

## Council Policy

### Asbestos Management

#### Introduction

Northern Beaches Council acknowledges the serious health hazards posed by 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 legacy asbestos materials still exist in many homes, buildings and other assets and infrastructure. It is estimated that one in three Australian homes contains asbestos.

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

It is often difficult to identify the presence of asbestos by sight. Where a material cannot be identified or is suspected to be asbestos, it is best to assume that the material is asbestos and take appropriate precautions.

Council has an important 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

#### Policy Statement

To ensure the health, safety & wellbeing of the Northern Beaches community, staff and workers within the local government area with respect to asbestos containing material. This policy focuses on eliminating or minimising the exposure when working with asbestos (including storage, transport and disposal) in accordance with SafeWork NSW requirements. When used in conjunction with the accompanying Asbestos Management Guideline, this policy aims to:

- clarify the role of Council and other organisations in managing asbestos;
- specify Council's regulatory powers;
- identify the approach to dealing with naturally occurring asbestos, sites contaminated by asbestos and emergencies or incidents;
- advise residents on the safe renovation of homes that may contain asbestos;
- outline the development approval process for developments that may involve asbestos and conditions of consent;
- outline the waste management and regulation procedures for asbestos waste in the LGA; and
- outline Council's approach to managing asbestos containing materials in council workplaces.

## Principles

Council is committed to:

1. Functional land management through ensuring appropriate planning controls and conditions of consent within the development approval process for proposals that may involve asbestos
2. Productive waste management (storage, transport and disposal) through regulatory enforcement to ensure compliance with conditions of consent and SafeWork NSW requirements where Council is the regulatory authority
3. Being a responsible employer and manager of land, buildings and assets by effectively identifying and dealing with asbestos. This is achieved by eliminating or minimising exposure, education, training and health monitoring through the implementation of the Northern Beaches Council 519: Asbestos Risk Management Standard
4. Providing information and advice to the community about prohibition on the use and re-use of asbestos containing materials; the risks of exposure to asbestos; requirements in relation to development, land management and waste management; and the requirements in relation to the safe management and removal/ disposal of asbestos containing materials
5. Effective management of complaints and investigations and where necessary, an emergency response in accordance with Council's Compliance and Enforcement Policy.

## Scope and application

This policy applies to all land within the jurisdiction of the Northern Beaches Council, and applies to all employees, agents, officers, councillors, committee members, residents, workers and visitors of the Northern Beaches Council.

The policy, along with the Northern Beaches Council Asbestos Management Guideline provides information for the local community and wider public. Definitions for key terms used in the policy are provided in Appendix C of the Asbestos Management Guideline.

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 general advice is contained within the Asbestos Management Guideline.

For specific advice, individuals are encouraged to contact Council or the appropriate organisation.

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

- Code of practice on how to manage and control asbestos in the workplace, published by SafeWork NSW;
- Code of practice on how to safely remove asbestos, published by SafeWork NSW ;
- Code of practice on demolition work, published by SafeWork NSW; and

Additional guidance material is also provided within Council's Asbestos Management Guideline.

## Regulatory responsibilities

Council has regulatory responsibilities under the following legislation as the appropriate regulatory authority or planning authority:

- Contaminated Land Management Act 1997;
- Environmental Planning and Assessment Act 1979 and Regulation 2000;
- Local Government Act 1993;
- Protection of the Environment Operations Act 1997 and associated Regulations.
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008; and
- State Environmental Planning Policy No. 55 – Remediation of Land.

The situations in which Council has a regulatory role in the safe management of asbestos are set out in the Asbestos Management Guideline.

## 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.

Please refer to Council's Asbestos Management Guideline for details of the agencies involved in managing asbestos.

## Complaints and investigations

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

Council will respond to complaints and inquiries in accordance with its Compliance and Enforcement Policy regarding:

- development and management of land and waste management;
- derelict properties;
- general asbestos safety enquiries;
- illegal dumping; and
- safe removal and disposal of minor quantities of asbestos materials.

## Communicating this policy

This is a publicly available policy, and is to be made available via Council's website:

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

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).

## Variations and revisions

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

## References and related documents

- *Contaminated Land Management Act 1997*
- *Environmental Planning and Assessment Regulation 2000*
- *Environmental Planning and Assessment Act 1979*
- *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 2014*
- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*
- *State Environmental Planning Policy No.55 – Remediation of Land*
- *Work Health and Safety Act 2011*
- *Work Health and Safety Regulation 2017*
- Northern Beaches Council Compliance and Enforcement Policy
- Northern Beaches Council 519: Asbestos Risk Management Standard
- Northern Beaches Council 519-1: Asbestos Materials and Asbestos Register
- Northern Beaches Council Asbestos Management Guideline

## Responsible Officer

Director Planning & Place

## Review Date

April 2024

## Revision History

Revision	Date	Status	TRIM Ref
1	28 May 2019	First draft policy	2019/420022
2	30.Sep 2019	For public consultation	2019/559310
3	26 Feb 2020	For Council meeting 24 March 2020	2020/114080
3	24 March 2020	Adopted by Council	2020/114080