

ITEM 2. MANAGING ASBESTOS – POLICY AND GUIDELINES**FILE NO: S111706****SUMMARY**

The draft Managing Asbestos Policy and Guidelines have been drafted having regard to the Local Government NSW – Model Asbestos Policy for Councils. The model policy was developed by the heads of Asbestos Coordination Authorities to promote a consistent local government approach to asbestos management across the State.

The draft Managing Asbestos Policy will replace the City's 2006 Asbestos Policy. The Policy should be read in conjunction with the associated Managing Asbestos Guidelines (draft).

The purpose of the draft Asbestos Policy is to:

- explain the role that the City and other organisations have in managing asbestos;
- explain the City's relevant regulatory powers;
- explain the City's approach to dealing with sites contaminated by asbestos and emergencies or incidents;
- give general advice to residents on renovating homes that may contain asbestos;
- explain the City's development approval process for developments that may involve asbestos and conditions of consent;
- explain waste management and regulation procedures for asbestos waste in the City of Sydney Local Government Area; and
- explain the implications of not complying with the Policy, relevant legislation, guidelines and codes of practice relating to the management of asbestos.

Consultation has taken place with WorkCover NSW and Local Government NSW.

RECOMMENDATION

It is resolved that Council adopt the Managing Asbestos Policy and Managing Asbestos Guidelines, as shown at Attachments A and B to the subject report.

ATTACHMENTS**Attachment A:** Draft Managing Asbestos Policy**Attachment B:** Draft Managing Asbestos Guidelines

BACKGROUND

1. The City of Sydney has an existing Asbestos Policy that was drafted in 2006. In early 2013, Local Government NSW released the Model Asbestos Policy for use by NSW Councils.
2. The Director General of the Division of Local Government has issued a direction that requires local councils to have a policy that outlines how they will manage the risks associated with asbestos in their local government area, and that local councils, when drafting their own policies, must have regard to the Model Policy.
3. Section 23A of the Local Government Act 1993 makes it a requirement for councils to comply with relevant guidelines and policy enacted by the Director General.
4. The City's Health and Building Unit has had regard to the Local Government NSW Model Asbestos Policy while drafting the new Asbestos Policy and Guidelines. In drafting the documents, the Health and Building Unit has consulted with Local Government NSW and WorkCover.
5. It is proposed that, once adopted, the Policy and Guidelines will be made publicly available via the City's website.

KEY IMPLICATIONS**Strategic Alignment - Sustainable Sydney 2030**

6. *Sustainable Sydney 2030* is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress.
7. The draft Policy and Guidelines align with a number of strategic directions, including Objective 2.4.4 regarding education and support initiatives to assist residents and businesses to reduce their environmental impacts.
8. The documents align with core business that Council's Health and Building, Waste and Rangers Units undertake in responding to incidents involving illegally dumped waste and make these processes more transparent.

Organisational Impact

9. The adoption of this Policy has negligible impact on service levels, staffing, facilities or processes. It is primarily an educative document for use by internal and external stakeholders.

Risks

10. There have been no risks identified with the adoption of these documents. The Policy and Guidelines are primarily educational in nature and reflect current best practice and legislative requirements.

Social / Cultural / Community

11. It is anticipated that the Policy and Guidelines will have positive impacts on the community. These educational documents are intended to raise awareness of the risks associated with the mishandling of asbestos. The documents provide advice to the community on safe handling and disposal practices for asbestos in residential and commercial settings and clarify the regulatory role of Council and the penalties for improper handling or disposal.

Environmental

12. It is anticipated that the Policy and Guidelines will have a positive environmental impact within the City's Local Government Area. The intention of both documents is to educate the community on the safe handling and disposal of asbestos and minimise the mishandling of asbestos containing materials.

BUDGET IMPLICATIONS

13. The Policy and Guidelines are educational documents and require no additional works to be undertaken by the City. Accordingly, there are no budget implications attached to the adoption of these documents.

RELEVANT LEGISLATION

14. Councils are required by the Director General of the Division of Local Government to have a policy outlining how they will manage the risks associated with asbestos in their local government area and must have regard to the Model Policy when drafting their own policy.
15. Section 23A of the Local Government Act 1993 makes it a requirement for councils to comply with relevant guidelines and policy enacted by the Director General.

CRITICAL DATES / TIME FRAMES

16. Once adopted by Council, the Policy and Guidelines will be made available for public viewing on the City's website.

PUBLIC CONSULTATION

17. Local Government NSW and WorkCover NSW have been consulted in the drafting of these documents.
18. As the documents represent legislative and existing best practice requirements and are largely based on Model Policy developed by State Government, further public consultation has not been conducted.

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