windeyer Road WINDEYER NSW 2850	LPI Review - Objection	455000	345000	345000	0	0.0%
19472	631 Black Soil Road GRATTAI NSW 2850	LPI Review - Objection	157000	120000	120000	0	0.0%
19497	1713 Castlereagh Highway TALLAWANG NSW 2852	LPI Review - Objection	700000	640000	640000	0	0.0%
19565	Windamere Dam Foreshore Block 2 9581 Castlereagh Highway CUDGEGONG NSW	LPI Review - Objection	1100000	967000	967000	0	0.0%
19567	Windamere Dam Foreshore Blocks 11 & 13 9162 Castlereagh Highway CUDGEGONG NSW	LPI Review - Objection	1130000	835000	835000	0	0.0%
19568	Windamere Dam Foreshore Block 12 9576 Castlereagh Highway CUDGEGONG NSW	LPI Review - Objection	409000	300000	300000	0	0.0%
19576	Windamere Dam Foreshore Block 7 8832 Castlereagh Highway CUDGEGONG NSW	LPI Review - Objection	1530000	1270000	1270000	0	0.0%
19577	Vallee Hi 1969A Castlereagh Highway CUDGEGONG NSW 2850	LPI Review - Objection	977000	694000	694000	0	0.0%
19609	455 Bobadeen Road TURILL NSW 2850	LPI Review - Objection	772000	650000	650000	0	0.0%
19668	Yelma 5243 Bylong Valley Way GINGHI NSW 2849	LPI Review - Objection	372000	305000	305000	0	0.0%
19872	1464 Bylong Valley Way KANDOS NSW 2848	LPI Review - Objection	427000	278000	278000	0	0.0%
19918	Belara 97 Clarkes Road COXS CREEK NSW 2849	LPI Review - Objection	1540000	1330000	1330000	0	0.0%
20320	782 Yarrabin Road YARRABIN NSW 2850	LPI Review - Objection	432000	344000	344000	0	0.0%
20431	Beni 379 Windeyer Road GRATTAI NSW 2850	LPI Review - Objection	867000	755000	755000	0	0.0%
20529	2129 Triamble Road TRIAMBLE NSW 2850	LPI Review - Objection	268000	185000	185000	0	0.0%
20576	161 Lambing Hill Road GOOLIMA NSW 2852	LPI Review - Objection	314000	250000	250000	0	0.0%
20713	Warragundi 2152 Goolma Road TWO MILE FLAT NSW 2852	LPI Review - Objection	2040000	1770000	1770000	0	0.0%
20721	Shannon D3 2821 Yarrabin Road YARRABIN NSW 2850	LPI Review - Objection	328000	245000	245000	0	0.0%
20932	Morven Park 6216 Castlereagh Highway RUNNING STREAM NSW 2850	LPI Review - Objection	1700000	1100000	1100000	0	0.0%
20953	Hazelbrook 287 Perrams Road AARONS PASS NSW 2850	LPI Review - Objection	510000	340000	340000	0	0.0%
21045	182 Corcudgy Road OLINDA NSW 2849	LPI Review - Objection	800000	540000	540000	0	0.0%
21102	2095 Lower Piambong Road PIAMBONG NSW 2850	LPI Review - Objection	322000	240000	240000	0	0.0%
21103	Red Hill 4957 Ilford Sofala Road SOFALA NSW 2795	LPI Review - Objection	241000	180000	180000	0	0.0%
21104	Gateleys 204 Hill End Road SOFALA NSW 2795	LPI Review - Objection	351000	285000	285000	0	0.0%
21107	Mayfield 889 Tongbong Road PINNACLE SWAMP NSW 2849	LPI Review - Objection	482000	310000	310000	0	0.0%
21114	Red Springs 235 Bylong Valley Way ILFORD NSW 2850	LPI Review - Objection	617000	500000	500000	0	0.0%
21145	Windamere Dam Foreshore Block 5 1312 Cudgegong Road CARWELL NSW 2849	LPI Review - Objection	1140000	1040000	1040000	0	0.0%
21364	Balmoral 965 Wollar Road STONY CREEK NSW 2850	LPI Review - Objection	789000	600000	600000	0	0.0%
21380	Windamere Dam Foreshore Block 6 9583 Castlereagh Highway CUDGEGONG NSW	LPI Review - Objection	381000	300000	300000	0	0.0%
21407	886 Mt Vincent Road ILFORD NSW 2850	Objection - Owner Initiated	218000	185000	185000	0	0.0%
21422	1915 Ulan Road LINBURN NSW 2850	Objection - Owner Initiated	286000	185000	185000	0	0.0%
21540	2252 Nullo Mountain Road NULLO MOUNTAIN NSW 2849	LPI Review - Objection	1200000	1050000	1050000	0	0.0%
21603	Cooyal Homestead 1909 Ulan Road LINBURN NSW 2850	LPI Review - Objection	1520000	1256000	1256000	0	0.0%
21709	Glendale 1133 Cudgegong Road CARWELL NSW 2849	LPI Review - Objection	1026000	915000	915000	0	0.0%
21779	Yarren 5711 Castlereagh Highway RUNNING STREAM NSW 2850	LPI Review - Objection	808000	700000	700000	0	0.0%

## Objections & Reassessments

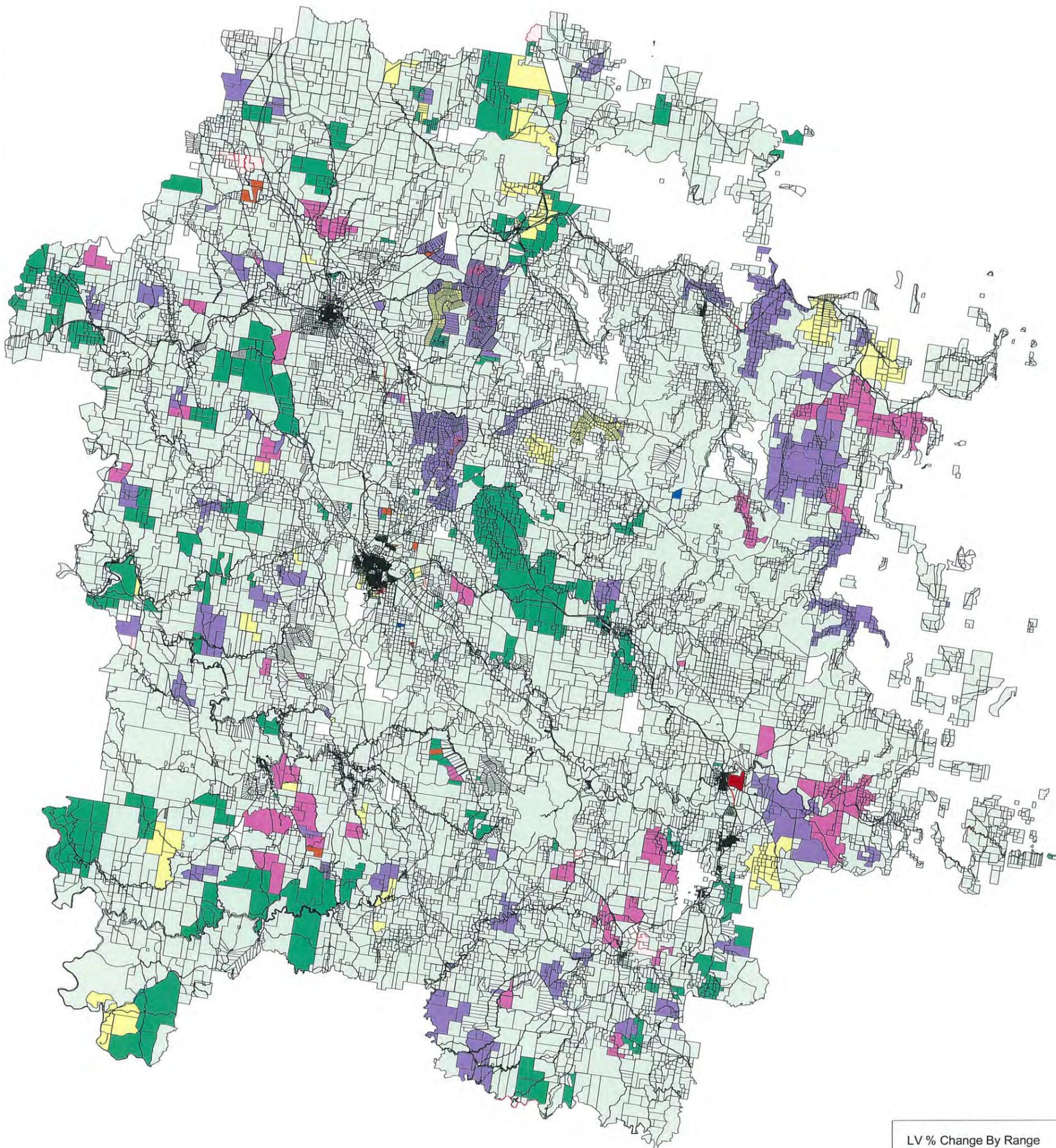
Prop No.	Property Address	Reason for change	Original 2011 LV	Amended 2011 LV	2013 LV	LV Change	LV % Change
21871	Malboona 1193 Yarrabin Road YARRABIN NSW 2850	Objection - Owner Initiated	1100000	960000	960000	0	0.0%
20720	Moville 1733 Lower Piampong Road PIAMBONG NSW 2850	Objection - Owner Initiated	307000	223000	223000	0	0.0%
6417	Elouera Park 4202 Twelve Mile Road TWELVE MILE NSW 2850	Objection - Owner Initiated	149000	130000	130000	0	0.0%
13372	4 Rouse Street GULGONG NSW 2852	Objection - Owner Initiated	164000	130000	130000	0	0.0%
21845	1229 Coricudgy Road KELGOOLA NSW 2849	Objection - Owner Initiated	1030000	894000	894000	0	0.0%
21277	Berwick 366 Razorback Road RUNNING STREAM NSW 2850	LPI Review - Objection	1040000	830000	830000	0	0.0%
6775	1482 Crudine Road CRUDINE NSW 2795	LPI Review - Objection	564000	370000	370000	0	0.0%
12659	1484 Crudine Road CRUDINE NSW 2795	LPI Review - Objection	490000	400000	400000	0	0.0%
20023	Talinga 1848 Castlereagh Highway TALLAWANG NSW 2852	LPI Review - Objection	1870000	1640000	1640000	0	0.0%
21064	53-57 Depot Road MUDGEE NSW 2850	LPI Review - Objection	534000	216000	216000	0	0.0%
21990	Windamere Dam Foreshore Block 10 147 Bunbury Road BOCOBLE NSW 2850	LPI Review - Objection	1141000	658000	658000	0	0.0%
11407	Bonnyview Vineyard 220 Ulan Road BOMBIRA NSW 2850	LPI Review - Objection	3830000	3350000	3350000	0	0.0%
14179	7745 Bylong Valley Way BYLONG NSW 2849	LPI Review - Reassessment	809000	650000	650000	0	0.0%
10741	Sanslee 97 Stubbo Road STUBBO NSW 2852	LPI Review - Reassessment	326000	224000	224000	0	0.0%
6775	1482 Crudine Road CRUDINE NSW 2795	LPI Review - Reassessment	564000	370000	370000	0	0.0%
11793	Woodbrook 1050 Wilbetree Road WILBETREE NSW 2850	LPI Review - Reassessment	1046000	1250000	1250000	0	0.0%
7198	Rockdale 457 Browie Road GOOLMA NSW 2852	LPI Review - Reassessment	1490000	1270000	1270000	0	0.0%
7223	Belvedere 298 Gollan Road GOOLMA NSW 2852	LPI Review - Reassessment	795000	605000	605000	0	0.0%
7753	507 Yarrawonga Road YARRAWONGA NSW 2850	LPI Review - Reassessment	265000	336000	336000	0	0.0%
9949	Goodiman Old Station 1245 Spring Ridge Road BERYL NSW 2852	LPI Review - Reassessment	295000	228000	228000	0	0.0%
14315	Quarry View 931 Brogans Creek Road CLANDULLA NSW 2848	LPI Review - Reassessment	657000	430000	430000	0	0.0%
14482	Brigalow 6109 Wollar Road BYLONG NSW 2795	LPI Review - Reassessment	212000	158000	158000	0	0.0%
14532	5925 Ilford Sofala Road SOFALA NSW 2795	LPI Review - Reassessment	1450000	1240000	1240000	0	0.0%
14628	Rawdon 240 Cox Creek Road RYLSTONE NSW 2849	LPI Review - Reassessment	533000	428000	428000	0	0.0%
14635	Kiloran 3019 Bylong Valley Way RYLSTONE NSW 2849	LPI Review - Reassessment	729000	600000	600000	0	0.0%
14659	Kona 354 Clarkes Road COXS CREEK NSW 2849	LPI Review - Reassessment	827000	647000	647000	0	0.0%
14810	1284 Maloneys Road BARA NSW 2850	LPI Review - Reassessment	102000	135000	135000	0	0.0%
14814	5506 Castlereagh Highway RUNNING STREAM NSW 2850	LPI Review - Reassessment	430000	325000	325000	0	0.0%
14852	Knoyles Farm 342 Camerons Road RUNNING STREAM NSW 2850	LPI Review - Reassessment	536000	425000	425000	0	0.0%
14920	Harley Hill 880 Upper Bylong Road UPPER BYLONG NSW 2849	LPI Review - Reassessment	373000	290000	290000	0	0.0%
14924	Harley Hill 882 Upper Bylong Road UPPER BYLONG NSW 2849	LPI Review - Reassessment	494000	380000	380000	0	0.0%
14926	80 Bylong Trail LEE CREEK NSW 2849	LPI Review - Reassessment	325000	260000	260000	0	0.0%
14983	148 Brogans Creek Road CLANDULLA NSW 2848	LPI Review - Reassessment	1110000	810000	810000	0	0.0%
15069	Summervale 1922 Nullo Mountain Road NULLO MOUNTAIN NSW 2849	LPI Review - Reassessment	238000	200000	200000	0	0.0%
2481	126 Kyewong Road WINDEYER NSW 2850	LPI Review - Reassessment	86000	136000	136000	0	0.0%
10208	Talga 1589 Barigan Road BARIGAN NSW 2850	LPI Review - Reassessment	270000	220000	220000	0	0.0%
11707	1220 Castlereagh Highway APPLE TREE FLAT NSW 2850	LPI Review - Reassessment	369000	500000	500000	0	0.0%
11332	Pipeclay 97 Buckaroo Lane BUCKAROO NSW 2850	LPI Review - Reassessment	368000	500000	500000	0	0.0%
10647	Eurunderree 603 Henry Lawson Drive EURUNDERREE NSW 2850	LPI Review - Reassessment	1308000	1600000	1600000	0	0.0%
2959	Milroy 296 Lue Road MILROY NSW 2850	LPI Review - Reassessment	781000	1030000	1030000	0	0.0%
3304	3028 Wollar Road CUMBO NSW 2850	LPI Review - Reassessment	122000	166000	166000	0	0.0%
3308	Koringa 97 Cumbo Road CUMBO NSW 2850	LPI Review - Reassessment	93000	125000	125000	0	0.0%
12330	Aphenrye 2763 Wollar Road MUNGHORN NSW 2850	LPI Review - Reassessment	81000	110000	110000	0	0.0%
3506	Eurunderree 844 Henry Lawson Drive EURUNDERREE NSW 2850	LPI Review - Reassessment	492000	713000	713000	0	0.0%
10827	898 Henry Lawson Drive EURUNDERREE NSW 2850	LPI Review - Reassessment	508000	653000	653000	0	0.0%
11619	Maree 96 Maree Road TICHULAR NSW 2850	LPI Review - Reassessment	999000	835000	835000	0	0.0%
12026	664 Guntawang Road GALAMBINE NSW 2850	LPI Review - Reassessment	1880000	2100000	2100000	0	0.0%
3863	Lyncoln Hill 367 Montaza Road TALLAWANG NSW 2852	LPI Review - Reassessment	410000	285000	285000	0	0.0%
5390	248 Gingers Lane TALLAWANG NSW 2852	LPI Review - Reassessment	299000	230000	230000	0	0.0%
6121	The Pinnacle 709 Blue Springs Road STUBBO NSW 2852	LPI Review - Reassessment	1110000	895000	895000	0	0.0%
10472	Bargong 5481A Hill End Road HARGRAVES NSW 2850	LPI Review - Reassessment	590000	488000	488000	0	0.0%
9951	1031 Spring Ridge Road BERYL NSW 2852	LPI Review - Reassessment	103000	145000	145000	0	0.0%

## Objections & Reassessments

Prop No.	Property Address	Reson for change	Original 2011 LV	Amended 2011 LV	2013 LV	LV Change	LV % Change
6328	94 Jacksons Lane STUBBO NSW 2852	LPI Review - Reassessment	403000	314000	314000	0	0.0%
11900	261 Jacksons Lane BERYL NSW 2852	LPI Review - Reassessment	405000	314000	314000	0	0.0%
15211	Rockdale 704 Glen Alice Road DABEE NSW 2849	LPI Review - Reassessment	622000	410000	410000	0	0.0%
13861	473 Durrigere Road TURILL NSW 2850	LPI Review - Reassessment	122000	158000	158000	0	0.0%
12646	Wilbetree 744 Wilbetree Road WILBETREE NSW 2850	LPI Review - Reassessment	628000	919000	919000	0	0.0%
12659	1484 Crudine Road CRUDINE NSW 2795	LPI Review - Reassessment	490000	400000	400000	0	0.0%
13036	272 Canadian Lead Road GULGONG NSW 2852	LPI Review - Reassessment	853000	1000000	1000000	0	0.0%
12951	Fairvale 120 Upper Cumbo Road CUMBO NSW 2850	LPI Review - Reassessment	111000	162000	162000	0	0.0%
16538	855 Razorback Road RUNNING STREAM NSW 2850	LPI Review - Reassessment	365000	300000	300000	0	0.0%
13088	199 Sills Lane EURUNDEREE NSW 2850	LPI Review - Reassessment	503000	660000	660000	0	0.0%
13202	5386 Wollar Road WOLLAR NSW 2850	LPI Review - Reassessment	105000	130000	130000	0	0.0%
13506	Ullina 410 Laheys Creek Road BERYL NSW 2852	LPI Review - Reassessment	99000	125000	125000	0	0.0%
13986	1550 Crudine Road CRUDINE NSW 2795	LPI Review - Reassessment	340000	240000	240000	0	0.0%
18617	Rosewood 1331 Campbells Creek Road CARCARGONG NSW 2850	LPI Review - Reassessment	314000	250000	250000	0	0.0%
18704	1214 Lue Road MOUNT FROME NSW 2850	LPI Review - Reassessment	160000	220000	220000	0	0.0%
19031	Bidgee 940 Doughertys Junction Road PYRAMUL NSW 2850	LPI Review - Reassessment	234000	182000	182000	0	0.0%
19073	Box Ridges 3053 Nullo Mountain Road NULLO MOUNTAIN NSW 2849	LPI Review - Reassessment	230000	165000	165000	0	0.0%
19426	Old Springfield 2060 Castlereagh Highway GALAMBINE NSW 2850	LPI Review - Reassessment	1020000	1190000	1190000	0	0.0%
19599	Burrendong Dam Foreshore Block 3 164 Endacotts Lane YARRABIN NSW 2850	LPI Review - Reassessment	528000	415000	415000	0	0.0%
19732	Kelgoola 1860 Coricudy Road KELGOOLA NSW 2849	LPI Review - Reassessment	416000	340000	340000	0	0.0%
19908	284 Smedes Lane TURILL NSW 2850	LPI Review - Reassessment	127000	160000	160000	0	0.0%
20023	Talinga 1848 Castlereagh Highway TALLAWANG NSW 2852	LPI Review - Reassessment	1870000	1640000	1640000	0	0.0%
20031	179 Tinja Lane EURUNDEREE NSW 2850	LPI Review - Reassessment	812000	1035000	1035000	0	0.0%
20154	Park View 67 Gossage Road GULGONG NSW 2852	LPI Review - Reassessment	772000	660000	660000	0	0.0%
20192	Kingsford 7672 Castlereagh Highway AARONS PASS NSW 2850	LPI Review - Reassessment	1070000	958000	958000	0	0.0%
20497	Tinja 327 Tinja Lane EURUNDEREE NSW 2850	LPI Review - Reassessment	641000	820000	820000	0	0.0%
20516	Cumbandry Vineyard 2357 Henry Lawson Drive GULGONG NSW 2852	LPI Review - Reassessment	1969000	2125000	2125000	0	0.0%
20578	Strathallyn 945 Upper Piambong Road PIAMBONG NSW 2850	LPI Review - Reassessment	915000	689000	689000	0	0.0%
20831	Binomea 2319 Lower Piambong Road PIAMBONG NSW 2850	LPI Review - Reassessment	1440000	1300000	1300000	0	0.0%
20873	Barfinga 5906 Wollar Road BYLONG NSW 2849	LPI Review - Reassessment	339000	270000	270000	0	0.0%
20949	Beechworth 60 Beechworth Road HARGRAVES NSW 2850	LPI Review - Reassessment	566000	460000	460000	0	0.0%
21108	247 White Rock Road PINNACLE 5WAMP NSW 2849	LPI Review - Reassessment	1080000	865000	865000	0	0.0%
21144	247 White Rock Road PINNACLE 5WAMP NSW 2849	LPI Review - Reassessment	965000	785000	785000	0	0.0%
21144	4255 Lue Road CAMBOON NSW 2849	LPI Review - Reassessment	217000	248000	248000	0	0.0%
21277	Berwick 366 Razorback Road RUNNING STREAM NSW 2850	LPI Review - Reassessment	1040000	830000	830000	0	0.0%
21360	Bingaree 2493 Castlereagh Highway TALLAWANG NSW 2852	LPI Review - Reassessment	893000	780000	780000	0	0.0%
6932	Bowness 875 Wilbetree Road WILBETREE NSW 2850	LPI Review - Reassessment	1370000	1190000	1190000	0	0.0%
7011	Braeburn 954 Pyramul Road PYRAMUL NSW 2850	LPI Review - Reassessment	337000	287000	287000	0	0.0%
3872	Spring Ridge 1845 Spring Ridge Road TALLAWANG NSW 2852	LPI Review - Reassessment	661000	495000	495000	0	0.0%
11388	Tallawang 2282 Castlereagh Highway TALLAWANG NSW 2852	LPI Review - Reassessment	766000	653000	653000	0	0.0%
3875	Spring Ridge 1817 Spring Ridge Road TALLAWANG NSW 2852	LPI Review - Reassessment	537000	420000	420000	0	0.0%
11176	#N/A	LPI Review - Reassessment	230000	272000	272000	0	0.0%
5024	415 Goolma Road GULGONG NSW 2852	LPI Review - Reassessment	419000	516000	516000	0	0.0%
21909	Waterdale 398 Bylong Valley Way ILFORD NSW 2848	LPI Review - Reassessment	472000	330000	330000	0	0.0%
12911	1291 Mebul Road BERYL NSW 2852	LPI Review - Reassessment	369000	307000	307000	0	0.0%
3422	455 Lower Piambong Road PIAMBONG NSW 2850	VG Reassessment	617000	376000	376000	0	0.0%
21530	9-47 Waterworks Road MUDGEES NSW 2850	VG Reassessment	605000	145000	145000	0	0.0%
21063	47-51 Depot Road MUDGEES NSW 2850	LPI Review - Reassessment	362000	176000	176000	0	0.0%
21062	43 Depot Road MUDGEES NSW 2850	LPI Review - Reassessment	270000	185000	185000	0	0.0%
20910	1434 Ulan-Wollar Road WILPINJONG NSW 2850	LPI Review - Reassessment	1440000	1230000	1230000	0	0.0%
14524	Trelawney Creek 2336 Crudine Road CRUDINE NSW 2850	LPI Review - Reassessment	785000	616000	613000	-3000	-0.5%
20437	Minorra 605 Breakfast Creek Road BREAKFAST CREEK NSW 2849	LPI Review - Reassessment	827000	650000	645000	-5000	-0.8%

## Objections & Reassertainments

Prop No.	Property Address	Reason for change	Original 2011 LV	Amended 2011 LV	2013 LV	LV Change	LV % Change
6690	The Oaks 176 Beechworth Road HARGRAVES NSW 2850	LPI Review - Objection	210000	165000	162000	-3000	-1.8%
21510	786 Yarrabin Road YARRABIN NSW 2850	LPI Review - Objection	358000	260000	255000	-5000	-1.9%
13471	Balabudgee 1544 Ulan Road FROG ROCK NSW 2850	LPI Review - Reassertainment	233000	354000	345000	-9000	-2.5%
7219	Currawarra 828 Browlie Road GOOLMA NSW 2852	LPI Review - Objection	338000	275000	262000	-13000	-4.7%
3876	Carsalee 369 Montaza Road TALLAWANG NSW 2852	LPI Review - Objection	592000	457000	420000	-37000	-8.1%
12328	1047 Grattal Creek Road WORLDS END NSW 2850	LPI Review - Reassertainment	144000	169000	144000	-25000	-14.8%
11862	1853 Campbells Creek Road CARCAGONG NSW 2850	LPI Review - Reassertainment	130000	170000	122000	-48000	-28.2%
21223	Lue Station 2970 Lue Road RYLSTONE NSW 2849	LPI Review - Reassertainment	1660000	1240000	794000	-446000	-36.0%
3422	455 Lower Piambong Road PIAMBONG NSW 2850	LPI Review - Reassertainment	468000	617000	376000	-241000	-39.1%
21001	1462 Razorback Road UPPER TURON NSW 2795	LPI Review - Reassertainment	1050000	733000	390000	-343000	-46.8%

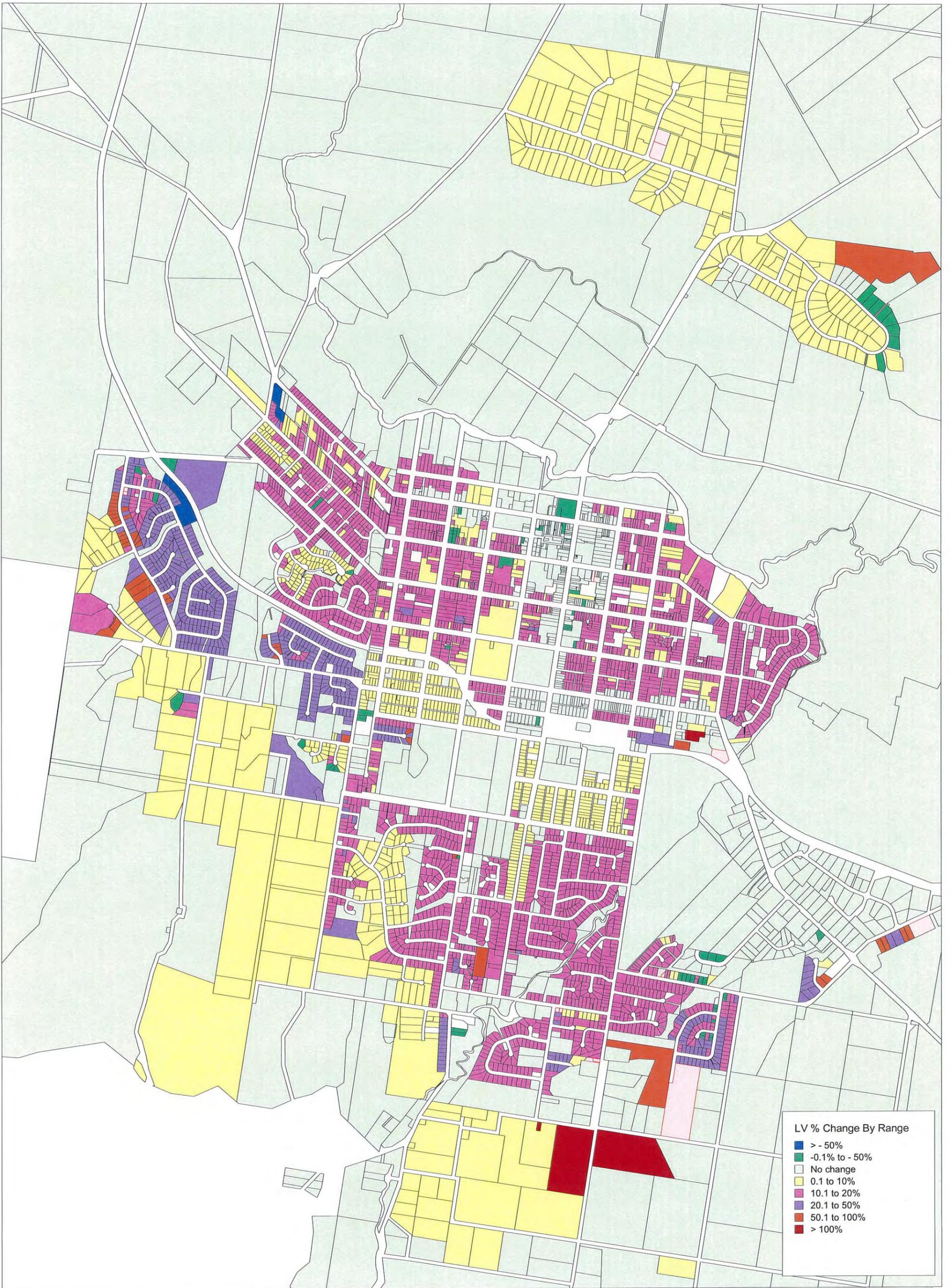


LV % Change By Range

- > - 50%
- -0.1% to - 50%
- No change
- 0.1 to 10%
- 10.1 to 20%
- 20.1 to 50%
- 50.1 to 100%
- > 100%



## Land Value % Change - 2011 to 2013 Base Date



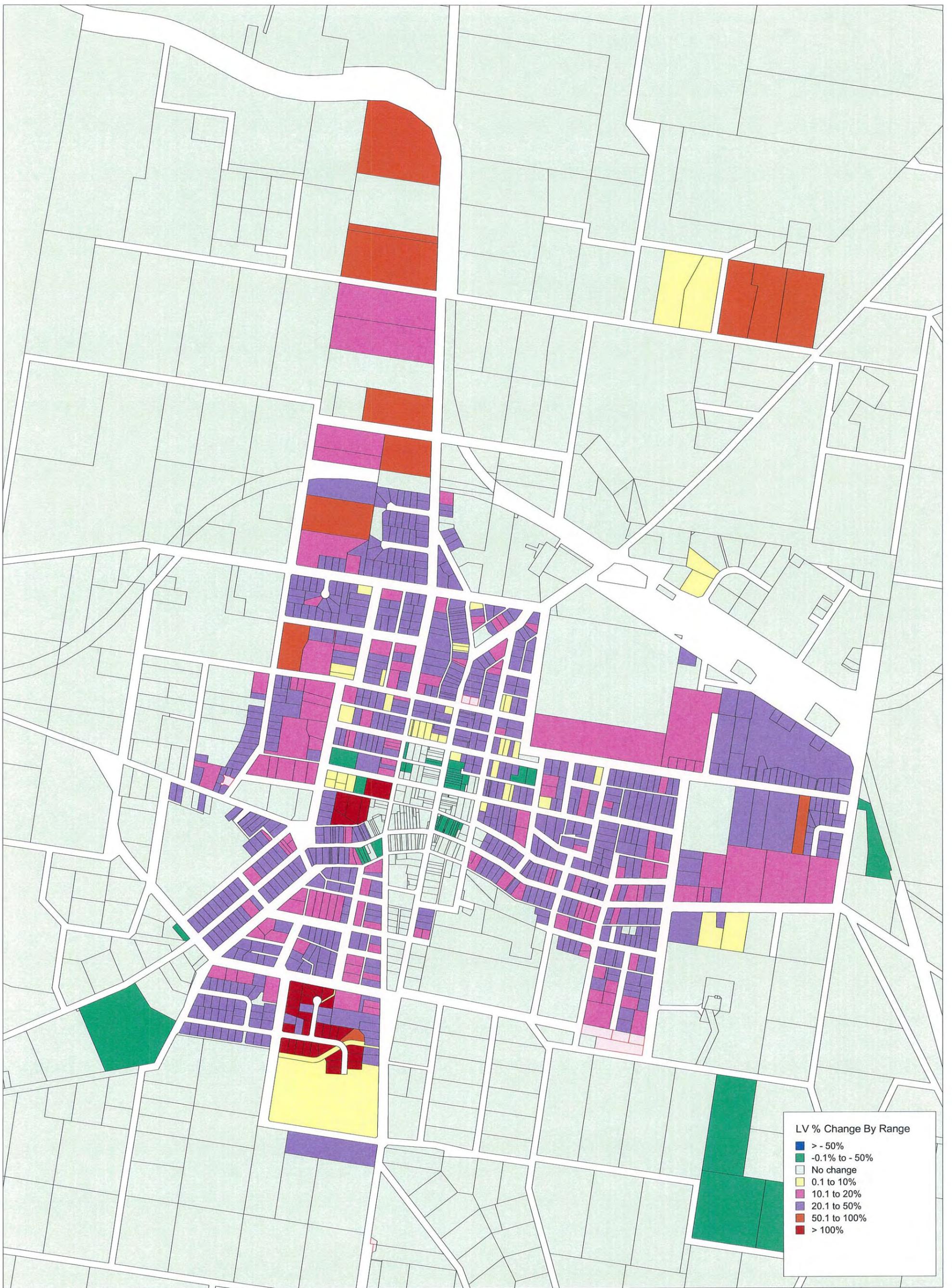
**LV % Change By Range**

Dark Blue	> - 50%
Teal	-0.1% to - 50%
Light Green	No change
Yellow	0.1 to 10%
Pink	10.1 to 20%
Purple	20.1 to 50%
Orange	50.1 to 100%
Red	> 100%



**Land Value % Change - 2011 to 2013 Base Date - Mudgee**





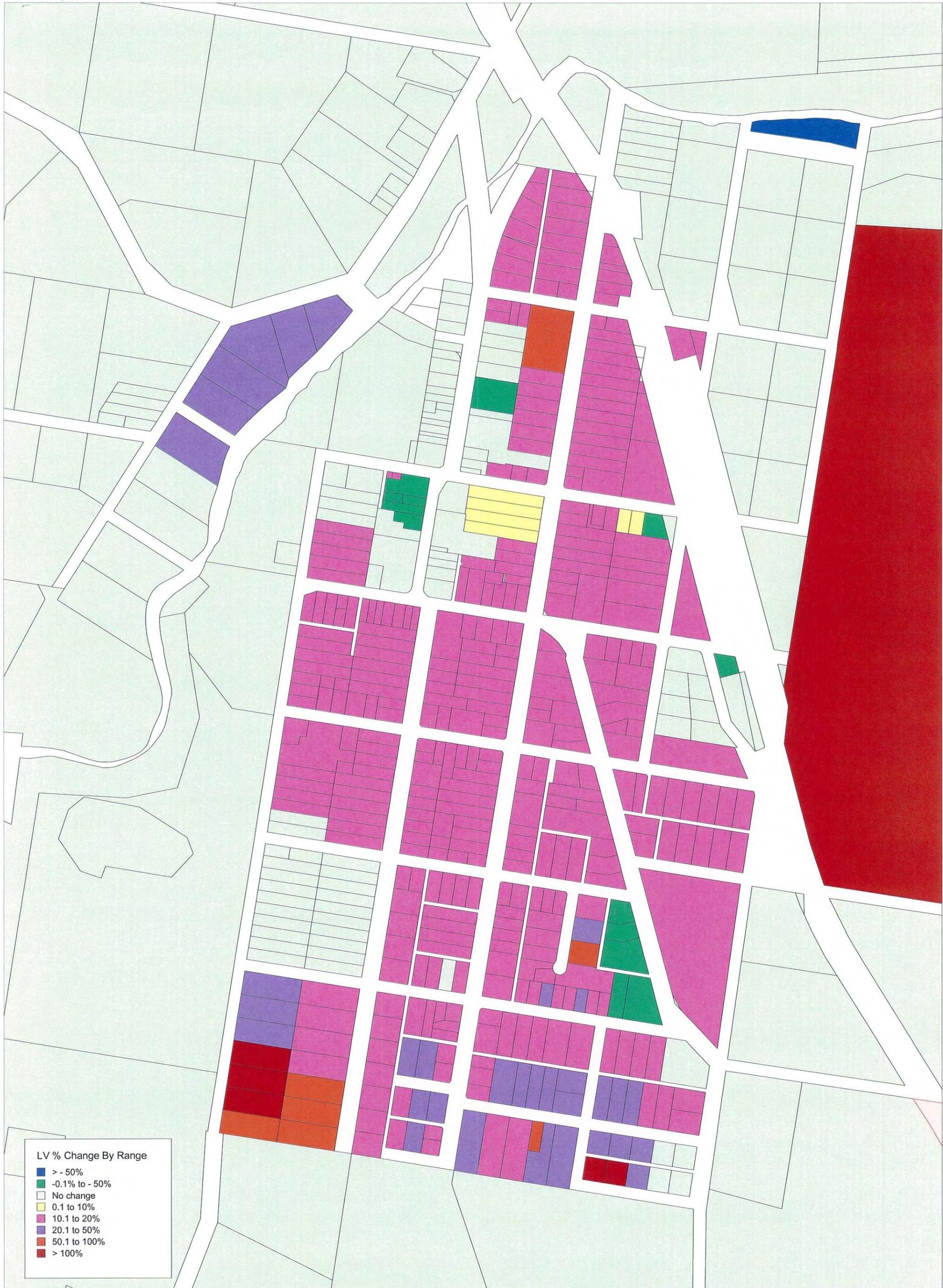
LV % Change By Range

- > - 50%
- -0.1% to - 50%
- No change
- 0.1 to 10%
- 10.1 to 20%
- 20.1 to 50%
- 50.1 to 100%
- > 100%



Land Value % Change - 2011 to 2013 Base Date - Gulgong



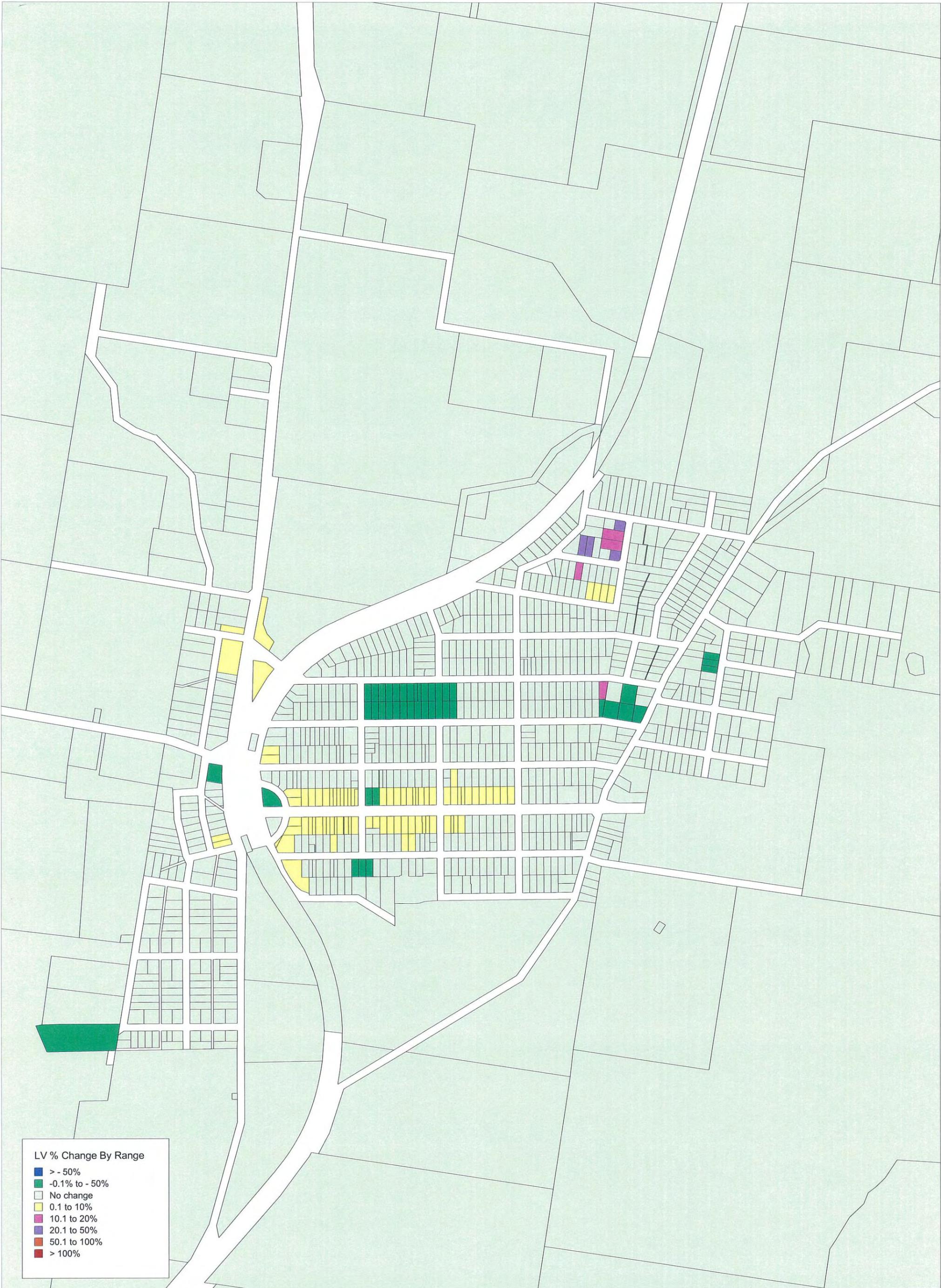


LV % Change By Range

- > - 50%
- 0.1% to - 50%
- No change
- 0.1 to 10%
- 10.1 to 20%
- 20.1 to 50%
- 50.1 to 100%
- > 100%

Land Value % Change - 2011 to 2013 base date - RYLSTONE





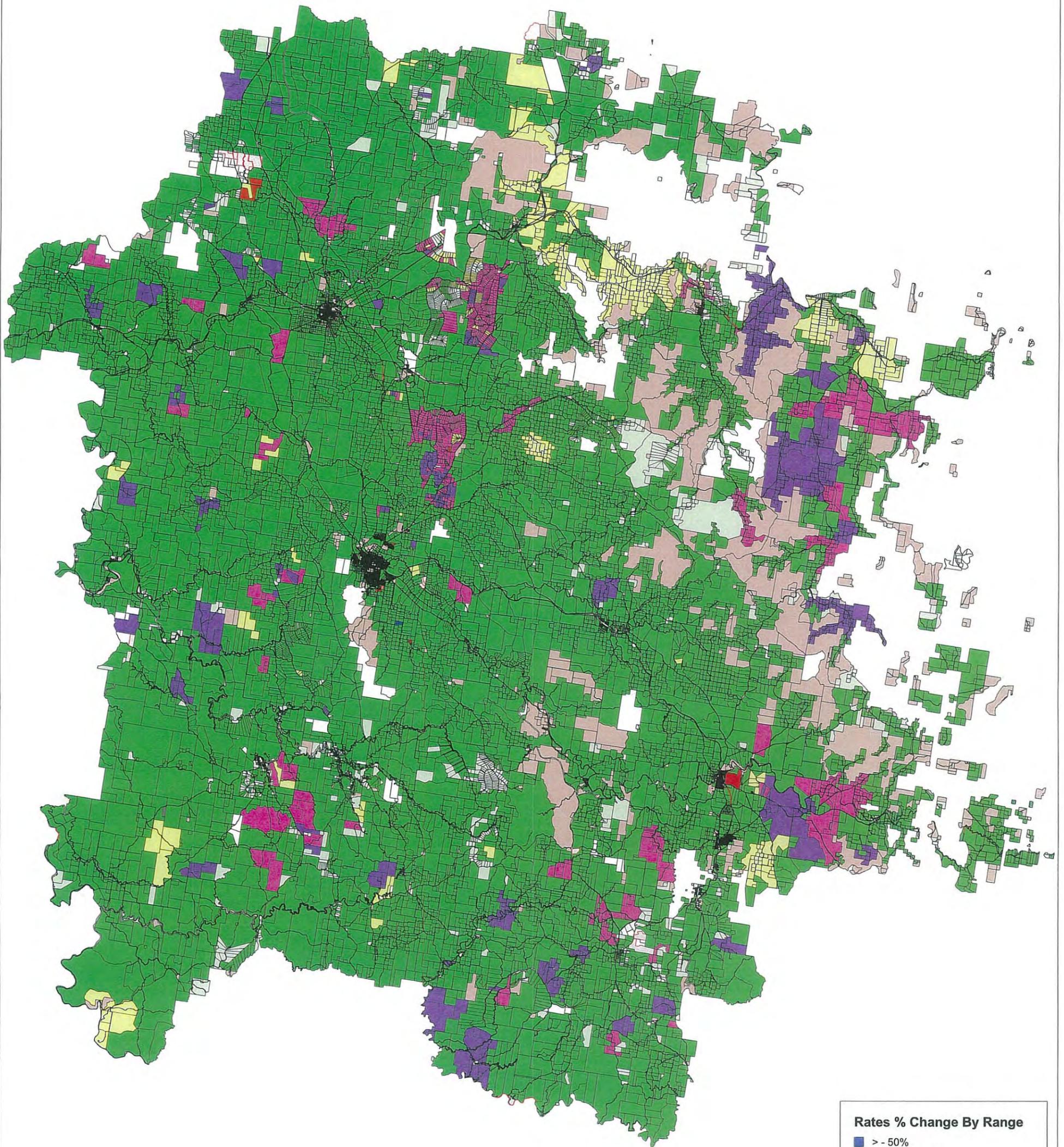
LV % Change By Range

- > - 50%
- -0.1% to - 50%
- No change
- 0.1 to 10%
- 10.1 to 20%
- 20.1 to 50%
- 50.1 to 100%
- > 100%



**Land Value % Change - 2011 to 2013 base date - KANDOS**





**Rates % Change By Range**

- > - 50%
- -0.1% to - 50%
- No change
- 0.1 to 10%
- 10.1 to 20%
- 20.1 to 50%
- 50.1 to 100%
- > 100%
- NRP



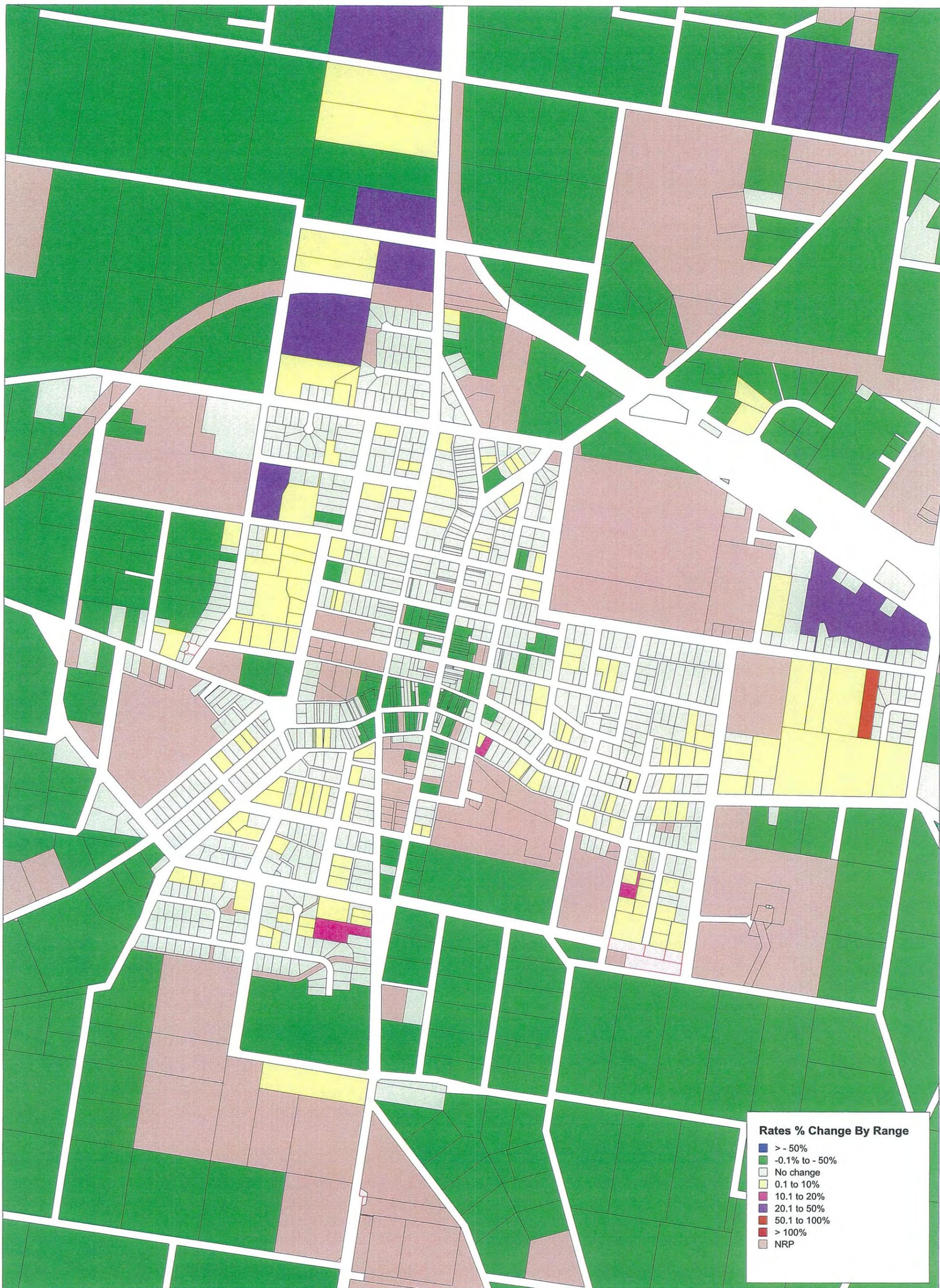
**Rate % Change - 2011 to 2013 LV Base date**





**Rate % Change - 2011 to 2013 LV Base date - Mudgee**





**Rates % Change By Range**

- > -50%
- -0.1% to -50%
- No change
- 0.1 to 10%
- 10.1 to 20%
- 20.1 to 50%
- 50.1 to 100%
- > 100%
- NRP



**Rate % Change - 2011 to 2013 LV Base date - Gulgong**





**Rate % Change - 2011 to 2013 LV Base date - Rylstone**





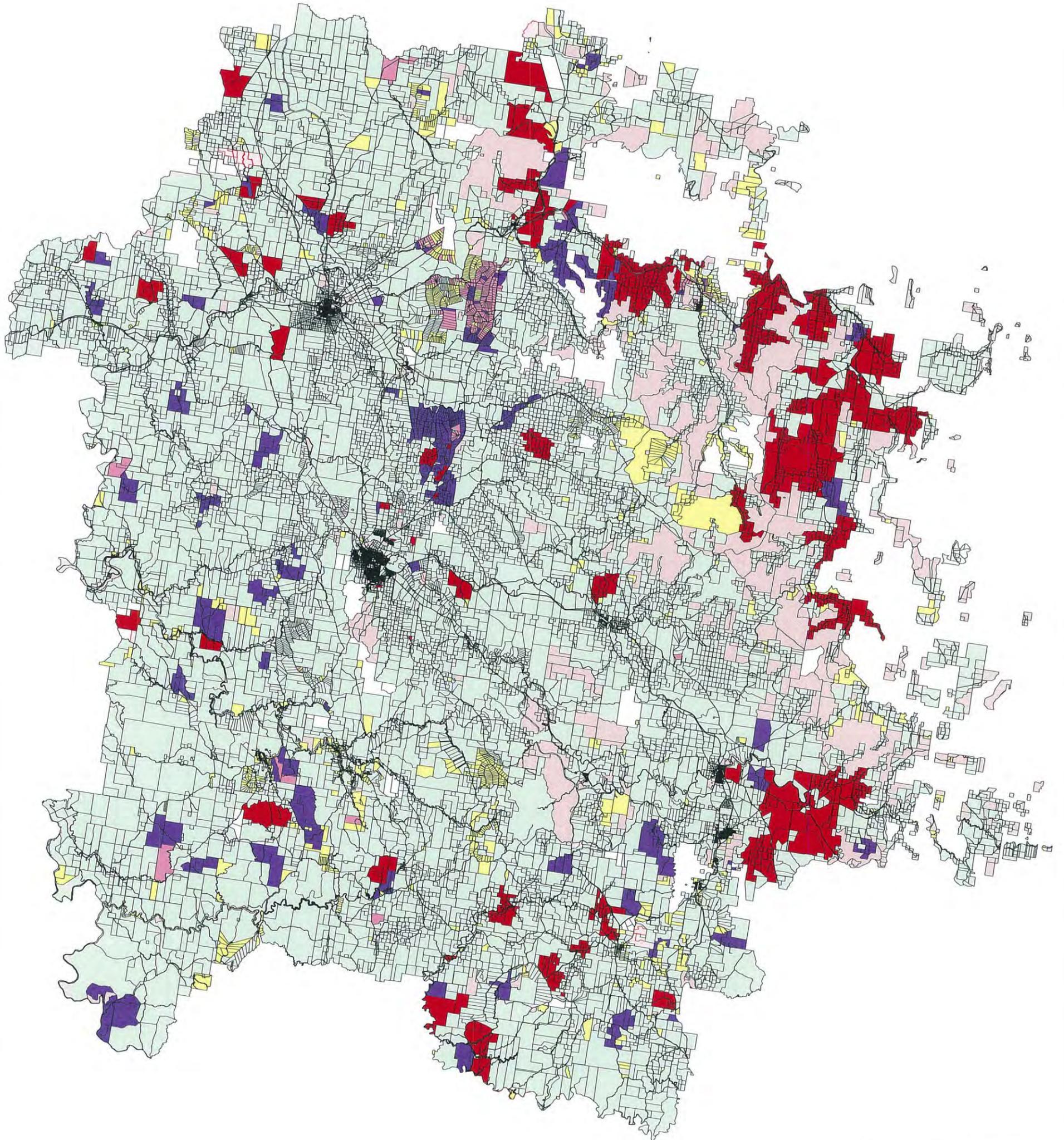
**Rates % Change By Range**

■	> - 50%
■	-0.1% to - 50%
■	No change
■	0.1 to 10%
■	10.1 to 20%
■	20.1 to 50%
■	50.1 to 100%
■	> 100%
■	NRP



**Rate % Change - 2011 to 2013 LV Base date - Kandos**





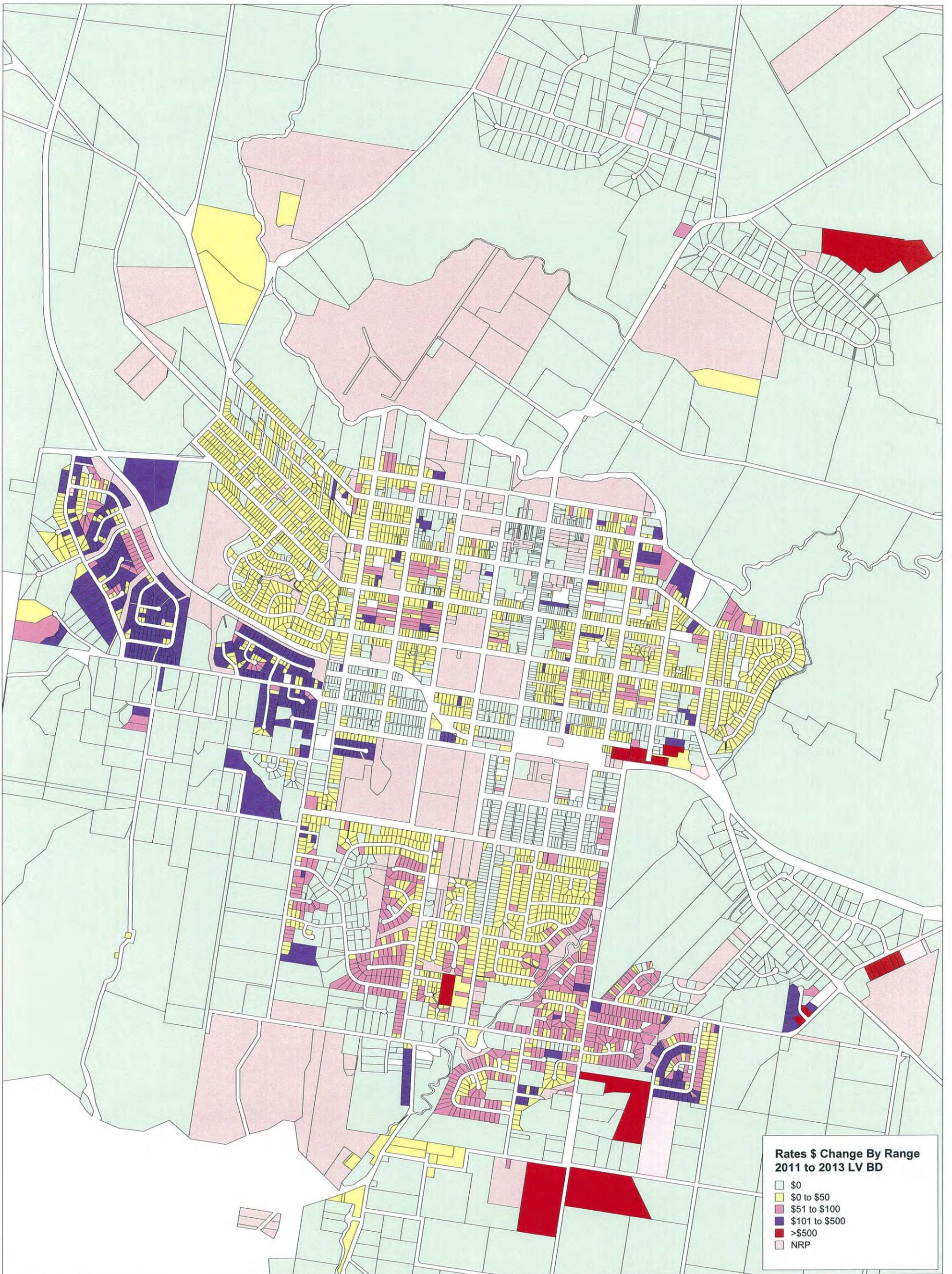
**Rates \$ Change By Range  
2011 to 2013 LV BD**

- \$0
- \$0 to \$50
- \$51 to \$100
- \$101 to \$500
- >\$500
- NRP



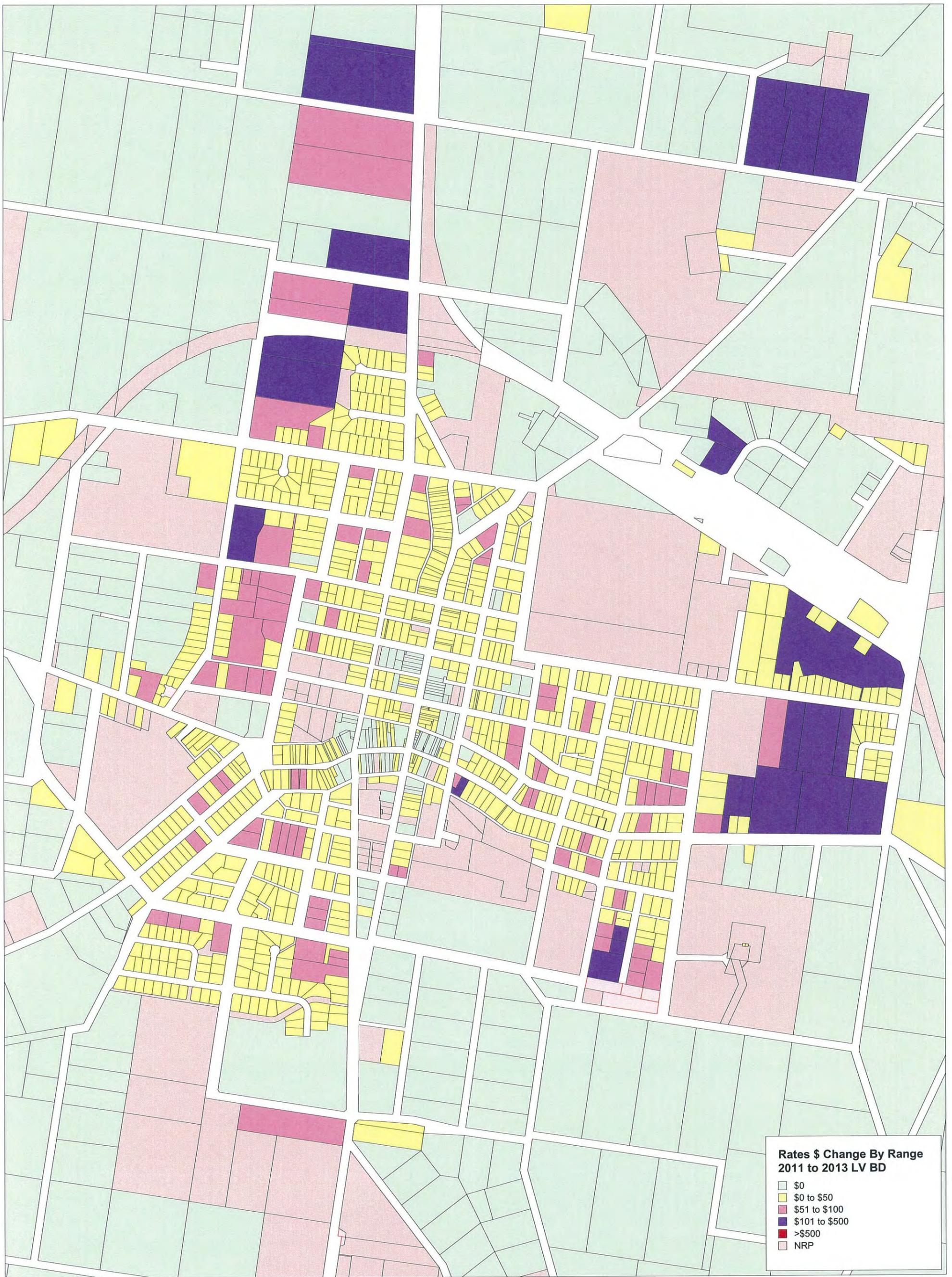
# Rates \$ Change by Range - 2011 to 2013 LV Base Date





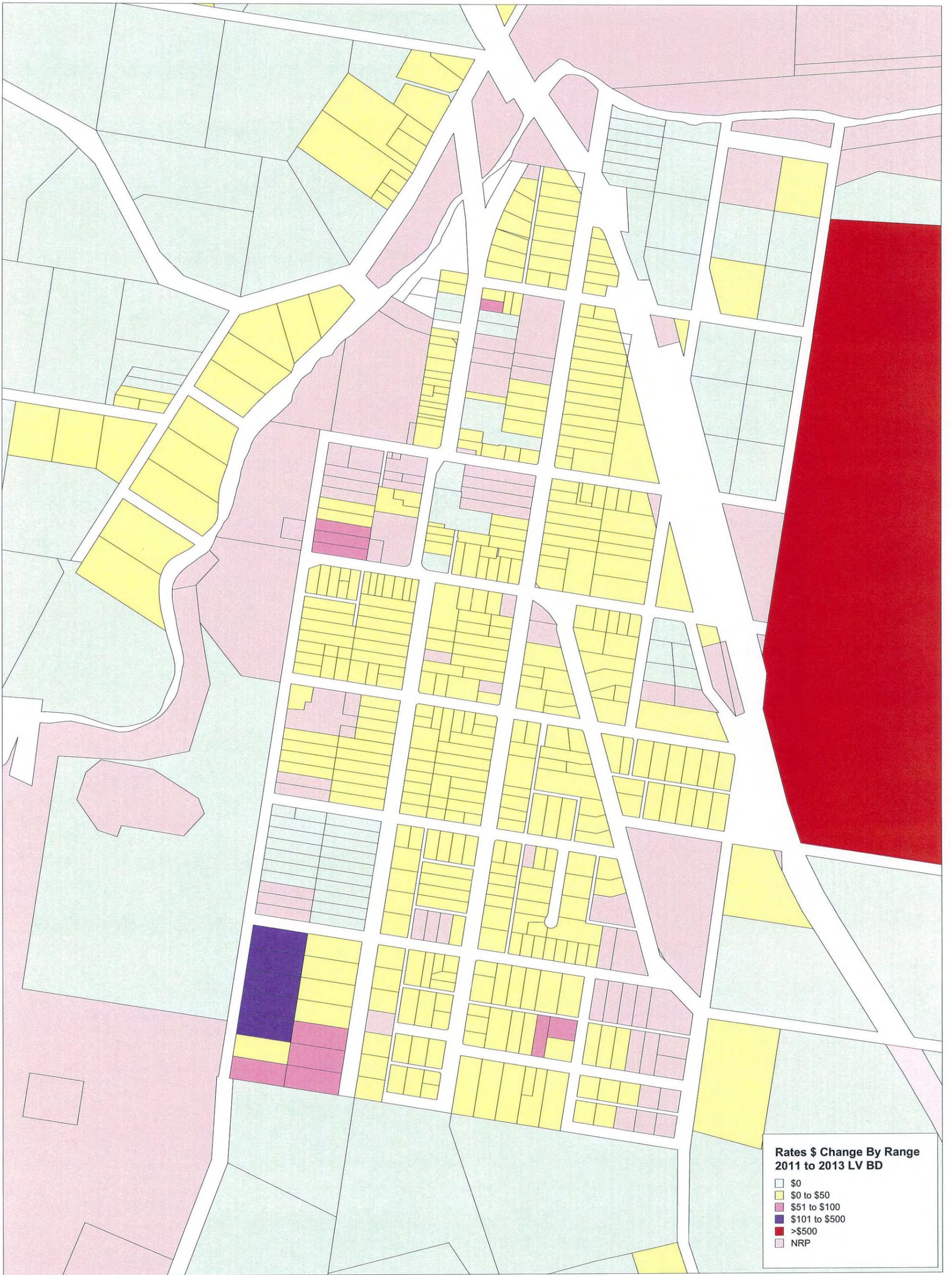
**Rates \$ Change by Range - 2011 to 2013 LV BD - Mudgee**





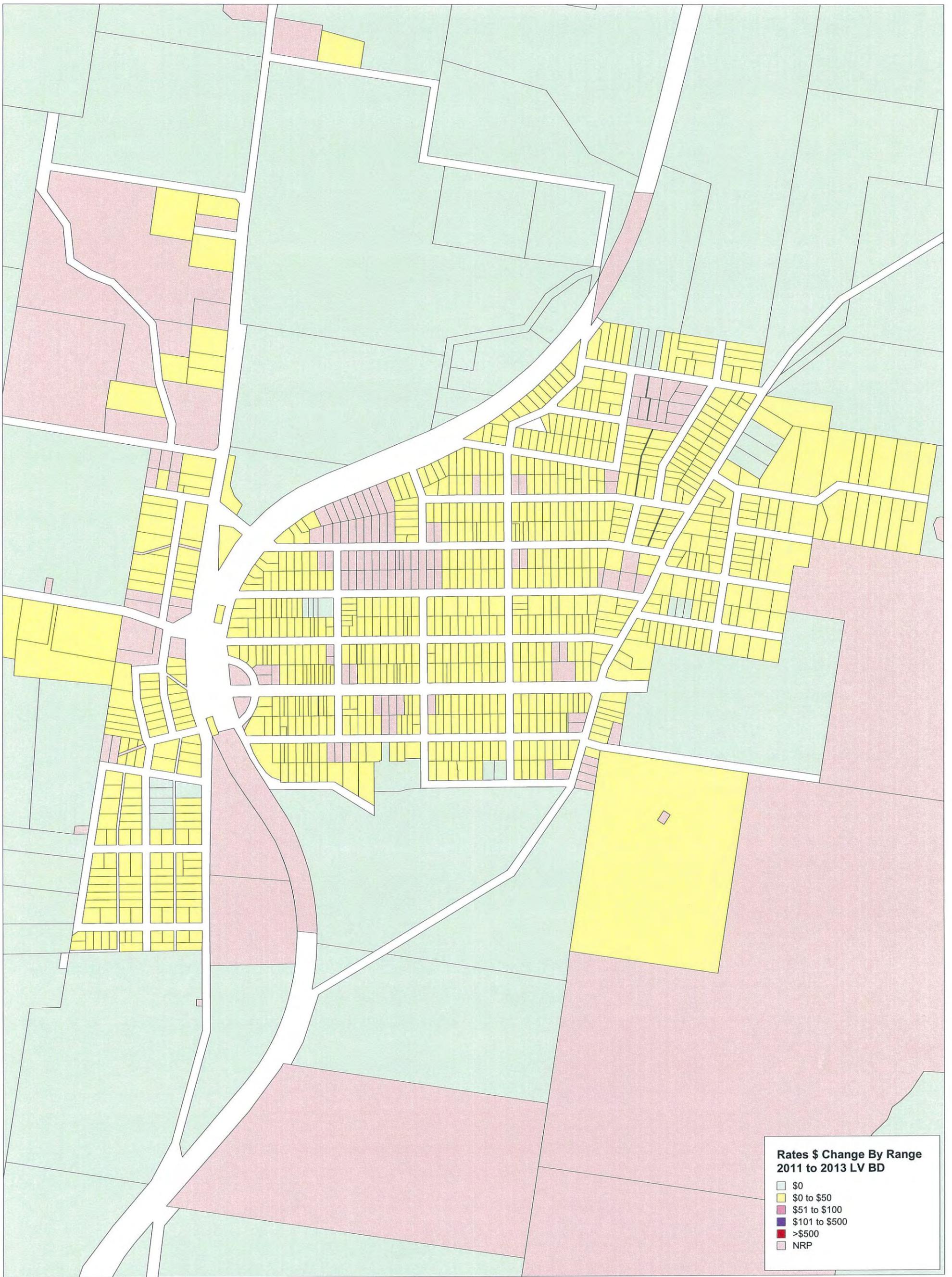
**Rates \$ Change by Range - 2011 to 2013 LV BD - Gulgong**





**Rates \$ Change by Range - 2011 to 2013 LV BD - Rylstone**





**Rates \$ Change by Range - 2011 to 2013 LV BD - Kandos**





18 DECEMBER 2013

ATTACHMENT

6.2.23

Mid-Western Regional Council  
Draft Asbestos Policy





**POLICY**  
**Asbestos Management**

ADOPTED

Council  
Date. Insert date

REF: HS-100-P1

REV: 1

FILE No.

Mid-Western Regional Council

Asbestos Management Policy  
2013



# POLICY

## Asbestos Management

<b>ADOPTED</b> Council Date. Insert date
REF: HS-100-P1 REV: 1 FILE No.

### Administrative information

<b>File number or Policy number</b>	File number A0250000/ Policy number HS-100-P1
<b>Document status</b>	Draft
<b>Version number</b>	Version number: 1
<b>Date last modified or Amendment history</b>	November 2013
<b>Created by</b>	Alan Talbot – OHS Coordinator
<b>Approved by</b>	Executive
<b>Date policy first adopted by Council</b>	
<b>Effective date</b>	1 January 2014
<b>Review period</b>	This policy will be reviewed at the time of any relevant legislative changes, or may be reviewed at a minimum, every three years.
<b>Review date</b>	1 January 2017
<b>Responsibility for review</b>	OHS Coordinator
<b>Document distribution</b>	Internal / External
<b>Document owner</b>	OHS Coordinator
<b>Contact person for further information</b>	OHS Coordinator

# POLICY

## Asbestos Management

### Council disclaimer

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

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

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

MWRC has adopted the Asbestos Management Plan as recommended by the National Occupational Health and Safety Commission, now known as the Australian Safety and Compensation Council, "*Code of Practice for the Management and Control of Asbestos in the Workplaces - NOHSC 2005*" to manage asbestos containing materials of the MWRC area.

In respect to Council Operations Waste facilities including remote waste stations MWRC and Water Supply & Waste Water have incorporated specific Safe Work Method Statements (SWMS) to ensure the correct identification, handling, isolation and disposal is carried out. All relevant staff are trained in the respective Asbestos handling and Supervisory training required under NSW WorkCover requirements.

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## 1. Introduction

Mid-Western Regional 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.

Mid-Western Regional Council (MWRC) acknowledges that due to the age of some Council buildings and structures in the Region that there will be some materials containing asbestos present, and it has an obligation to ensure that they are managed in accordance with legislative requirements to prevent health and environmental related risks.

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

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

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

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

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

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

### 1.1 Purpose

This policy aims to outline:

- the role of council and other organisations in managing asbestos
- council's relevant regulatory powers
- council's approach to dealing with naturally occurring asbestos, sites contaminated by asbestos and emergencies or incidents
- general advice for residents on renovating homes that may contain asbestos
- council's development approval process for developments that may involve asbestos and conditions of consent
- waste management and regulation policies 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 Mid-Western Region 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 policies. Practical guidance on how to manage risks associated with asbestos and asbestos containing material can be found in the:

- *Code of practice on how to manage and control asbestos in the workplace* (catalogue no. WC03560) published by WorkCover NSW.
- *Code of practice on how to safely remove asbestos* published by WorkCover NSW (catalogue no. WC03561) published by WorkCover NSW.
- Additional guidance material listed in Appendix B.

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

## 2. Definitions

Definitions are provided in Appendix C.

## 3. Roles and responsibilities of council

### 3.1 Educating residents

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

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

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

### 3.2 Managing land

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

### 3.3 Managing waste

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

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

- *Australian Standard AS 2601 – 2001: The demolition of structures*
- *Contaminated Land Management Act 1997*
- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2000*
- *Local Government Act 1993*
- *Protection of the Environment Operations Act 1997*
- *Protection of the Environment Operations (General) Regulation 2009*
- *Protection of the Environment Operations (Waste) Regulation 2005*
- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*
- *State Environmental Planning Policy No. 55 – Remediation of Land.*

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

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

# POLICY

## Asbestos Management

<b>ADOPTED</b> Council Date. Insert date
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**Table 1: Situations in which council has a regulatory role in managing asbestos**

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

### 3.5 Responsibilities to workers

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

- general responsibilities
- education, training and information for workers
- health monitoring for workers
- policies 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

*Asbestos is found as a naturally occurring mineral in the following locations in the LGA in low level areas North West of Rylstone.*(refer to Asbestos Blueprint 2011 NSW Location Map appendix B) although no specific sites are known to council

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 breathe<sup>13d</sup> 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 WorkCover will coordinate enforcement where non-compliance is suspected.

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

#### 5.2 Managing naturally occurring asbestos

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

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

### 5.2.1 Management of naturally occurring asbestos by council

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

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

## 6. Contamination of land with asbestos

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

### 6.1 Responsibilities for contaminated land

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

Council may issue a cleanup 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 hour's council employees have spent undertaking those tasks; and expenses incurred.

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

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

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

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

### 6.2 Finding out if land is contaminated

A person may request from council a planning certificate containing advice on matters including whether council has a policy to restrict the use of land due to risks from contamination. Certificates are issued under section 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.

### 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 cleanup notice or prevention notice and compliance cost notice as noted in section 6.1.

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

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

## 7. Responding to emergencies and incidents

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

### 7.1 Responsibilities in the clean up after an emergency or incident

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

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

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

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

This may include to:

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

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

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

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

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

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

## 8. Council's process for changing land use

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

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

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

## 9. Council's process for assessing development

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

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

*Environmental Planning and Assessment Act 1979*. In these instances, council has an educative role in providing owners and occupiers with advice and information about the identification and safe management of asbestos.

### 9.1 Responsibilities for approving development

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

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

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

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

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

### 9.2 Providing advice to home owners, renovators and developers

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

The key points are:

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

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

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

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

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

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

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

All asbestos removal should be undertaken in accordance with the *Code of practice on how to safely remove asbestos* (catalogue no. 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 WorkCover
- notified to WorkCover at least five days prior to the work commencing.

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

### 9.4.2 Removing asbestos at workplaces

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

### 9.4.3 Obtaining approval for demolition

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

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

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

## 9.5 Exempt or complying development

### 9.5.1 Exempt development

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

This means that there is no ability for council or a private certifier to impose safeguards for the handling of asbestos through conditions of development consent. However, council advises that all asbestos removal work should be carried out in accordance with the *Code of practice on how to safely remove asbestos* (catalogue no. 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 WorkCover would not be the agency responsible for regulating this activity. Concerns or complaints may be directed to council as outlined in section 11.

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

Further requirements to inform other persons of licensed asbestos removal are described in section 467 of the *NSW Work Health and Safety Regulation 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 there is a final planning approval option: a development application (DA). A DA can only be approved by a local council, the JRPP or, for very large, State-significant development proposals, the State Government. A development application needs to be prepared and it will be assessed in accordance with the development standards established by council. Council may undertake a site inspection as part of the DA assessment.

#### 9.6.1 Pre-development application advice regarding asbestos

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

#### 9.6.2 Conditions of consent

1. Work involving the removal of 10m<sup>2</sup> or more of asbestos material must be carried out by a licensed contractor.
2. All demolition work including the removal of any asbestos material must be carried out in accordance with work cover guidelines and Australian Standard 2601.
3. Prior arrangements are to be made with Mid-Western Regional Council's Mudgee Waste Facility regarding the disposal of asbestos material in order for it to be disposed of in a satisfactory manner.

### 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 WorkCover is to coordinate enforcement where non-compliance is suspected.

### 9.7.2 Compliance strategies

Illegal works include:

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

Where council becomes aware of illegal work involving asbestos or asbestos containing materials, council will notify WorkCover 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 cleanup 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 WorkCover NSW.

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

### 10.2 Handling asbestos waste for disposal

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

### 10.3 Transporting asbestos waste

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

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

Asbestos waste that is transported interstate must be tracked in accordance with the *Protection of the Environment Operations (Waste) Regulation 2005*. Asbestos waste transported within New South Wales does not need to be

tracked. The waste tracking system is administered by the EPA. An environment protection licence is required to transport asbestos waste interstate where any load contains more than 200 kilograms of asbestos waste.

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

### 10.4 Disposing of asbestos waste at waste facilities

- **Mudgee Waste Facility**

Hill End Road, Mudgee, approximately 1km from Castlereagh Highway)

- Mon-Fri 8.00am to 5.30pm
- Sat - Sun 8.00am to 5.00pm

Domestic customers - Ute / 6 x 4 trailer only

**Free**

Commercial customers per tonne

Refer to Council's Fees

- Please make sure you contact the Waste Facility beforehand to book in a time of delivery of asbestos waste on (02) 6378 2770.
- This information can be found on Councils web site at [www.midwestern.nsw.gov.au/Waste, Recycling & Water Services/Waste management Facilities](http://www.midwestern.nsw.gov.au/Waste, Recycling & Water Services/Waste management Facilities)
- A licensed contractor is required for the removal of more than 10 square metres of *bonded asbestos* or ANY amount of *friable asbestos*. For the disposal of small amounts of *bonded asbestos* (less than 10 square meters) please refer to the following guide produced by WorkCover NSW - "Safely disposing of asbestos waste from your home" - <http://www.environment.nsw.gov.au/resources/waste/asbestos/09235Asbestos>
- Please note that asbestos waste must only be disposed of at a landfill site licensed to accept asbestos waste. The licensed landfill site in the Mid-Western Regional Council area is the **Mudgee Waste Facility at Hill End Road, Mudgee.**

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

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

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

Acceptance and handling of Asbestos is to be In compliance with our EPL No.6348.

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

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

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

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

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

### 10.5 Illegal dumping of asbestos waste

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

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

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

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

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

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

A handbook to assist Aboriginal communities to prevent and arrange the cleanup 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).

## 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 WorkCover 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 policy 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 policies, plans, guidelines and legislation (refer to Appendix G).

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

##### 12.1.3 Prohibited work activities

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

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

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

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

### 12.2 Responsibilities of council to council workers

#### 12.2.1 Council's general responsibilities

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

- not use any asbestos containing materials (unless in accordance with part 8.1 (419) of the NSW *Work Health and Safety Regulation 2011*) and will not cause or permit asbestos waste in any form to be reused or recycled
- not work with any Friable Asbestos (unless appropriately trained)

- 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 WorkCover immediately if persons are likely to be affected by asbestos fibres or if an air monitoring process records respirable asbestos fibre levels above 0.02 fibres/ml of air
- ensure that any contractors engaged to undertake the removal of asbestos for council are appropriately licensed
- consult with workers as required by the *Work Health and Safety Act 2011*.

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

### 12.2.2 Education, training and information for workers

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

- provide any information, training, instruction or supervision that is necessary to protect all persons at the workplace from risks to their health and safety arising from work carried out as part of the conduct of council business
- ensure workers who council reasonably believes may be involved in asbestos removal work or the carrying out of asbestos-related work in the workplace are trained in the identification, safe handling and suitable control measures for asbestos and asbestos containing material.
- Any workers who are involved in any activity listed in Appendix A under section 3 on behalf of, or for, council shall be provided with access to a copy of this policy and information and training suitable to their role and the activity.
- Workers may be required to sign a statement to the effect that they acknowledge they have received, read and understood a copy of council's Asbestos Policy and any relevant policies, or alternatively workers may note this in council's electronic record keeping system.
- council may also provide information and training to council employees who may need to respond to asbestos issues related to renovations and developments as outlined in section 9.

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

Education and training will only be provided by appropriately accredited individuals. Refer to appendices for Current training available through NSW TAFE.

- Education and training may include both initial induction and ongoing reinforcement on a regular basis.

This may take the form of tool box meetings, general in-house training or on council's intranet.

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

A list of workers who have received the appropriate training to respond to asbestos hazards is available via HR and Operation Management records system.

### 12.2.3 Health monitoring for workers

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

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

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

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

Health monitoring documentation is part of OHS & HR recording system, a 2 yearly check-up with the Dust Disease Board Bus is carried out locally for all staff who work in areas that have asbestos identified as a potential hazard.

### 13. Identifying and recording asbestos hazards in the council workplace

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

#### 13.1 Identifying asbestos

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

##### 13.1.1 Material sampling

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

#### 13.2 Indicating the presence and location of asbestos

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

#### 13.3 Asbestos register

- Council will prepare an asbestos register and keep it at the workplace; the Asbestos Report documents will be stored on the shared K Drive - Resources and Recreation, while the report information will populate the overall Register which is part of the Proclaim - Asset & Building Program Register
- 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 an Asbestos report generated from proclaim outlining the asbestos information.

#### 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**

- Please refer to Council's asbestos management plan which can be found on Council's website and is kept at the workplace (Human Resources Department).

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

### **14.2 Asbestos management plan for naturally occurring asbestos**

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

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

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

Options for managing asbestos-related risks include:

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

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

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

Councils SWMS are used in both the Water Supply and Waste Water Departments WS&WW-092 and Waste Transfer Department WT- 003. These are reviewed every 2 years and are located in council's records system.

### **14.4 Sites contaminated with asbestos that are council workplaces**

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

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

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

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

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

### **14.5 Demolition or refurbishment of council buildings and assets**

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

### 14.6 Removal of asbestos in the council workplace

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

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

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

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

- notify WorkCover 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 WorkCover that this five days period be waived
- prepare, supply and keep an asbestos removal control plan
- obtain a copy of the asbestos register before carrying out asbestos removal work
- inform the person with management or control of the workplace that the licensed asbestos removal work is to be carried out at the workplace
- erect signs and barricades
- limit access to the asbestos removal area
- properly dispose of asbestos waste and dispose of, or treat, contaminated personal protective equipment
- arrange a clearance inspection and clearance certificate.

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

#### 14.6.1 Removal by council employees

The Human Resources Department retains a list of employees trained and nominated to remove asbestos (Non Friable and Friable) as well as nominated supervisors.

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

- appropriately trained, and maintained current
- 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.
- appropriate SWMS to be complied with during any Asbestos work, a refresher Toolbox Talk on the relevant SWMS may be required.

#### 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 WorkCover's Certification Unit prior to entering a contract or agreement with the licensed asbestos removalists.

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

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

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

### 14.6.3 Clearance inspections and certificates

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

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

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

## 15. Accidental disturbance of asbestos by workers

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

It may be appropriate that council:

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

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

### 16.1 Responding to illegal dumping

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

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

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

### 16.2 Transporting and disposing of asbestos waste

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

### 16.3 Operating council's waste facility licensed to accept asbestos waste

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

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

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

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

Council may issue a receipt for asbestos waste received at a licensed landfill facility.

The receipt provided may note the time, date and location of disposal, weight of asbestos containing material disposed and any Building or Development Approval number and a receipt number.

This information must be recorded by the facility, regardless of whether a receipt is issued.

#### 16.3.1 Asbestos waste incorrectly presented to council's waste facilities

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

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

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

- contact details of the transporter & vehicle registration
- 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 WorkCover fact sheets on correct methods for packaging, delivery and disposal of asbestos
- question the transporter about the source of asbestos waste
- issue a cleanup 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 WorkCover). Council will also inform the transporter of a waste facility to which the waste may be transported, that is, a waste facility at which the waste can be legally accepted (as required by the *Protection of the Environment Operations (Waste) Regulation 2005*). If council suspects that there is a risk of illegal dumping of the rejected waste, council will inform council's rangers or council's compliance officers. Suitable disposal for loads that are refused entry will remain the responsibility of the transporter and at a later date the transporter will need to demonstrate to council that the waste has been appropriately disposed.

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.
- Provide a record of the incident as part of councils Incident/Injury /Near Miss reporting process, along with a completed Asbestos incident form.

### 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*.

Council to develop policies to avoid asbestos contamination in material intended for resource recovery

### 16.5 Re-excavation of landfill sites

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

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

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

Council may request that tenants in council property:

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

### 18. Implementing council's asbestos policy

#### 18.1 Supporting documents

The implementation of this policy is supported by council's publicly available documents on its Website :

- Renovating Fibro Homes – Asbestos Removal
- What is Asbestos & what are the risks
- Council Approval/Licensing requirements.
- Disposal of Asbestos in the Mid-Western Regional Council area

Council also has several internal documents that support this policy:

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

#### 18.2 Communicating the policy

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

- Council's administration centre's at Mudgee, Gulgong and Rylstone
- Council's website [www.midwestern.nsw.gov.au](http://www.midwestern.nsw.gov.au)
- Council's electronic record keeping system/intranet

All employees shall receive information about the policy and plan at induction from the Human Resources Department

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

# POLICY

## Asbestos Management

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.

In the event that employees fail to comply with the policy, council's disciplinary policies shall be followed.

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.

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

### 19. Variations to this policy

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

## Appendices

### Appendix A – General information and guidance

#### 1. What is asbestos?

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

There are two major groups of asbestos:

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

Further information about the different types of asbestos can be found in enHealth, 2005, Management of asbestos in the non-occupational environment.

[http://www.health.gov.au/internet/main/publishing.nsf/content/FB262D7C35664103CA257420001F2D74/\\$File/asbestos.pdf](http://www.health.gov.au/internet/main/publishing.nsf/content/FB262D7C35664103CA257420001F2D74/$File/asbestos.pdf)

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

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

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

#### 2. Where is asbestos found?

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

##### 2.1 Naturally occurring asbestos

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

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

##### **Note:**

No known areas of naturally occurring asbestos are registered within council following discovery during operations.

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 WorkCover, which provides a photograph of naturally occurring asbestos.

### 2.2 Residential premises

As a general rule, a house built:

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

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

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

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

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

Outside

- backyard garden sheds, carports, garages and dog kennels
- electrical meter boards
- imitation brick cladding
- lining under eaves
- wall and roof materials (flat, patterned or corrugated asbestos sheeting).

Inside

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

Asbestos can also be found in:

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

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

### 2.3 Commercial and industrial premises

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

- asbestos rope or fabric in expansion joints (for example exhaust flues) and insulation
- 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
- 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 WorkCover are the lead regulatory authorities. The *Contaminated Land Management Act 1997* applies to significantly contaminated land. In general, significant contamination is usually associated with former asbestos processing facilities or where large quantities of buried friable asbestos waste has been uncovered and is giving rise to measureable levels of asbestos fibres in air. Such sites require regulatory intervention to protect community health where the source of the contamination is not being addressed by the responsible person. The Environment Protection Authority has details of sites that have been nominated as significantly contaminated on its Public Register at: [www.environment.nsw.gov.au/clm/publiclist.htm](http://www.environment.nsw.gov.au/clm/publiclist.htm)

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

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

### 3. Potentially hazardous activities

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

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

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

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

Council could inadvertently disturb asbestos through activities such as:

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

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

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

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

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

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

#### 4. Health hazards

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

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

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

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

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

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

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

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

## Appendix B – Further information

### Aboriginal communities

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

### Asbestos contractors

*Choosing an asbestos consultant fact sheet (catalogue no. WC04547) (WorkCover NSW)*  
[www.workcover.nsw.gov.au/formspublications/publications/Pages/Choosinganasbestosconsultant.aspx](http://www.workcover.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](http://www.yellowpages.com.au) or by contacting the Asbestos Removal Contractors Association NSW (ARCA) [www.arca.asn.au](http://www.arca.asn.au) Phone: (02) 8586 3521.

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

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

### Asbestos waste

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

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

*Safely disposing of asbestos waste from your home, 2009 (EPA and WorkCover NSW)*  
[www.environment.nsw.gov.au/resources/waste/asbestos/09235Asbestos.pdf](http://www.environment.nsw.gov.au/resources/waste/asbestos/09235Asbestos.pdf)

For information on illegal dumping and safely disposing of asbestos waste visit the EPA website:  
[www.environment.nsw.gov.au](http://www.environment.nsw.gov.au)

### Contaminated land

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

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

### Environmental risk assessment

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

### Health

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

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

### Renovation and development

*Asbestos: A guide for householders and the general public*, 2012 (Commonwealth of Australia)

[http://www.health.gov.au/internet/main/publishing.nsf/Content/7383C46948F649B7CA2579FA001AA20E/\\$File/asbestos-02-web-\(8may12\).pdf](http://www.health.gov.au/internet/main/publishing.nsf/Content/7383C46948F649B7CA2579FA001AA20E/$File/asbestos-02-web-(8may12).pdf)

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

<http://www.bpb.nsw.gov.au/resources/683/final%20PCA%20brochure.pdf>

*Think asbestos website*, 2011 (Asbestos Education Committee) (and Printable Website Handbook)

<http://www.asbestosawareness.com.au>

*Working with asbestos guide*, 2008 (WorkCover NSW)

<http://www.workcover.nsw.gov.au/formspublications/publications/Pages/Workingwithasbestosguide.aspx>

### Practical guidance

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

<http://www.workcover.nsw.gov.au/formspublications/publications/Documents/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 WorkCover NSW

<http://www.workcover.nsw.gov.au/formspublications/publications/Documents/how-to-safely-remove-asbestos-code-of-practice-3561.pdf>

### Tenants

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

<http://www.tenants.org.au/publish/factsheet-26-asbestos-lead/index.php>

### Tenants – Housing NSW tenants

*Asbestos fact sheet*, 2010 (Housing NSW)

<http://www.housing.nsw.gov.au/NR/rdonlyres/F4E1131F-2764-4CB1-BC07-98EB6C594085/0/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 WorkCover NSW
- *Code of practice on how to safely remove asbestos* (catalogue no. WC03561) published by WorkCover NSW
- *Contaminated Land Management Act 1997*
- *Environmental Planning and Assessment Act 1979*
- *Emergency Pollution and Orphan Waste Clean-Up Program Guidelines 2008*
- *Protection of the Environment Operations Act 1997*
- *Waste classification guidelines part 1 classifying waste 2008*
- *NSW Work Health and Safety Act 2011*
- *NSW Work Health and Safety Regulation 2011.*

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

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

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

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

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

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

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

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

**asbestos removal work** means:

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

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

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

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

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

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

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

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

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

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

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

### **complying development certificate**

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

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

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

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

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

**development** means:

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

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

**emergency service organisation** includes any of the following:

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

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

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

**friable asbestos** means material that:

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

**health** means physical and psychological health.

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

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

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

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

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

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

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

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

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

**NATA** means the National Association of Testing Authorities, Australia.

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

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

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

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

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

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

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

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

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

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

**respirable asbestos fibre** means an asbestos fibre that:

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

**specified VET course** means:

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

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

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

**waste** includes:

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

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

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

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

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

## Appendix D – Acronyms

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

## Appendix E – Relevant contacts

Mid-Western Regional Council  
86 Market Street  
Mudgee NSW 2850

Telephone: (02) 6378 2850

### Asbestos-related disease organisations (non-exhaustive)

#### Asbestos Diseases Foundation Australia Inc

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

#### Asbestos Diseases Research Institute

Phone: (02) 9767 9800  
Email: [info@adri.org.au](mailto:info@adri.org.au)  
Website: [www.adri.org.au](http://www.adri.org.au)

#### Australian Institute of Occupational Hygienists Inc.

Phone: (03) 9336 2290  
Email: [admin@aioh.org.au](mailto:admin@aioh.org.au)  
Website: [www.aioh.org.au](http://www.aioh.org.au)

### Dust Diseases Board

Phone: (02) 8223 6600  
Toll Free: 1800 550 027  
Email: [enquiries@ddb.nsw.gov.au](mailto:enquiries@ddb.nsw.gov.au)  
Website: [www.ddb.nsw.gov.au](http://www.ddb.nsw.gov.au)

### Environment Protection Authority (EPA)

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

### Licensed Asbestos Contractors

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

#### Asbestos Removal Contractors Association NSW (ARCA)

Phone: (02) 9642 0011  
Email: [info@arca.net.au](mailto:info@arca.net.au)  
Website: [www.arca.asn.au](http://www.arca.asn.au)

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

#### Civil Contractors Federation (CCF)

Phone: (02) 9009 4000  
Email: [mtearle@civilcontractors.com](mailto:mtearle@civilcontractors.com)  
Website: [www.civilcontractors.com](http://www.civilcontractors.com)

#### Demolition & Contractors Association (DCA) NSW

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

### **Local Government and Shires Associations of NSW (LGSA)**

Phone: (02) 9242 4000

Email: [lgsa@lgsa.org.au](mailto:lgsa@lgsa.org.au)

Website: [www.lgsa.org.au](http://www.lgsa.org.au)

### **NSW Ombudsman**

Phone: (02) 9286 1000

Toll free (outside Sydney metro): 1800 451 524

Email: [nswomb@ombo.nsw.gov.au](mailto:nswomb@ombo.nsw.gov.au)

Website: [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au)

### **Training providers (non-exhaustive)**

#### **TAFE NSW**

Phone: 1300 131 499

Website: [www.tafensw.edu.au](http://www.tafensw.edu.au)

#### **Housing Industry Association (HIA)**

Phone: (02) 9978 3333

Website: <http://hia.com.au/>

#### **Local Government Training Institute**

Phone: (02) 4922 2333

Website: [www.lgti.com.au](http://www.lgti.com.au)

#### **Comet Training**

Phone: (02) 9649 5000

Website: [www.comet-training.com.au/site](http://www.comet-training.com.au/site)

#### **Masters Builders Association (MBA)**

Phone: (02) 8586 3521

Website: [www.masterbuilders.com.au](http://www.masterbuilders.com.au)

#### **Asbestos Removal Contractors Association NSW (ARCA)**

Phone: (02) 9642 0011

Website: [www.arca.asn.au](http://www.arca.asn.au)

### **WorkCover NSW**

WorkCover Information Centre Phone: 13 10 50

WorkCover NSW – Asbestos/Demolition Hotline Phone: (02) 8260 5885

Website: [www.workcover.nsw.gov.au](http://www.workcover.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.

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

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

The waste management facility in this region that accepts asbestos waste is:

- **Mudgee Waste Facility**  
Hill End Road, Mudgee
- Mon-Fri 8.00am to 5.30pm  
Sat - Sun 8.00am to 5.00pm

### Waste management facilities in other areas that accept asbestos wastes

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

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

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

## Appendix G – Asbestos-related legislation, policies and standards

- *Australian Standard AS 2601 – 2001: The demolition of structures*
- *Contaminated Land Management Act 1997*
- *Code of practice on how to manage and control asbestos in the workplace* (catalogue no. WC03560) published by WorkCover NSW
- *Code of practice on how to safely remove asbestos* (catalogue no. WC03561) published by WorkCover NSW
- *Code of practice for demolition work* published by Safe Work Australia, 2012
- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2000*
- *Local Government Act 1993*
- *Local Government (General) Regulation 2005*
- *Protection of the Environment Operations (General) Regulation 2009*
- *Protection of the Environment Operations (Waste) Regulation 2005*
- *Protection of the Environment Operations Act 1997*
- *State Environmental Planning Policy No. 55 – Remediation of Land*
- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*
- *NSW Work Health and Safety Act 2011*
- *NSW Work Health and Safety Regulation 2011*
- *Workers' Compensation (Dust Diseases) Act 1942.*

## Appendix H – Agencies roles and responsibilities

### NSW organisations

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

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

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

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

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

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

#### Dust Diseases Board (DDB)

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

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

#### Environment Protection Authority (EPA)

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

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

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

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

### **Heads of Asbestos Coordination Authorities (HACA)**

The HACA is chaired by the Chief Executive Officer of WorkCover NSW with senior officials from:

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

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

### **Local Government and Shires Associations of NSW (LGSA)**

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

The Associations represent the views of these councils by:

- presenting councils views to governments
- promoting Local Government to the community
- providing specialist advice and services.

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

In 2012, the Associations commenced a project funded by WorkCover NSW to assist councils to adopt and implement a model asbestos policy. The project is outlined at: [www.lgsa.org.au/key-initiatives/asbestos](http://www.lgsa.org.au/key-initiatives/asbestos)

### **NSW Ministry of Health**

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

### NSW Ombudsman

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

### WorkCover NSW

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

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

The WorkCover website provides a wide range of asbestos resources, support networks and links at: [www.workcover.nsw.gov.au/newlegislation2012/health-and-safety-topics/asbestos/Pages/default.aspx](http://www.workcover.nsw.gov.au/newlegislation2012/health-and-safety-topics/asbestos/Pages/default.aspx)

### National organisations

#### National Association of Testing Authorities (NATA)

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

NSW (Head Office) and ACT  
Phone: (02) 9736 8222  
National Toll Free: 1800 621 666  
Website: [www.nata.asn.au](http://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](http://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@safeworkaustralia.gov.au](mailto:info@safeworkaustralia.gov.au)  
Website: [www.safeworkaustralia.gov.au](http://www.safeworkaustralia.gov.au)

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

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

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

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

#### Emergency management

Scenario	Lead organisation	Other regulators
Emergency response	Emergency services	Fire and Rescue (Hazmat) WorkCover 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 WorkCover NSW
Handover to Recovery Committee following a significant incident	Recovery Committee (formed by State Emergency Recovery Controller)	Local council EPA WorkCover NSW
Remediation not requiring a licensed removalist	Local council	Principal Certifying Authority WorkCover NSW (workers)
Remediation requiring licensed removal work	WorkCover NSW	Local council Principal Certifying Authority
Clearance Certificate issued by an Asbestos Assessor	WorkCover 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	WorkCover NSW	Local council EPA ( <i>Protection of the Environment Operations Act 1997</i> Scheduled Activities Public Authorities)
Naturally occurring asbestos part of a mineral extraction process	Department of Trade and Investment, Regional Infrastructure and Services WorkCover NSW	Local council EPA ( <i>Protection of the Environment Operations Act 1997</i> Scheduled Activities Public Authorities)
Naturally occurring but will remain undisturbed by any work practice	Local council	EPA ( <i>Protection of the Environment Operations Act 1997</i> Scheduled Activities Public Authorities) WorkCover NSW (workers)
Soil contaminated with asbestos waste and going to be disturbed by a work practice	WorkCover 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) WorkCover NSW (workers on site)
Potential for exposure on public land	EPA ( <i>Protection of the Environment Operations Act 1997</i> Scheduled Activities Public Authorities)	Local council WorkCover NSW (workers on site)
Soil contaminated with asbestos waste but at a mine site	Department of Trade and Investment, Regional Infrastructure and Services EPA ( <i>Protection of the Environment Operations Act 1997</i> Scheduled Activities Public Authorities)	Local council

### Residential settings

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

### Site contamination

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

### Waste

Scenario	Lead organisation	Other regulators
Waste temporarily stored on-site	WorkCover (worksites) EPA and Local council (non-worksites)	
Waste transported by vehicle	EPA	WorkCover
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	Australian Customs and Border Protection Service	WorkCover NSW Department of Education, Employment and Workplace Relations

# POLICY

## Asbestos Management

ADOPTED

Council  
Date. Insert date

REF: HS-100-P1

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### Workplaces

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

## Appendix J – Asbestos containing materials

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

Asbestos containing materials	Approximate supply dates
Cement sheets	Imported goods supplied from 1903 locally made 'fribrolite' from 1917
Cement roofing / lining slates	Imported goods supplied from 1903 locally made 'fribrolite' from 1917
Mouldings and cover strips	Available by 1920s and 1930s
Super-six (corrugated) roofing	Available by 1920s and 1930s – 1985
'Tilex' decorative wall panels	Available by 1920s and 1930s
Pipes and conduit piping	Available by 1920s and 1930s
Motor vehicle brake linings	Available by 1920s and 1930s
Striated sheeting	Available from 1957
'Asbestolux' insulation boards	Available from 1957
'Shadowline' asbestos sheeting for external walls, gable ends and fences	Available from 1958 – 1985
Vinyl floor tiles impregnated with asbestos	Available up until 1960s
Asbestos containing paper backing for linoleum	Available up until 1960s
'Durasbestos' asbestos cement products	Available up until 1960s
'Tilex' marbled decorative wall panels	Available from early 1960s
'Tilex' weave pattern decorative wall panels	Available from early 1960s
'Hardiflex' sheeting	Available from 1960s – 1981
'Versilux' building board	Available from 1960s – 1982
'Hardiplank' and 'Hardigrain' woodgrain sheeting	Available from mid 1970s – 1981
Loose-fill, fluffy asbestos ceiling insulation	Supplied from 1968 – 1978 by a Canberra contractor and believed to be generally restricted to houses in the Australian Capital Territory with some materials supplied to the Queanbeyan area and some south coast towns
Asbestos rope gaskets for wood heaters. Heater and stove insulation	Dates of supply availability unknown but prior to 31 December 2003
Compressed fibro-cement sheets	Available from 1960s – 1984
Villaboard	Available until 1981
Harditherm	Available until 1984
Highline	Available until 1985
Coverline	Available until 1985
Roofing accessories	Available until 1985
Pressure pipe	Available until 1987

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

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

#### A

- Air conditioning duct, in the exterior or interior acoustic and thermal insulation
- Arc shields in lift motor rooms or large electrical cabinets
- Asbestos-based plastics products as electrical insulates and acid resistant compositions or aircraft seats
- Asbestos ceiling tiles
- Asbestos cement conduit
- Asbestos cement electrical fuse boards
- Asbestos cement external roofs and walls
- Asbestos cement in the use of form work for pouring concrete
- Asbestos cement internal flues and downpipes
- Asbestos cement moulded products such as gutters, ridge capping, gas meter covers, cable troughs and covers
- Asbestos cement pieces for packing spaces between floor joists and piers
- Asbestos cement (underground) pit as used for traffic control wiring, telecommunications cabling etc
- Asbestos cement render, plaster, mortar and coursework
- Asbestos cement sheet
- Asbestos cement sheet behind ceramic tiles
- Asbestos cement sheet over exhaust canopies such as ovens and fume cupboards
- Asbestos cement sheet internal walls and ceilings
- Asbestos cement sheet underlay for vinyl
- Asbestos cement storm drain pipes
- Asbestos cement water pipes (usually underground)
- Asbestos containing laminates, (such as Formica) used where heat resistance is required
- Asbestos containing pegboard
- Asbestos felts
- Asbestos marine board, eg marinate
- Asbestos mattresses used for covering hot equipment in power stations
- Asbestos paper used variously for insulation, filtering and production of fire resistant laminates
- Asbestos roof tiles
- Asbestos textiles
- Asbestos textile gussets in air conditioning ducting systems
- Asbestos yarn
- Autoclave/steriliser insulation

### B

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

Bituminous adhesives and sealants

Boiler gaskets

Boiler insulation, slabs and wet mix

Brake disc pads

Brake linings

### C

Cable penetration insulation bags (typically Telecom)

Calorifier insulation

Car body filters (uncommon)

Caulking compounds, sealant and adhesives

Cement render

Chrysotile wicks in kerosene heaters

Clutch faces

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

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

### D

Door seals on ovens

### E

Electric heat banks – block insulation

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

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

Electrical switchboards see Pitch-based

Exhausts on vehicles

### F

Filler in acetylene gas cylinders

Filters: beverage wine filtration

Fire blankets

Fire curtains

Fire door insulation

Fire-rated wall rendering containing asbestos with mortar

Fire-resistant plaster board, typically on ships

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

Flexible hoses

Floor vinyl sheets

Floor vinyl tiles

Fuse blankets and ceramic fuses in switchboards

### G

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

Gaskets: chemicals, refineries

Gaskets: general

Gauze mats in laboratories/chemical refineries

Gloves: asbestos

### H

Hairdryers: insulation around heating elements

Header (manifold) insulation

### I

Insulation blocks

Insulation in electric reheat units for air conditioner systems

### L

Laboratory bench tops

Laboratory fume cupboard panels

Laboratory ovens: wall insulation

Lagged exhaust pipes on emergency power generators

Lagging in penetrations in fireproof walls

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

Limpet asbestos spray insulation

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

### M

Mastik

Millboard between heating unit and wall

Millboard lining of switchboxes

Mortar

### P

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

Packing material on window anchorage points in high-rise buildings

Paint, typically industrial epoxy paints

Penetrations through concrete slabs in high rise buildings  
Pipe insulation including moulded sections, water-mix type, rope braid and sheet  
Plaster and plaster cornice adhesives  
Pipe insulation: moulded sections, water-mix type, rope braid and sheet  
Pitch-based (zelemite, 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

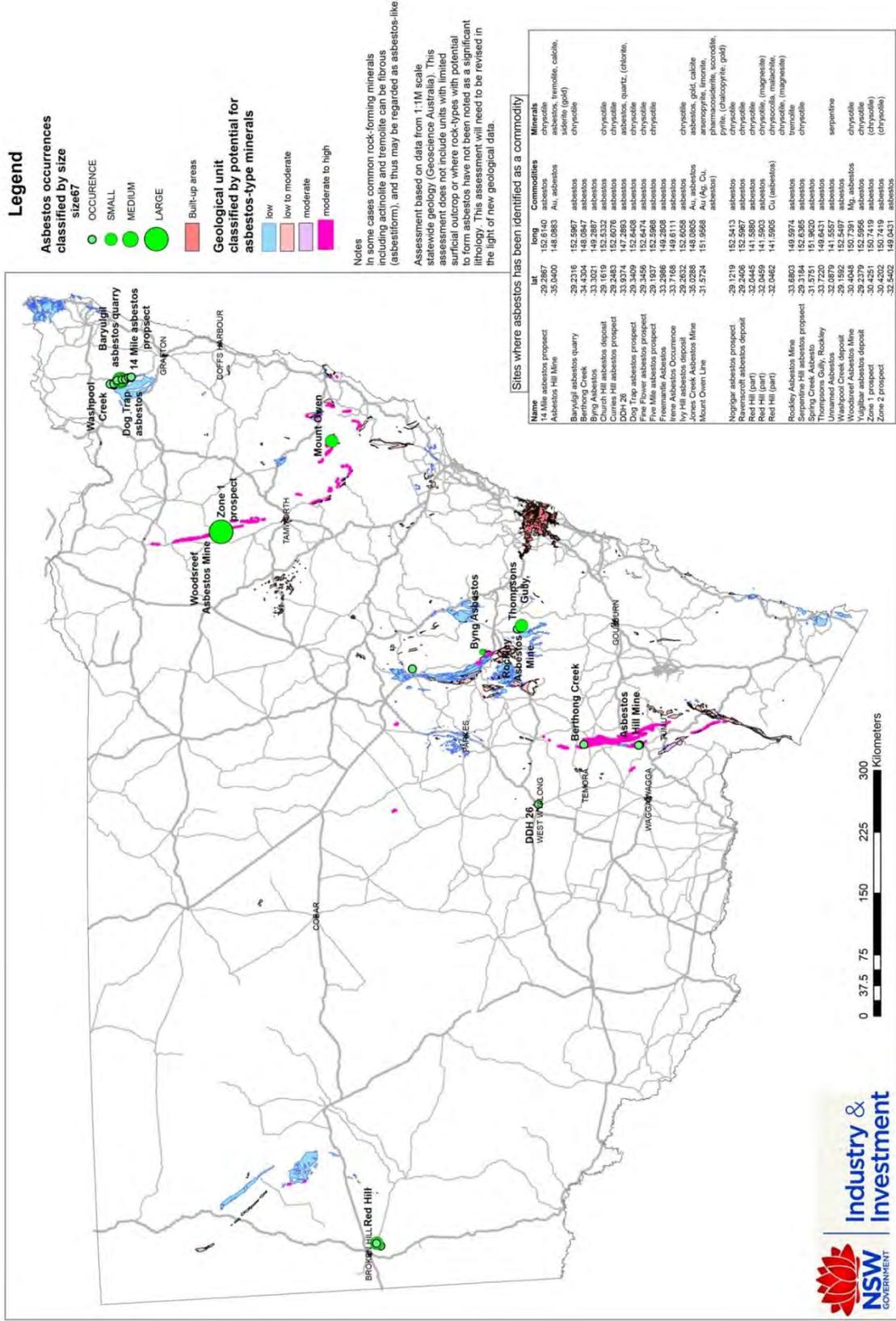
**Source:** *Environmental health notes number 2 guidelines for local government on asbestos*, 2005 (Victorian Department of Human Services). [http://www.health.vic.gov.au/environment/downloads/hs523\\_notes2\\_web.pdf](http://www.health.vic.gov.au/environment/downloads/hs523_notes2_web.pdf)

### Appendix K – Asbestos licences

Type of licence	What asbestos can be removed?
Class A	<p>Can remove any amount or quantity of asbestos or asbestos containing material, including:</p> <ul style="list-style-type: none"> <li>any amount of friable asbestos or asbestos containing material</li> <li>any amount of asbestos containing dust</li> <li>any amount of non-friable asbestos or asbestos containing material.</li> </ul>
Class B	<p>Can remove:</p> <ul style="list-style-type: none"> <li>any amount of non-friable asbestos or asbestos containing material</li> </ul> <p><b>Note:</b> A Class B licence is required for removal of more than 10 m<sup>2</sup> of non-friable asbestos or asbestos containing material but the licence holder can also remove up to 10 m<sup>2</sup> of non-friable asbestos or asbestos containing material.</p> <ul style="list-style-type: none"> <li>asbestos containing dust associated with the removal of non-friable asbestos or asbestos containing material.</li> </ul> <p><b>Note:</b> A Class B licence is required for removal of asbestos containing dust associated with the removal of more than 10 m<sup>2</sup> of non-friable asbestos or asbestos containing material but the licence holder can also remove asbestos containing dust associated with removal of up to 10m<sup>2</sup> of non-friable asbestos or asbestos containing material.</p>
No licence required	<p>Can remove:</p> <ul style="list-style-type: none"> <li>up to 10 m<sup>2</sup> of non-friable asbestos or asbestos containing material</li> <li>asbestos containing dust that is:               <ul style="list-style-type: none"> <li>associated with the removal of less than 10 m<sup>2</sup> of non-friable asbestos or asbestos containing material</li> <li>not associated with the removal of friable or non-friable asbestos and is only a minor contamination.</li> </ul> </li> </ul>

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

# Appendix L – Known areas of naturally occurring asbestos



PMD - 11/11/2010