

Asbestos in NSW: Setting the Direction 2021–22





Acknowledgement of Country

The NSW Asbestos Coordination Committee acknowledges the traditional custodians as the first protectors of the land, water, sea and sky on which we live and work. We pay our respects to Elders past, present and future.

We recognise the ongoing connection of traditional custodians to their land, their waters and surrounding communities and acknowledge their ancient history here on this land.

We also acknowledge Aboriginal and Torres Strait Islander employees who are an integral part of the diverse workforce of NSW State and local governments and recognise the knowledge embedded forever in Aboriginal and Torres Strait Islander custodianship of Country and cultures.

We specifically acknowledge the damage done to Country and communities through the mining, manufacture and use of asbestos, and recognise the need to work with Aboriginal communities in Healing Country.

Dharawal Country, Royal National Park, NSW

Message from the Independent Chair of the NSW Asbestos Coordination Committee



New South Wales (NSW) is taking decisive action to manage the asbestos legacy in our built environment. Asbestos is a material that appears in so many scenarios, from disaster response to playing fields. Managing it well is complex and multi-faceted and requires a coordinated and collaborative effort across all parts of the community, including different governments and agencies. Modelling shows that, without action to accelerate our efforts, the health risks posed by asbestos will remain with us for over a century.

This is where the NSW Asbestos Coordination Committee (NACC) is leading the way, taking up challenges that can't be tackled by one agency alone.

As the independent Chair of the NACC, I am accountable to the Minister for Energy and Environment, whose initiative and support drove the creation of the NACC.

Asbestos in NSW: Setting the Direction 2021-2022 marks a significant milestone for our State. It sends a strong signal that, with a united, cooperative approach, we can make headway on resolving significant issues. A more comprehensive, longer-term strategy will follow in the coming year, but we can start immediately and build a foundation from which to advance.

My thanks go to the sixteen agencies of the NACC representing state, local and commonwealth governments and Aboriginal land councils, whose commitment, dedication, and enthusiasm have ensured this *Direction* statement is both aspirational and achievable. My thanks also go to the many industry partners and stakeholder groups who have been so generous in sharing their views and knowledge about the important areas for action. I look forward to continuing to work together on solving this difficult problem.

Carolyn Walsh,
Chair, NACC

Asbestos in Australia

Our history

Asbestos is dangerous. The risk of asbestos-related disease increases with exposure level and there is no absolutely safe level of exposure.¹ Asbestos fibres can get into your lungs causing cancer and other diseases. In Australia, the use of asbestos in residential buildings was phased out by 1990, and in 2003 the importation and use of all forms of asbestos was banned. Yet it is estimated that more than 4,000 people still die from asbestos-related disease in Australia every year.² This is triple the annual national road toll.

Australia was one of the highest users of asbestos in the world. It is estimated that asbestos is present in one in three Australian homes. This has long-term implications for our health systems and the management of our built and natural environments.

Where can I find out more about asbestos?

Visit asbestos.nsw.gov.au to find out more about asbestos in NSW. If you have a home built or renovated before 1990, find out where asbestos is before you start work so you know what to do.

Our problem now

Australia – and NSW – has a legacy of asbestos use that we need to actively manage.

The asbestos in our buildings and infrastructure is reaching the end of its product life. As asbestos products age, they deteriorate and asbestos fibres are released more easily. This poses a health risk.

The people affected by asbestos are changing. Miners and manufacturers were the first and second waves of disease sufferers, but there is now a third wave of those affected by asbestos-related disease. These are the people who work in buildings that contain asbestos – tradespeople and do-it-yourself (DIY) renovators – who may not realise that they are exposing themselves and their families to asbestos. Unlike tradespeople, DIY renovators are not protected by work health and safety laws.

Social research conducted by the NSW Environment Protection Authority (the EPA) shows that the NSW community needs support to be better aware of the asbestos around them, and to know how to keep safe around it when they do come across it. While many tradespeople know what to do, the research shows that they can be overconfident in their knowledge and skills around it. Research in NSW also shows that people can improve their knowledge and planning to ensure that asbestos materials are disposed of safely and legally.

If people in our communities understand what to do, and choose to do it, then we can all protect ourselves from exposure. The good news is that our social research shows us how to target our efforts to achieve this.

Working together

There are solutions to the problems we have. Some are easier than others, but all will take effort and commitment to achieve. Every part of the NSW community has a role to play, large or small.

The role of the NSW Asbestos Coordination Committee (NACC) is to bring together different government agencies, and to involve industry and the community to deliver solutions. The NACC was set up by the NSW Government in response to recommendations made by the NSW Ombudsman.³

The purpose of the NACC is to drive a strategic and coordinated approach to asbestos management in NSW to protect human health and the environment.

The NACC seeks to identify and address issues that fall between the gaps because they require a multi-agency response across local, state and Commonwealth Governments.

1 World Health Organisation, <https://www.who.int/publications/i/item/WHO-FWC-PHE-EPE-14.01>

2 Asbestos Safety and Eradication Agency, [https://www.asbestossafety.gov.au/sites/default/files/documents/2018-08/The economic burden of asbestos-related disease.pdf](https://www.asbestossafety.gov.au/sites/default/files/documents/2018-08/The%20economic%20burden%20of%20asbestos-related%20disease.pdf)

3 NSW Ombudsman, <https://www.ombo.nsw.gov.au/news-and-publications/publications/reports/state-and-local-government/asbestos-how-nsw-government-agencies-deal-with-the-problem-a-special-report-to-parliament-april-2017>

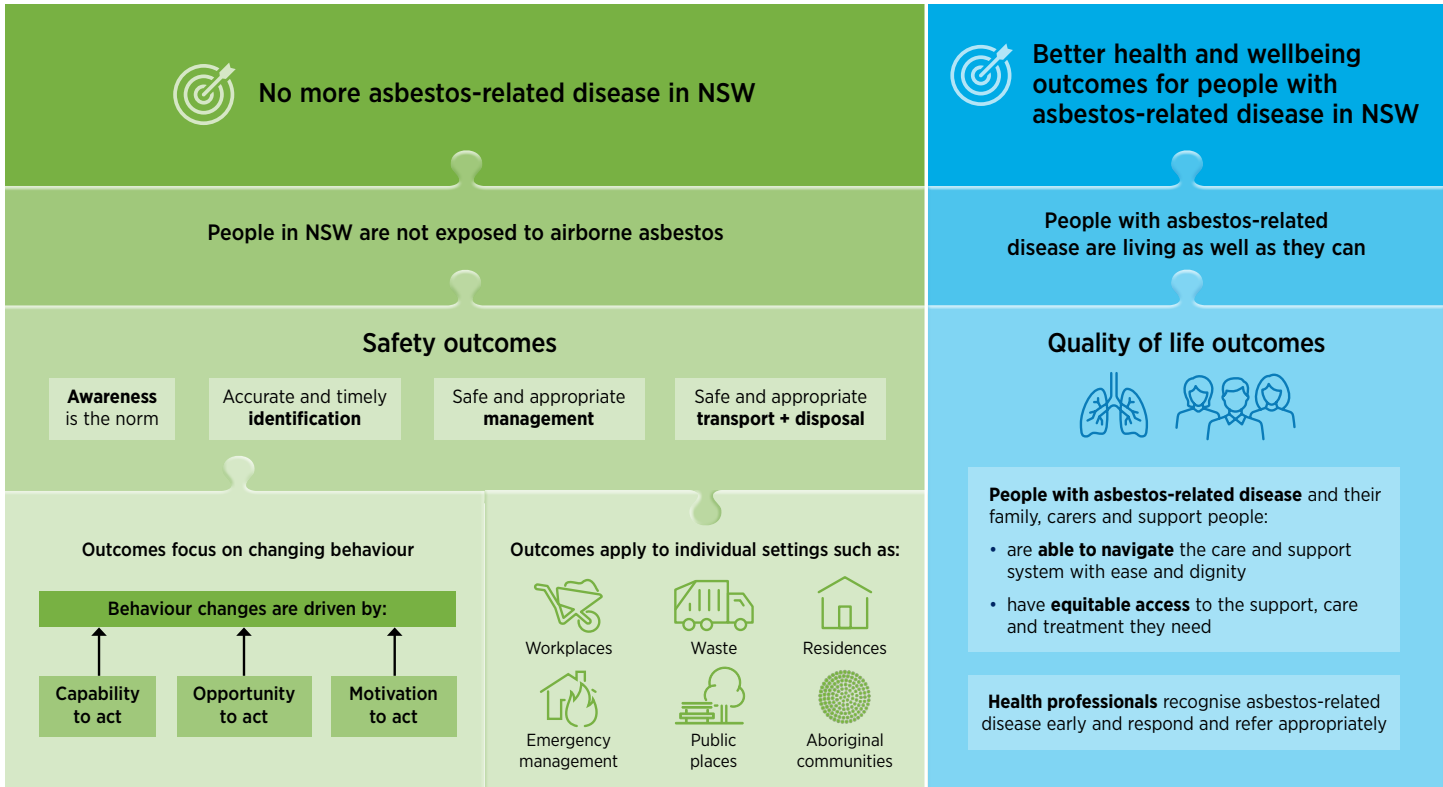
NSW Government and other agencies that collaborate through the NACC	
Department of Planning, Industry and Environment (DPIE) – Planning and Assessment	Observer – Commonwealth Asbestos Safety and Eradication Agency
Fair Trading	Office of Local Government
Fire & Rescue NSW	Observer – NSW Ombudsman
icare	Property and Development NSW
Local Government NSW	Regional NSW (Public Works Advisory)
NSW Aboriginal Land Council	Resilience NSW
NSW Environment Protection Authority	SafeWork NSW
NSW Health	Aboriginal Affairs NSW

Our goals

The NACC has set ambitious and long-term goals for the management of asbestos and described a path to achieve them (Figure 1). The ultimate goal of eliminating asbestos-related disease is long-term and visionary, but it is an important reminder of what the NACC is working towards for the NSW community.

NSW Government agencies, local councils, industry and other stakeholders have all contributed to the design of our goals, and already work to deliver the outcomes described in Figure 1.

Figure 1: Outcomes framework for asbestos in NSW



Our priorities

This *Direction* statement sets out immediate priorities for action for 2021 and 2022.

These are:

1. **Asbestos in discrete Aboriginal communities**
2. **Improving asbestos waste disposal**
3. **Legacy asbestos fill sites**
4. **Improving asbestos awareness**
5. **Understanding the economic impact of asbestos in NSW.**

These priorities have been chosen based on risk, opportunity and impact. They provide a focus for the work of the NACC and lay the foundations for future work. The work to deliver these priorities will extend beyond 2022, and will not lessen work on the 'business as usual' matters that don't require inter-agency collaboration.

The NACC will develop a strategy in 2022 that sets out long-term priorities for the management of asbestos in NSW.



Priority 1: Asbestos in discrete Aboriginal communities

Issue

There are 61 discrete Aboriginal communities (DACs) located on former Aboriginal missions and reserve lands in NSW. The lands are now owned by Local Aboriginal Land Councils under the *NSW Land Rights Act 1983*. When Aboriginal lands were returned to communities, the legacy of asbestos housing and waste also came with the land.

Asbestos in these communities can be extensive and is deteriorating, increasing the health risk to communities. Asbestos management and removal can be expensive and requires specialist knowledge. The challenges normally posed by asbestos removal are magnified in DACs due to issues of remoteness, funding constraints and access to appropriate specialists.

The EPA provides some funding to remove asbestos in DACs. The funding is time-limited and can only assist a small number of communities. There is no current capacity to respond comprehensively across all DACs.

The presence of asbestos also impedes or delays other Government initiatives and investments aimed at assisting DACs.

Lead and partners

Co-leads: the EPA, DPIE (Aboriginal Outcomes) and DPIE (Aboriginal Housing Office)

Partners: Aboriginal Affairs NSW, NSW Aboriginal Land Council, NSW Health, Regional NSW (Public Works Advisory), and Regional NSW (Aboriginal Procurement)

Outcomes

- Aboriginal people understand the risks of asbestos, how to stay safe, and who to contact if they need help.
- Asbestos clean-up in Aboriginal communities is prioritised according to fair and transparent criteria.
- Asbestos management in discrete Aboriginal communities is coordinated with other Government programs and initiatives to minimise disruption to communities while maximising outcomes.

Actions

1. The EPA will develop and deploy an asbestos education and awareness program for NSW Aboriginal communities.
2. The EPA will continue to use existing funding to clean up asbestos in Aboriginal communities.
3. The NACC will develop criteria and options to prioritise government effort and investment to clean up asbestos in discrete Aboriginal communities.

4. The EPA and the DPIE will partner through the Roads to Home program to coordinate efforts from the Aboriginal Communities Water and Sewerage Program, Aboriginal Communities Waste Management Program, Aboriginal Lands Clean-up Program, Aboriginal Communities Bushfire Clean-up Program, Housing for Health, and improvements to Aboriginal housing through both the Roads to Home Maintenance Program and Aboriginal Community Housing Investment Fund.



Priority 2: Improving asbestos waste disposal

Issue

Asbestos has only one destination – landfill. It cannot be recycled or re-used and its dangers mean that it needs to be handled within strict safety requirements on-site and in transport to landfill. The safe and legal disposal of asbestos comes with costs. Social research conducted by the EPA as well as feedback from stakeholders identifies that cost and convenience of disposal facilities is a barrier to the safe and legal disposal of asbestos.

Research has also uncovered that if asbestos is a surprise discovery during building work, unsafe behaviour is more likely. That is, knowledge of where asbestos is before work starts is a driver of safer and legal disposal. Those who generate the waste (such as home renovators, tradespeople and developers) also need to be supported in understanding the role they can and should play in making sure that asbestos waste is appropriately disposed of.

Lead and partners

Co-leads: the EPA and DPIE (Planning and Assessment)

Partners: SafeWork NSW, Office of Local Government, Local Government NSW and relevant local councils.

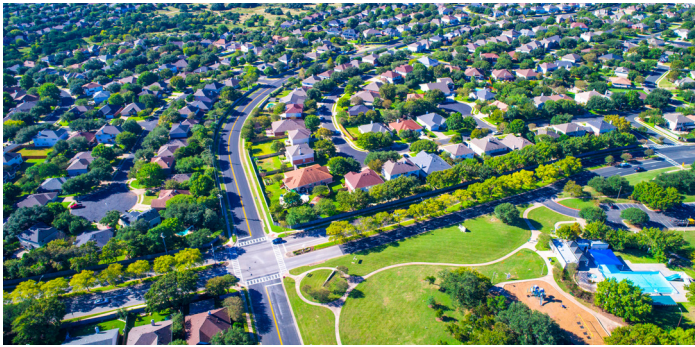
Outcomes

- Better identify asbestos before work starts.
- Better manage and dispose of asbestos through the development process.
- Make asbestos disposal easier and cheaper to dispose of legally.
- Ensure asbestos is regulated consistently across different types of development and building work.

Actions

5. The EPA will finalise the design and operation of a scheme which will contribute to reducing the harmful effects of illegally dumped asbestos within the community by waiving the levy for household amounts of bonded, wrapped and separated asbestos.
6. The EPA will undertake an assessment of asbestos waste infrastructure across NSW to identify immediate and emerging market shortfalls, and determine how we meet our critical infrastructure needs.
7. The DPIE (Planning and Assessment) will investigate updating the *Managing Land Contamination Planning Guidelines SEPP 55-Remediation of Land (1998)*⁴ to provide standard operating procedures for asbestos management and make guidance material on this easy to access.
8. The DPIE (Planning and Assessment) will review asbestos identification and management requirements across the range of development pathways, and investigate potential enhancements to improve consistency of approach across pathways.

4 https://www.environment.nsw.gov.au/resources/clm/gu_contam.pdf



Priority 3: Legacy asbestos fill sites

As part of previous manufacturing processes, asbestos waste was used to fill land (largely in Western Sydney) at multiple locations between the 1950s and 1970s. This has resulted in legacy land contamination for hundreds of residential, commercial and industrial properties, and public open spaces. Innocent landowners are significantly affected through reduced property values, limitations on the use of the property and potential health risks. Infrastructure development like new road corridors has also been affected.

In recent years City of Parramatta Council and State Government landowners have remediated some affected sites. The EPA has assessed all residential sites and offered work to private landowners to make their land safe. Many but not all have taken up this offer. These 'make-safe' works are effective but have a limited life span of years.

This issue is a priority because it needs a long-term resolution. It will be complex and expensive to resolve.

Lead and partners

Lead: Property and Development NSW

Partners: the EPA, Public Works Advisory, NSW Health, SafeWork NSW and affected local councils.

Outcomes

That the community is not exposed to legacy waste from previous asbestos manufacturing industries used as fill on public and private land.

Actions

9. The EPA will continue to manage the short-term response to identified residential properties and associated interim make-safe works. This will include sampling of newly-identified residential properties as well as the installation or maintenance of interim make-safe works as necessary.
10. Property and Development NSW will work with NACC and council partners to develop long-term options for government to consider.



Priority 4: Improving asbestos awareness

Issue

Social research shows that the NSW community is not aware of asbestos in buildings, how to identify it or how to be safe around asbestos when they do come across it. Communities do not know where to source reliable information.

The fastest growing group of mesothelioma sufferers are home owners, DIY renovators and tradespeople. An estimated one in three homes contains asbestos, and one in five renovations. Awareness is therefore particularly needed for groups that are likely to deal with asbestos in these places – particularly tradespeople and DIY renovators.

Lead and partners

Lead: the EPA

Partners: all other NACC agencies and local councils.

Outcome

Awareness about asbestos and how to keep safe is the social norm in NSW.

Actions

11. The EPA will release a statewide awareness campaign targeting do-it-yourself renovators and tradespeople, focusing on where to find asbestos and how to stay safe around it.
12. The EPA will enhance the resources available on **asbestos.nsw.gov.au** as the source of comprehensive, understandable and reliable information about asbestos in NSW.



Priority 5: Understanding the economic impact of asbestos in NSW

Issue

The management of asbestos has broad impacts on the NSW economy in relation to planning, waste and resource recovery, property development, public housing, infrastructure, Aboriginal communities, asbestos in soils, and so forth. The costs related to the health impacts of asbestos are relatively well understood, but the economic costs remain largely hidden. Understanding the impact of asbestos on the NSW economy is vital to support the development of policy responses and funding requests to government.

Lead and partners

Lead: the EPA

Partners: all other NACC agencies

Outcome

The current cost of asbestos management to the NSW economy is quantified to guide Government investment.

Action

13. The EPA will commission an analysis that quantifies the economic impact of asbestos in NSW and assists in identifying priority areas for future action.

Holding ourselves accountable

The progress of the work listed in this document will be reported routinely through the publication of communiques from the NACC Chair following each quarterly meeting and published on the **asbestos.nsw.gov.au** website.

The NACC also reports on its priorities to the Commonwealth Asbestos Safety and Eradication Agency, as part of the NSW Government's commitment to implementing the Asbestos National Strategic Plan for Asbestos Awareness and Management 2019-2023.⁵

⁵ <https://www.asbestossafety.gov.au/research-publications/national-strategic-plan-asbestos-awareness-and-management>

Published by:

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ISBN 978 1 922447 89 0 EPA 2021P3409

Front cover photo: asbestos roofing being removed.
Photo: iStock.

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