

Demolition and Renovation of Buildings Containing Asbestos Policy

Adoption Date:	23/08/2005
Reaffirmed:	21/05/2013
Amendment Date:	24/03/2007, 11/10/2010, 15/08/2017, 01/08/2022
Minute Number:	MIN05.1136, MIN07.418, MIN09.1397, MIN13.473, MIN17.697, MIN22.506
Review Date:	01/12/2024
Directorate:	City Development
Record Number:	POL22/14

1. Purpose

To articulate Council's requirements when assessing and determining Development Applications (DAs) for demolition and renovation of buildings containing asbestos.

2. Statement

Current scientific literature indicates that there is no safe exposure level for asbestos. This Policy shall be adhered to when assessing and determining DAs for demolition and renovation of buildings containing asbestos.

This policy does not alter the specific requirements set under Council's Asbestos Policy (POL16/57) which is in line with the Model Asbestos Policy for NSW Councils. Individuals are encouraged to contact Council, or the appropriate organisation as detailed in Appendix E of Council's Asbestos Policy (POL16/57).

3. Provisions

Licensing Requirements for Removing Asbestos

Since 1 January 2008, a bonded asbestos licence has been required in NSW to remove more than 10m² of bonded asbestos material. A Class B licenced asbestos removalist can remove any amount of bonded asbestos material. Any loose or friable asbestos must be removed by a Class A asbestos removalist. Licensing for asbestos removalist is legislated by the Work Health and Safety Regulation 2017 and regulated by SafeWork NSW.

Legislation

Council has obligations under various Asbestos-Related Legislation, Policies and Standards including the provisions of the *Protection of the Environment Operations (POEO) Act 1997* and the *Contaminated Land Management (CLM) Act 1997*.

SafeWork NSW Guidelines

SafeWork NSW provides extensive guidelines for dealing with asbestos. The SafeWork catalogue titled "Working with Asbestos Guide" provides up-to-date guidance on identification, licensing and working with asbestos. The catalogue is available on the SafeWork website at:

<http://www.safework.nsw.gov.au>

Conditions of Development Consent

Where demolition is proposed, the following conditions of development consent shall be included on applications for the demolition and renovation of buildings containing asbestos as follows:

Demolition

Demolition work must be carried out in accordance with AS2601-2 [SafeWork NSW – Code of Practice, Demolition Work \[ISBN 978-0-642-78415-5\]](#) and [SafeWork NSW – Code of Practice, How to Safely Remove Asbestos \[ISBN 978-0-642-33317-9\]](#) as applicable.

Asbestos – Neighbour Notification

Five (5) days prior to the commencement of any demolition works involving asbestos, all immediate neighbours must be notified in writing of the intention to carry out asbestos demolition works. Copies of these written notifications should be retained and submitted to Council

Asbestos Removal

Asbestos removal must be carried out in accordance with AS2601-2 [SafeWork NSW – Code of Practice, Demolition Work \[ISBN 978-0-642-78415-5\]](#) and [SafeWork NSW – Code of Practice, How to Safely Remove Asbestos \[ISBN 978-0-642-33317-9\]](#) as applicable, by a person holding the relevant licence issued by SafeWork NSW.

A licence is not required to remove less than 10m² of non-friable asbestos, provided that the total amount of non-friable asbestos removed from the lot does not exceed 10m².

Asbestos must be taken for disposal to the licensed Waste Management Facility identified in the approved Waste Management Plan.

Post asbestos removal and prior to further work on the site, the following must be submitted to the Certifier:

- a) A clearance certificate issued by a licensed asbestos assessor or competent person as required by the Work, Health and Safety Regulation 2017 for the specific type of asbestos removal work confirming that the area has been cleaned satisfactorily and is safe to be re-occupied for normal use.
- b) A clearance certificate is required if the removal work involved any quantity of friable asbestos, or if it involved removal of more than a total of 10 square metres of non-friable asbestos from the lot.
- c) Documentary evidence of the legitimate disposal of all asbestos in the form of tip receipts from an approved waste management facility.

4. Implementation

This policy will be implemented by City Development in the assessment and determination of Development Applications for demolition and renovation of buildings containing asbestos.

5. Review

This Policy shall be reviewed within 12 months of the election of the new Council.