

AGENDA

Environment and Planning Committee

Monday, 14 July 2025

7:00 PM

Dragon Room

**Georges River Civic Centre,
Hurstville**



OATH OF OFFICE OR AFFIRMATION OF OFFICE

All Georges River Councillors are reminded of their Oath of Office or Affirmation of Office made at the time of their swearing into the role of Councillor.

All Councillors are to undertake the duties of the office of Councillor in the best interests of the people of the Georges River Council area and are to act faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the *Local Government Act 1993* or any other Act to the best of their ability and judgement.

DISCLOSURES OF INTEREST

All Georges River Councillors are reminded of their obligation to declare any conflict of interest (perceived or otherwise) in a matter being considered by Council or at any meeting of Council.

ENVIRONMENT AND PLANNING COMMITTEE MEETING

ORDER OF BUSINESS

OPENING

ACKNOWLEDGEMENT OF COUNTRY

Council acknowledges the Bidjigal people of the Eora Nation, who are the Traditional Custodians of all lands, waters and sky in the Georges River area. I pay my respect to Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples who live, work and meet on these lands.

APOLOGIES / LEAVE OF ABSENCE

REQUEST TO JOIN VIA AUDIO VISUAL LINK

NOTICE OF WEBCASTING

DISCLOSURES OF INTEREST

PUBLIC FORUM

CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

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CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

Item: ENV022-25 Confirmation of the Minutes of the Environment and Planning Committee Meeting held on 10 June 2025

Author: Executive Services Officer

Directorate: Office of the General Manager

Matter Type: Previous Minutes

RECOMMENDATION:

That the Minutes of the Environment and Planning Committee Meeting held on 10 June 2025, be confirmed.

ATTACHMENTS

Attachment [1](#) Minutes of the Environment and Planning Committee Meeting held on 10 June 2025



MINUTES

Environment and Planning Committee

Tuesday, 10 June 2025

7:00 PM

Dragon Room

Georges River Civic Centre,
Hurstville



GEORGES RIVER COUNCIL

PRESENT

COUNCIL MEMBERS

Councillor Elise Borg (Mayor), Councillor Peter Mahoney (Chairperson), Councillor Matthew Allison Councillor Tom Arthur, Councillor Christina Jamieson, and Councillor Kathryn Landsberry.

COUNCIL STAFF

Director Environment and Planning – Joseph Hill, General Manager – David Tuxford, Acting Manager Development & Building – Linley Love, General Counsel - James Fan, Executive Manager City Futures – Kent Stroud, Manager Office of the General Manager – Vicki McKinley, Coordinator Strategic Planning – Luke Oste, Strategic Planner – Michelle Fawcett, Strategic Planning / Information Management – Andy Zhou, Personal Assistant to the Manager Environment, Health & Regulatory Services – Lynne Denham (Minutes), Personal Assistant to the Manager Development & Building – Catherine Mercer and Technology Service Desk Technician – Arun Job.

OPENING

The Chairperson, Councillor Cr Peter Mahoney, opened the meeting at 7.01pm.

ACKNOWLEDGEMENT OF COUNTRY

The Chairperson, Councillor Peter Mahoney acknowledged the Bidjigal people of the Eora Nation, who are the Traditional Custodians of all lands, waters and sky in the Georges River area. I pay my respect to Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples who live, work and meet on these lands.

APOLOGIES/LEAVE OF ABSENCE

There were no apologies or requests for leave of absence.

REQUEST TO ATTEND VIA AUDIO VISUAL LINK

There were no requests to attend via Audio Visual Link.

NOTICE OF WEBCASTING

The Chairperson, Councillor Peter Mahoney advised staff and the public that the meeting is being recorded for minute-taking purposes and is also webcast live on Council's website, in accordance with section 5 of Council's Code of Meeting Practice. This recording will be made available on Council's Website.

CODE OF MEETING PRACTICE

Council's Code of Meeting Practice prohibits the electronic recording of meetings without the express permission of Council.

DISCLOSURES OF INTEREST

Special Disclosure of Pecuniary Interest - Councillor Mahoney submitted a Special Disclosure of Pecuniary Interest in item **ENV018-25 Review of the Draft Bush Fire Prone Land Map 2025** for the reason that the Councillor has an interest in the land.

Councillor Mahoney will partake in any deliberations on this matter and will remain in the meeting and participate in the consideration and voting on this item.

Non-Significant Non Pecuniary Interest – Councillor Matthew Allison – submitted a Non-Significant Non-Pecuniary Interest in item **ENV018-25 Review of the Draft Bush Fire Prone Land Map 2025** for the reason that the Councillor's place of residence is situated in Bushfire Zone on the eastern edge of Oatley Park, Oatley.

Councillor Allison will partake in any deliberations on this matter and will remain in the meeting and participate in the consideration and voting on this item.

PUBLIC FORUM

Name	Report No.	Report Title
Brett Cornell (Written submission)	ENV020-25	Merriman Reserve Plan of Management and Master Plan
Lisa Bella Esposito (In person)	ENV019-25	Planning Proposal for Gateway Determination – 193-199 Rocky Point Road, 66-68 Ramsgate Road and 2-4 Targo Road, Ramsgate
Matt Hyne (Written submission)	ENV019-25	Planning Proposal for Gateway Determination – 193-199 Rocky Point Road, 66-68 Ramsgate Road and 2-4 Targo Road, Ramsgate
Peter Stubbs (Written submission)	ENV019-25	Planning Proposal for Gateway Determination – 193-199 Rocky Point Road, 66-68 Ramsgate Road and 2-4 Targo Road, Ramsgate
Nicholas Steele (In person)	ENV019-25	Planning Proposal for Gateway Determination – 193-199 Rocky Point Road, 66-68 Ramsgate Road and 2-4 Targo Road, Ramsgate
Tim Rogers (In person)	ENV019-25	Planning Proposal for Gateway Determination – 193-199 Rocky Point Road, 66-68 Ramsgate Road and 2-4 Targo Road, Ramsgate

CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

ENV017-25 Confirmation of the Minutes of the Environment and Planning Committee Meeting held on 12 May 2025

(Report by Manager Office of the General Manager)

RECOMMENDATION: Councillor Landsberry, Councillor Allison

That the Minutes of the Environment and Planning Committee Meeting held on 12 May 2025, be confirmed.

Record of Voting

For the Motion: Councillor Mahoney, The Mayor, Councillor Borg, Councillor Allison, Councillor Arthur, Councillor Jamieson, Councillor Landsberry

On being PUT to the meeting, voting on this Motion was UNANIMOUS. The Motion was CARRIED.

COMMITTEE REPORTS

ENV018-25 Review of the Draft Bush Fire Prone Land Map 2025

(Report by Strategic Planner/Information Management)

RECOMMENDATION: Councillor Jamieson, Councillor Arthur

- (a) That Council note the draft Bush Fire Prone Land Map 2025 prepared by the NSW Rural Fire Service as the replacement for the certified Bush Fire Prone Land Map 2020 for Georges River Council.
- (b) That Council request the NSW Rural Fire Service to:
 - (i) remove Carss Bush Park and the lower part of Oatley Memorial Gardens (being a road reserve) from the draft Bush Fire Prone Land Map 2025.
 - (ii) finalise and provide the amended Bush Fire Prone Land Map 2025 with the inclusion of the vegetation buffer areas surrounding the new Vegetation Categories 1 and 2.
- (c) That Council formally request certification from the NSW Rural Fire Service for the amended Bush Fire Prone Land Map 2025.

Record of Voting

For the Motion: Councillor Mahoney, The Mayor, Councillor Borg, Councillor Allison, Councillor Arthur, Councillor Jamieson, Councillor Landsberry

On being PUT to the meeting, voting on this Motion was UNANIMOUS. The Motion was CARRIED.

ENV019-25 Planning Proposal for Gateway Determination – 193-199 Rocky Point Road, 66-68 Ramsgate Road and 2-4 Targo Road, Ramsgate

(Report by Consultant Planner)

Note: Yvonne Kanti of Gyde Consultants introduced the report.

RECOMMENDATION: The Mayor, Councillor Borg, Councillor Landsberry

That Georges River Council (Council) does not support the proposed amendments to *Georges River Local Environmental Plan 2021* (GRLEP), contained in PP2024/0001 as described at **Attachment 1** of the Environmental Planning Committee report as it does not satisfy the site-specific merit tests that are outlined in the Department of Planning, Housing and Infrastructure's (DPHI) *Local Environmental Plan Making Guideline* (dated August 2023) for the following key reasons:

- (i) the planning proposal (PP) has not demonstrated that future intensification of development on the site can be accommodated without adverse impacts within the capacity of the current and/or future infrastructure, specifically the surrounding state and local road network.
- (ii) the PP has not adequately addressed the recommendations made by Georges River Local Planning Panel (LPP) (LPP052-24) at its meeting on 5 December 2024 in relation to potential traffic and transport impacts.
- (iii) the PP has not adequately addressed the traffic advice from Transport for New South Wales (TfNSW) and Council's traffic engineers issued to the Proponent on 19 March 2025 and subsequent advice provided by TfNSW on 10 April 2025.

Record of Voting

For the Motion: Councillor Mahoney, The Mayor, Councillor Borg, Councillor Allison, Councillor Jamieson, Councillor Landsberry

Against the Motion: Councillor Arthur

On being PUT to the meeting, voting on this Motion was five (5) votes FOR and one (1) vote AGAINST. The Motion was CARRIED.

ENV020-25 Adoption - Merriman Reserve Plan of Management and Master Plan
(Report by Strategic Planner)

RECOMMENDATION: Councillor Landsberry, Councillor Jamieson

- (a) That Council adopt the Merriman Reserve Plan of Management and Master Plan provided in **Attachments 1 and 2** in accordance with section 40 of the *Local Government Act 1993* and section 3.23(6) of the *Crown Land Management Act 2016*.
- (b) That Council authorise the Director Planning and Environment to make minor editorial modifications in the finalisation of the Merriman Reserve Plan of Management and Master Plan.
- (c) That all individuals who provided a submission during the public exhibition of the Merriman Reserve Plan of Management and Master Plan be notified of Council's decision.
- (d) That the adopted Merriman Reserve Plan of Management and Master Plan be forwarded to the NSW Department of Planning, Housing and Infrastructure – NSW Crown Lands for information.
- (e) That the Merriman Reserve Plan of Management and Master Plan be placed on Council's website following adoption by Council.

Record of Voting

For the Motion: Councillor Mahoney, The Mayor, Councillor Borg, Councillor Allison, Councillor Arthur, Councillor Jamieson, Councillor Landsberry

On being PUT to the meeting, voting on this Motion was UNANIMOUS. The Motion was CARRIED.

ENV021-25 Development and Building Q3 Metrics Report
(Report by Manager Development and Building)

RECOMMENDATION: Councillor Jamieson, Councillor Allison

That Council receive and note the Quarterly Development and Building Team Functions and Services Metrics Report for the period January to March 2025.

Record of Voting

For the Motion: Councillor Mahoney, The Mayor, Councillor Borg, Councillor Allison, Councillor Arthur, Councillor Jamieson, Councillor Landsberry

On being PUT to the meeting, voting on this Motion was UNANIMOUS. The Motion was CARRIED.

CONCLUSION

The Meeting was closed at 7.57pm

Chairperson

COMMITTEE REPORTS**Item:** ENV023-25 Draft Asbestos Management Policy**Author:** Manager Environment Health & Regulatory Services**Directorate:** Environment and Planning**Matter Type:** Committee Reports

ENV023-25

RECOMMENDATION:

- (a) That Council endorse the draft Asbestos Management Policy, as attached to this report, for the purpose of public exhibition for a minimum period of 60 days, in accordance with Section 160 of the Local Government Act, 1993.
- (b) That a further report be provided to Council on the outcomes of the public exhibition.

EXECUTIVE SUMMARY

1. The current version of the Asbestos Management Policy, which expired in 2025, has been reviewed with predominantly formatting and legislative amendments recommended.
2. The Policy continues to provide the appropriate direction to assist Council staff and the community to manage asbestos in the environment and as such is still required.
3. This report is provided to Council to seek endorsement to place the draft Asbestos Management Policy attached to this report on public exhibition for a period of 60 Days.

REPORT

4. Council first adopted an Asbestos Management Policy (the Policy) in 2018. This Policy was based upon the 2015 revised Model Asbestos Policy for NSW Councils which was first developed and released by the Local Government and Shires Associations of NSW (LGSA) together with the Heads of Asbestos Coordination Authorities (HACA) in November 2012. The broad aim of the Model Asbestos Policy for NSW Councils was to promote a consistent Local Government approach to asbestos management across NSW.
5. The Model Asbestos Policy for NSW has not been revised since 2015 and goes beyond a standard policy statement. The Model Asbestos Policy is more of a reference document encompassing many aspects of asbestos management, many of which, would be more appropriately located in an internal procedure or listed on Council's website to educate the community. A such the current version of the Asbestos Management Policy is not compliant with Councils adopted Policy Template framework.
6. As the current version of the Policy does not meet Councils Policy Template framework and given that the broad aim of the 2015 Model Asbestos Policy for NSW Councils has been met, it was decided to implement a reworking of the Policy.
7. However, as the current version of the Policy is overdue for updating and as it is necessary to maintain Policy continuity, the first stage of the review has addressed general formatting into Council's updated Policy Template, editing and updating of content to reflect current legislation and practices.
8. The second stage of the review will be a complete overhaul of the Policy to separate out Policy, Procedure and educational content into the appropriate end format to make the Policy compliant with Councils adopted Policy Template framework. Work on the stage two review will commence after the adoption of the stage one Policy.

9. The key changes between the current version of the Policy and the draft Policy attached are:
- **Removal of reference to WHS in title** – the Policy scope is far broader than Work Health and Safety alone as it also relates to asbestos management issues within the community and outside of Council's workplace.
 - **Change in Policy owner** - The policy owner has changed from Work Health and Safety, Business and Corporate Services Directorate to Environment, Health and Regulatory Services, in the Environment and Planning Directorate. This reflects the broader scope of the draft Policy and that the business units with the most responsibility are located within the Environment and Planning Directorate
 - **Updating legislative references** – since the Policy was last adopted there have been a range of amendments to relevant legislation referenced by the Policy, and these have been updated in the draft Policy.
 - **Formatting into Councils' Policy Template** – Since the Policy was last adopted by Council, the corporate Policy Template has changed significantly, and these updates are reflected in the draft Policy.
 - **Relocating Related Documents** – These have been moved to Appendix G in order to reduce content within the body of the draft Policy.
 - **Relocating definitions** – These have been consolidated from within the Policy and in the former Appendix E to the Definition of Terms table within the Policy.
 - **Allocating responsibilities to Business Units** – The responsibilities contained within Section 1 – Roles and Responsibilities of Council have been updated to include the business unit of Council responsible for each function.
 - **General edits** – These include formatting, editing and updating of content to reflect practices and standards.
10. The provisions of the Policy remain relevant as the Policy provides direction for Council staff and the community about the management of asbestos within the environment. Following a review of the Policy there is a need to make minor amendments including general formatting into Council's updated Policy Template, editing and updating of content to reflect current legislation and practices in order to maintain Policy continuity prior to a future major Policy review.
11. It is therefore recommended that Council endorse the draft Asbestos Management Policy, contained in Attachment 1, for the purpose of public exhibition for a minimum of 60 days. It is further recommended that a future report be provided to Council on the outcomes of the public exhibition.

FINANCIAL IMPLICATIONS

12. No budget impact for this report.

RISK IMPLICATIONS

13. No risks identified.

COMMUNITY ENGAGEMENT

14. Community engagement on the draft Policy will be conducted for a period of 60 days via an advertisement in the local paper and requesting feedback on the Your Say page of Council's website.

FILE REFERENCE

D25/182791

ATTACHMENTS

Attachment [↓](#)1 Draft Asbestos Management Policy - July 2025





DRAFT Asbestos Management Policy

July 2025

Policy Administration

Dates	Policy approved 07/2025 This Policy is effective upon its approval Policy is due for review (up to 3 years) 07/2028
Approved by	Council on
Policy Type	<input type="checkbox"/> Council Policy <input type="checkbox"/> Executive Policy Indicate which type of policy this is.
Exhibition Period	Include date of exhibition to the public or consultative committee, if relevant
Policy Owner	Environment, Health and Regulatory Services, Environment and Planning Directorate
Related Documents	Appendix F – Asbestos-related legislation, policies, and standards
Appendices	Appendix A – General information and guidance Appendix B – Further information Appendix C – Acronyms Appendix D – Relevant contacts Appendix E – Waste management facilities that accept asbestos Appendix F – Asbestos-related legislation, policies and standards Appendix G – Agencies roles and responsibilities Appendix H – Scenarios illustrating agencies lead response in NSW Appendix I – Asbestos containing materials Appendix J – Asbestos licences Appendix K – Naturally Occurring Asbestos Map
References & Legislation	See Appendix F
Document Identifier	Policy #: Doc No. D25/192694
Breaches of Policy	Breaches of any policy will be dealt with and responded to in accordance with adopted codes and/or relevant legislation
Record Keeping	All documents and information obtained in relation to the implementation of this policy will be kept in accordance with the NSW State Records Act 1998, Georges River Council's Corporate Records Policy and adopted internal procedures.

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DRAFT

Background

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 revised Model Asbestos Policy for NSW Councils (released 2015) which was developed and released by the Local Government and Shires Associations of NSW (LGSA) together with the Heads of Asbestos Coordination Authorities (HACA) in November 2012 to promote a consistent Local Government approach to asbestos management across NSW.

The 2012 'Model Asbestos Policy for NSW Councils' policy was reviewed and revised by HACA and issued in November 2015.

- 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.

Introduction

Georges River 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. Several homes, sheds, structures and buildings throughout the Georges River Local Government Area (LGA) may contain 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. 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 Person Conducting a Business or Undertaking (PCBU) in NSW
- 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.

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 procedures for asbestos waste in the LGA;
- Council's approach to managing asbestos containing materials in Council workplaces; and
- sources of further information.

Scope

This policy applies to all of the Georges River 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 current NSW *Work Health and Safety Regulation*). Definitions for key terms used in the policy are provided in [Definition of Terms](#) and acronyms are listed in [Appendix C](#).

The policy applies to friable and non-friable (bonded) asbestos 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 D](#)).

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 (catalogue no. WC03560) published by SafeWork NSW.
- Code of practice on how to safely remove asbestos published by SafeWork NSW (catalogue no. WC03561) published by SafeWork NSW.
- Additional guidance material listed in [Appendix B](#).
- Detailed information on Council's procedures and plans may be found in other documents, which are referenced in part 2 under section 16.1.

Definition of Terms

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 SafeWork NSW
- *Code of practice on how to safely remove asbestos* (catalogue no. WC03561) published by SafeWork NSW
- Contaminated Land Management Act 1997
- Environmental Planning and Assessment Act 1979
- Emergency Pollution and Orphan Waste Clean-Up Program Guidelines 2013
- 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.

Term	Meaning
Accredited certifier	In relation to matters of a particular kind, means the holder of a certificate of accreditation as an accredited certifier under the <i>Building Professionals Act 2005</i> in relation to those matters.
Airborne asbestos	Any fibres of asbestos small enough to be made airborne. For the purposes of monitoring airborne asbestos fibres, only respirable fibres are counted.
Asbestos	The asbestiform varieties of mineral silicates belonging to the serpentine or amphibole groups of rock forming minerals including the following: <ul style="list-style-type: none"> • actinolite asbestos • grunerite (or amosite) asbestos (brown) • anthophyllite asbestos • chrysotile asbestos (white) • crocidolite asbestos (blue) • tremolite asbestos • a mixture that contains 1 or more of the minerals referred to in paragraphs (a) to (f).
Asbestos containing material (ACM)	Any material or thing that, as part of its design, contains asbestos.

Term	Meaning
Asbestos-contaminated dust or debris (ACD)	Dust or debris that has settled within a workplace and is, or is assumed to be, contaminated with asbestos.
Asbestos-related work	Work involving asbestos that is permitted under the <i>Work Health and Safety Regulation 2011</i> , other than asbestos removal work.
Asbestos removal licence	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	A person conducting a business or undertaking who carries out asbestos removal work.
Asbestos waste	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	A person who is authorised by or under section 85A of the <i>Environmental Planning and Assessment Act 1979</i> to issue complying development certificates or is authorised by or under section 109D of the <i>Environmental Planning and Assessment Act 1979</i> to issue part 4A certificates.
Class A asbestos removal licence	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	The removal of friable asbestos which must be licensed under clause 485 of the <i>Work Health and Safety Regulation 2011</i> . 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	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	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	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.

Term	Meaning
Complying development	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.
Contaminant	Any substance that may be harmful to health or safety.
Contamination of land	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, a measure to eliminate or minimise the risk.
Demolition work	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: <ul style="list-style-type: none"> (a) the dismantling of formwork, falsework, or other structures designed or used to provide support, access or containment during construction work, or (a) the removal of power, light or telecommunication poles. development means: <ul style="list-style-type: none"> (b) the use of land (c) the subdivision of land (d) the erection of a building (e) the carrying out of a work (f) the demolition of a building or work (g) any other act, matter or thing referred to in section 26 of the <i>Environmental Planning and Assessment Act 1979</i> that is controlled by an environmental planning instrument.
Development application	An application for consent under part 4 of the <i>Environmental Planning and Assessment Act 1979</i> to carry out development but does not include an application for a complying development certificate.
Emergency service organisation	Includes any of the following: <ul style="list-style-type: none"> (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.

Term	Meaning
Exempt development	Minor development that does not require any planning or construction approval because it is exempt from planning approval.
Exposure standard for asbestos	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	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	Physical and psychological health.
Health monitoring	Of a person, 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: (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	Asbestos or asbestos containing material fixed or installed in a structure, equipment or plant, but does not include naturally occurring asbestos.
Licence holder	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 <ul style="list-style-type: none"> 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	A person who holds an asbestos assessor licence.
Licensed asbestos removalist	A person conducting a business or undertaking who is licensed under the <i>Work Health and Safety Regulation 2011</i> to carry out Class A asbestos removal work or Class B asbestos removal work.
Licensed asbestos removal work	Asbestos removal work for which a Class A asbestos removal licence or Class B asbestos removal licence is required.

Term	Meaning
NATA	The National Association of Testing Authorities, Australia.
NATA-accredited laboratory	A testing laboratory accredited by NATA or recognised by NATA either solely or with someone else.
Naturally occurring asbestos	The natural geological occurrence of asbestos minerals found in association with geological deposits including rock, sediment or soil.
Non-friable asbestos	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	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	An officer as defined in the NSW <i>Work Health and Safety Act 2011</i> .
Orphan waste	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	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	<p>An asbestos fibre that:</p> <ul style="list-style-type: none"> (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. <p>specified VET course means:</p> <ul style="list-style-type: none"> • in relation to Class A asbestos removal work – the following VET courses: <ul style="list-style-type: none"> • remove non-friable asbestos • remove friable asbestos, or • in relation to Class B asbestos removal work – the VET course Remove non-friable asbestos, or • in relation to the supervision of asbestos removal work – the VET course Supervise asbestos removal, or • in relation to asbestos assessor work – the VET course Conduct asbestos assessment associated with removal.

Term	Meaning
Structure	Anything that is constructed, whether fixed or moveable, temporary or permanent, and includes: <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> • 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	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: <ul style="list-style-type: none"> (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.

Policy Statement

1. Roles and Responsibilities of Council

1.1 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.

The responsibility for actioning these roles is with the Environment and Planning Directorate and specifically the Development and Building Section and Environmental Health, Parking and Rangers and Environmental Sustainability and Waste Units of the Environment, Health and Regulatory Services Section.

1.2 Managing Public Land

- Council is responsible for managing public land and land contaminated with asbestos as outlined in section 4.
- The responsibility for actioning this role is with the Assets and Infrastructure Directorate and specifically the City Operational Services and City Technical Services Sections.

1.3 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 fines 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 NSW Environment Protection Authority (EPA) on this matter and making notation on planning certificates (section 10.7 certificates) where on-site disposal is permitted.
- Contracting a private business that operates a licensed landfill facility/facilities that accepts asbestos waste.
- Waste facilities that may be licensed to accept asbestos waste are listed in [Appendix E](#).

- The responsibility for actioning these roles is with the Environment and Planning Directorate and specifically the Development and Building Section and Environmental Health, Parking and Rangers and Environmental Sustainability and Waste Units of the Environment, Health and Regulatory Services Section.

1.4 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:

- Contaminated Land Management Act 1997 (NSW)
- Environmental Planning and Assessment Act 1979 (NSW)
- Environmental Planning and Assessment Regulation 2021 (NSW)
- Local Government Act 1993 (NSW)
- Protection of the Environment Operations Act 1997 (NSW)
- Protection of the Environment Operations (General) Regulation 2022 (NSW)
- Protection of the Environment Operations (Waste) Regulation 2014 (NSW)
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy (Resilience and Hazards) 2021
- Demolition work code of practice 2015 (catalogue no. WC03841).

Additional legislation, policies and standards relating to the safe management of asbestos are listed in [Appendix F](#).

The responsibility for actioning these roles is with the Environment and Planning Directorate and specifically the Development and Building Section and Environmental Health, Parking and Rangers, Development Compliance and Environmental Sustainability and Waste Units of the Environment, Health and Regulatory Services Section.

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

Table 1: Situations in which council has a regulatory role in managing asbestos

Issue	Council's role and Business Unit responsible	Section of policy
Contaminated land	Record known asbestos site contamination on section 10.7 certificates where practicable, (Strategic Planning Section) and for council workplaces, record on council's asbestos register (City Operational Services Section). Notify stakeholders of land use planning policy requirements relating to contamination. (Development and Building Section - Development Assessment Unit and Advisory and Specialist Assessment Unit) 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 SafeWork NSW). (Environment, Health and Regulatory Services Section – Environmental Health Unit)	Section 4
Development assessment	Assess development applications for approval under the <i>Environmental Planning and Assessment Act 1979</i> . (Development and Building Section - Development Assessment Unit and Advisory and Specialist Assessment Unit) Set conditions of consent for renovations, alterations, additions, demolitions or other developments requiring consent and which may involve disturbance of asbestos containing materials. (Development and Building Section - Development Assessment Unit and Advisory and Specialist Assessment Unit) Ensure compliance with development conditions. (Environment, Health and Regulatory Services Section – Compliance Unit) 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. (Development and Building Section - Development Assessment Unit and Advisory and Specialist Assessment Unit)	Section 7
Demolition	Approve demolition under the <i>Environmental Planning and Assessment Act 1979</i> . (Development and Building Section - Development Assessment Unit and Advisory and Specialist Assessment Unit) Council certifiers approve development as complying development under the <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i> . (Development and Building Section – Building Certification Unit)	Section 7
Emergencies and incidents	Regulate the clean-up 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 SafeWork NSW). (Environment, Health and Regulatory Services Section – Environmental Health Unit) Council may consider the need to issue a clean-up notice, prevention notice or cost compliance notice under the <i>Protection of the Environment Operations Act 1997</i> .	Section 5
Naturally occurring asbestos	Verify compliance with environmental planning and assessment legislation for development applications that could disturb naturally occurring asbestos. Prepare an asbestos management plan for council workplaces or road works which occur on land containing naturally occurring asbestos.	Section 3

	<i>Note – No responsibility has been assigned as there is no know locations within the LGA where naturally occurring asbestos is present.</i>	
Residential premises	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. (Council workers – People and Culture Section – Work Health and Safety Unit, Public - Environment, Health and Regulatory Services Section – Environmental Health Unit) Respond to complaints about unsafe work at a residential property that is undertaken by a resident (not a worker, which is the role of SafeWork NSW). (Environment, Health and Regulatory Services Section – Environmental Health Unit) Respond to public health risks posed by derelict properties or asbestos materials in residential settings. (Environment, Health and Regulatory Services Section – Environmental Health Unit)	Section 7
Waste	Regulate in cooperation with the NSW EPA any non-complying transport of asbestos containing materials. (Environment, Health and Regulatory Services Section – Environmental Sustainability and Waste Unit) Investigate reports and collect/remove instances of illegally dumped asbestos on public land throughout the LGA (Environment, Health and Regulatory Services Section – Parking and Rangers Unit)	Section 8

1.5 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 2017* and maintaining a safe work environment through council's:

- The elimination and mitigation of risk so far as is reasonably practicable
- general responsibilities
- education, training and information for workers
- health monitoring for workers
- Instructions for identifying and managing asbestos containing materials in council premises are outlined in Part 2 of this document under section 10.

2. 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 D](#) notes useful contacts and [Appendix G](#) notes agencies involved in managing asbestos. Various asbestos scenarios requiring stakeholders to work together are outlined in [Appendix H](#).

Part 1 – Asbestos in the Local Government Area: Information for the community

3. Naturally occurring asbestos

There is no natural occurring asbestos (NOA) within the Georges River Council LGA as confirmed by NSW Government Mapping of naturally occurring asbestos in NSW and supported by [Appendix K – Naturally Occurring Asbestos Map](#).

Council is not aware of any naturally occurring asbestos in the LGA and will continue monitoring materials dumped in the LGA to ensure they do not contain NOA. When NOA is identified it will be removed in line with section 12.2 of this policy.

3.1 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 may 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 SafeWork NSW and may 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, SafeWork NSW is the lead regulator. Requirements for workplaces are summarised in the naturally-occurring asbestos fact sheet (catalogue no. WC03728) published by SafeWork NSW. Where naturally occurring asbestos is part of a mineral extraction process, the NSW Department of Industry is the lead regulator.

3.2 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 SafeWork NSW. The SafeWork NSW website provides further information on naturally occurring asbestos and supporting documents on what people can do to avoid contact with naturally occurring asbestos.

3.2.1 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 in the council workplace and provide guidance materials where necessary.

4. 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 Definition of Terms and Responsibilities. 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.

4.1 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 clean-up 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 hours 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 (Resilience and Hazards) 2021* and the *Managing Land Contamination: Planning Guidelines SEPP (Resilience and Hazards) 2021*.

Council provides information about known land contamination on planning certificates (issued under section 10.7 of the *Environmental Planning and Assessment Act 1979*) as outlined in section 4.2.

For sites that are 'significantly contaminated' and require a major remediation program independent of any rezoning or development applications, the EPA and SafeWork NSW are the lead regulatory authorities as outlined in [Appendix A](#).

The management of council workplaces contaminated with asbestos is outlined in section 12.4.

4.2 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 10.7(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 10.7(2), it may also inform applicants of any further information available under section 10.7(5). Council may also use section 10.7(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.

4.3 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*.

4.4 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 manage derelict properties that pose a demonstrable public health risk using a range of regulatory tools according to the particular circumstances.

Council may issue a clean-up notice or prevention notice and compliance cost notice as noted in section 4.1.

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 Schedule 5, Part 1, Order 3) 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 Schedule 5, Part 4, clause 27 (2) of the *Environmental Planning and Assessment Act 1979*).

If a person fails to comply with the terms of an order, council may act under Schedule 5, Part 4, clause 33 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 SafeWork NSW is the lead agency responsible for ensuring that asbestos is removed by appropriately licensed removalists.

5. 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 may include working with state agencies in accordance with the NSW Asbestos Emergency Plan and the Disaster Assistance Guidelines. 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.

5.1 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, SafeWork NSW is the lead agency.

Council may issue a clean-up, prevention, cost compliance or penalty infringement notice as outlined in section 1.3 and section 4.1.

Alternatively, council may act under the *Environmental Planning and Assessment Act 1979* as outlined in section 4.4 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 SafeWork NSW.
- Ensure that any council workers attending the site have appropriate training and are wearing appropriate personal protective equipment.
- Council workers required to remove small quantities of bonded asbestos are trained and do not remove more than 10 square meters. They are prohibited from removing friable asbestos.
- 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 4.4).
- or issuing a clean-up or prevention notice (as outlined in section 4.4) 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.

5.2 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 clean up, 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 8).
- 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 8).
- any other measures recommended by an occupational hygienist following assessment of the situation.

6. **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 previously been used as a landfill or for on-site burial of asbestos waste).

State Environmental Planning Policy (Resilience and Hazards) 2021 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 4.

7. 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 7.5.2). 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 is categorised as exempt development under the *Environmental Planning and Assessment Act 1979* and does not require development consent. 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.

7.1 Responsibilities for approving development

Council is the consent authority for the majority of development applications in the LGA. The Sydney South Planning Panel (SSPP) which is the current authority for the Georges River Council (GRC) Local Government Area, is also consent authority for certain local or regional development. Council may have representation on the SSPP.

Council or the SSPP 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 7.4.

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 2021* (clause 152). Compliance is covered in section 7.7.

7.2 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 I](#) 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 7.3).
- 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 7.4.
- 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 SafeWork NSW with any queries as SafeWork NSW regulates asbestos removal by workers (as explained in section 7.4). Contact details for council and SafeWork NSW are provided in [Appendix D](#).

7.3 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 10.7 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 4.2.

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. A general guide to the likelihood of asbestos presence based on building age is provided in [Appendix A](#).

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 2017*).

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 2017* 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.

7.4 Removing asbestos, refurbishments and demolitions

7.4.1 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 SafeWork NSW under the *NSW Work Health and Safety Regulation 2017*. 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 J](#). SafeWork NSW 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.

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 stated in section 467 of the *NSW Work Health and Safety Regulation 2017*).

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 SafeWork NSW.
- notified to SafeWork NSW at least five days prior to the work commencing.

Requirements for the transport and disposal of asbestos waste are covered in section 8.

7.4.2 Removing asbestos at workplaces

The *NSW Work Health and Safety Regulation 2017* specifies requirements for demolition and refurbishment at a workplace with structures or plants constructed or installed before 31 December 2003. SafeWork NSW is the lead agency for regulating the safe management of asbestos at workplaces.

7.4.3 Obtaining approval for demolition

Demolition work is classified as high-risk construction work in the *NSW Work Health and Safety Regulation 2017* and demolition licenses are required for some demolition work. The *Demolition work code of practice 2015* provides practical guidance on how to manage the risks associated with the demolition of buildings and structures. In most circumstances demolition of a structure requires development consent or a complying development certificate. Applicants may 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 7.6.

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 2021* provides mandatory conditions for complying development certificate applications.

Demolition of development that would be exempt development under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* is also exempt development and does not require consent. This includes minor structures such as carports, fences, sheds and the like.

The *Demolition work code of practice 2015* (catalogue no. WC03841) 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 *Demolition work code of practice 2015* applies to all types of demolition work.

7.5 Exempt or complying development

7.5.1 *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).

7.5.2 *Complying development*

The *Environmental Planning and Assessment Regulation 2021* (clause 152) 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.

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 SafeWork NSW would not be the agency responsible for regulating this activity. Concerns or complaints may be directed to council as outlined in section 9.

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 7.4.1 of this policy.

7.6 Development applications

If a proposed building does not meet the requirements of exempt or complying development then the alternative planning approval pathway is a development application (DA). A DA can only be approved by a local council, the SSPP 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 requirements of relevant environmental planning instruments and the development standards established by council. Council may undertake a site inspection as part of the DA assessment.

7.6.1 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. 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.

7.6.2 Conditions of consent

Conditions will be imposed on development consents where there are known issues relating to asbestos. The conditions may require the removal of the asbestos and validation of the removal by an Occupational Hygienist.

Council's standard conditions are subject to change, however as a guide the following may be applied on development consents:

- Work involving bonded asbestos removal work (of an area of more than 10 square metres) or friable asbestos removal work must be undertaken by a person who carries on a business of such removal work in accordance with a licence under clause 458 of the *Work Health and Safety Regulation 2017*.

- a) the person having the benefit of the Development Consent and Construction Certificate must provide the principal certifying authority with a copy of a signed contract with such a person before any development pursuant to the Development Consent commences,
- b) any such contract must indicate whether any bonded asbestos material or friable asbestos material will be removed, and if so, must specify the landfill site (that may lawfully receive asbestos) to which the bonded asbestos material or friable asbestos material is to be delivered,
- c) if the contract indicates that bonded asbestos material or friable asbestos material will be removed to a specified landfill site, the person having the benefit of the Development Consent 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.

- Development Assessment – Demolition & Asbestos

The demolition work shall comply with the provisions of Australian Standard AS2601:2001 – Demolition of Structures, *NSW Work Health & Safety Act 2011* and the *NSW Work Health & Safety Regulation 2017*. The work plans required by AS2601:2001 shall be accompanied by a written statement by a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the safety statement shall be submitted to the Principal Certifying Authority prior to the commencement of works.

For demolition work which involves the removal of asbestos, the asbestos removal work must be carried out by a licensed asbestos removalist who is licensed to carry out the work in accordance with the *NSW Work Health & Safety Act 2011* and the *NSW Work Health & Safety Regulation 2017* unless specified in the Act and/or Regulation that a license is not required.

The asbestos removal work shall also be undertaken in accordance with the *Code of practice on how to safely remove asbestos* published by SafeWork NSW (catalogue no. WC03561). Copies of the Act, Regulation and Code of Practice can be downloaded free of charge from the Safe Work NSW website: <http://www.safework.nsw.gov.au>

- Development Assessment – Demolition Notification Requirements

- a) The developer/builder must notify adjoining residents five (5) working days prior to demolition. Such notification is to be a clearly written note giving the date demolition will commence, contact details of the developer/builder, licensed asbestos demolisher and the appropriate regulatory authority. Notification is to be placed in the letterbox of every premises (including every residential flat or unit, if any) either side and immediately at the rear of the demolition site.

- b) Five (5) working days prior to demolition, the developer/builder is to provide written notification to Georges River Council advising of the demolition date, details of the Safe Work NSW licensed asbestos demolisher and the list of residents advised of the demolition.
- On demolition sites where buildings to be demolished contain asbestos, a standard commercially manufactured sign containing the words “**DANGER ASBESTOS REMOVAL IN PROGRESS**” measuring not less than 400mm x 300mm is to be erected in a prominent visible position (from street frontage) on the site. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos material has been removed from the site to an approved waste facility.

7.7 Compliance and enforcement

7.7.1 *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.

7.7.2 *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 SafeWork NSW 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 also issue a clean-up notice or prevention notice under the *Protection of the Environment Operations Act 1997* as outlined in section 4.1 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.

Any enforcement commenced by Council will be in accordance with Council's adopted Enforcement Policy.

8. 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, domestic, commercial or public litter bins, or the Council-provided bulky waste collection service. 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.

8.1 Responsibilities for asbestos waste management

Council's responsibilities for asbestos waste management are outlined in section 1.3.

The handling and, where appropriate, temporary storage of asbestos waste at worksites is regulated by SafeWork 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.

8.2 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).

8.3 Transporting asbestos waste

The following requirements apply to the transport of asbestos waste and non-compliance with these requirements is an offence under clause 78 of the Protection of the Environment Operations (Waste) Regulation 2014:

- a) any part of any vehicle in which the person transports the waste is covered, and leak-proof, during the transportation, and

- b) if the waste consists of bonded asbestos material, it is securely packaged during the transportation, and
- c) if the waste consists of friable asbestos material it is kept in a sealed container during transportation, and
- d) if the waste consists of asbestos-contaminated soils it is wetted down.

An environment protection licence issued by the EPA 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).

8.4 Disposing of asbestos waste at waste facilities

The disposal of asbestos through the kerbside clean up services is strictly not permitted. Council does not operate any waste facilities.

NOTE – It will be necessary to contact the Facility prior to taking any asbestos or asbestos related material to the facility as special arrangements need to be made in relation to its disposal.

Fees are applicable in relation to the disposal of this material and information relating to these fees is available by contacting the above telephone number.

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 2014* and these offences attract strong penalties.

8.4.1 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 8.2 and 8.3)
- 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 2014).

Individuals may be fined \$15,000 and corporations may be fined \$30,000 under the Protection of the Environment Operations Act 1997 and Protection of the Environment Operations (Waste) Regulation 2014 for transporting asbestos waste to a facility that cannot lawfully receive asbestos waste.

8.5 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 landfilling, which is waste used as fill material, with or without the consent of the owner or occupier of the land and 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
- prosecution for pollution of land (under section 142A of the *Protection of the Environment Operations Act 1997*), or
- fines, 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 occupier or landowner becomes the responsible party.

Local councils are the appropriate regulatory authority for illegal dumping on public land within the LGA of the Council's jurisdiction 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.

9. **Complaints and Investigations**

Complaints and inquiries relating to asbestos 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 EPA.

Complaints about council in relation to its management of asbestos may be directed to the NSW Ombudsman.

PART 2 – Management of asbestos risks within Council

10. Rights and Responsibilities of Workers at the Council Workplace

10.1 Duties of council workers at the council workplace

10.1.1 *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 2017. This includes taking reasonable steps to ensure that council has and uses appropriate resources and processes to eliminate or minimise risks associated with asbestos.

10.1.2 *Workers (Contractors, Labour Hire, Volunteers and Work Experience)*

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 procedure 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 procedures, plans, guidelines and legislation (refer to [Appendix F](#)).

10.1.3 *Managers / Coordinators*

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

10.2 Responsibilities of council to council workers

10.2.1 *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 2017*. 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 2017) and will not cause or permit asbestos waste in any form to be reused or recycled
- 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 [Definition of Terms](#)) is not exceeded in the workplace.
- notify SafeWork NSW immediately if persons are likely to be affected by asbestos fibers or if an air monitoring process records respirable asbestos fiber levels above 0.02 fibers/ml of air.
- ensure that any contractors engaged to undertake the removal of asbestos for council are appropriately licensed and comply with the relevant statutory requirements, standards, codes and guidelines including but not limited to:
 - Environmentally Hazardous Chemicals Act 1985 (NSW)
 - Waste Avoidance and Resource Recovery Act 2001 (NSW)
 - Protection of the Environment Operations Act 1997
 - Protection of the Environment Operations (Waste) Regulation 2014
 - SafeWork NSW requirements
 - SafeWork NSW Code of Practice – How to manage and control asbestos in the workplace
 - SafeWork NSW Code of Practice – How to safely remove asbestos
 - Consult with workers as required by the *Work Health and Safety Act 2011*

10.2.2 Education, training and information for workers

As required by the NSW Work Health and Safety Act 2011 and NSW Work Health and Safety Regulation 2017, 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 1 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.

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 7.

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.

A record of asbestos training undertaken by each worker will be kept 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, in particular asbestos awareness training or licenses, is maintained in Council's electronic record keeping system.

10.2.3 Health monitoring for workers

Council employees may be required to take samples for testing or remove dumped asbestos and if there is a risk to the health of the employee as a result of that exposure, they are covered by the NSW *Work Health and Safety Regulation 2017* (clauses 435-444). Council will ensure these employees are kept on the health monitoring program.

11. 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 3 or illegal dumping which is addressed in section 8.5.

11.1 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 2017*). 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.

11.2 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 contractor. Analysis of the sample must only be carried out by a National Association of Testing Authorities (NATA) accredited laboratory () or a laboratory approved or operated by the regulator.

11.3 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 as identified in [Appendix B](https://www.safeworkaustralia.gov.au/system/files/documents/1705/mcop-how-to-manage-and-control-asbestos-in-the-workplace-v2.pdf) of the Code of Practice for Managing and Controlling Asbestos in the Workplace at <https://www.safeworkaustralia.gov.au/system/files/documents/1705/mcop-how-to-manage-and-control-asbestos-in-the-workplace-v2.pdf>.

Asbestos register

Council has an online Asbestos Register with Arosafety.

Council's Asbestos Register will be maintained to ensure the register lists all identified (or assumed) asbestos in the workplace and Council owned facilities. Information in the Register is to be kept up to date. The asbestos register will be accessible, reviewed, revised and otherwise managed as mandated by the *NSW Work Health and Safety Regulation 2017* (clauses 425 – 428).

The GRC Asbestos Register is maintained by Council's Coordinator City Maintenance.

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 a copy of the Asbestos Register.

11.4 Suspected asbestos

Should a worker suspect there is asbestos in a council workplace then Council's Asbestos Register must be checked immediately to see if it is safe to work around. If the location of the potential asbestos is not on Council's Asbestos Register the worker (with the assistance of their people leader or WHS Team member) must:

- Immediately cordon off the area and prevent access to all persons.
- Label the area with a "Danger Asbestos Sign – Do Not Enter"
- Report the location to your People Leader, WHS Team member and the Coordinator City Maintenance immediately for inspection, testing and a safety review by a licensed asbestos assessor.

12. Managing asbestos-related risks in the council workplace

12.1 Asbestos management plan

Council will develop and maintain an Asbestos Management Plan, based on the findings of the Asbestos Register. GRC will engage a contractor with recognised authority to complete an asbestos management plan for identified workplaces and Council owned assets within the Georges River LGA. The asbestos management plan will be stored and made available in Council's electronic records management system.

The asbestos management plan will be accessible and reviewed, at least every five years or when requested by a health and safety representative (HSR) or when asbestos is removed, disturbed, sealed or enclosed, or when changes to a control measure are made or when the plan is no longer adequate in accordance with *NSW Work Health and Safety Regulation 2011* clause 429.

12.2 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 engage a contractor with recognised authority to prepare an asbestos management plan in relation to the naturally occurring asbestos in accordance with the NSW Work Health and Safety Regulation 2017 part 8.4 (Management of naturally occurring asbestos).

12.3 Management options for asbestos-related risks in the council workplace

On engaging a Contractor to develop an asbestos management plan, Council will ensure that the management plan includes decisions and reasons for decisions about the management of asbestos at the workplace.

The GRC asbestos management plan, may include in addition to WHS legislative requirements:

- Reference and link to the asbestos register
- GRC appropriate signage and labelling
- Safe work procedures and control measures
- Incident and emergency procedures

The asbestos management plan may include options for managing asbestos related risks including but not limited to:

- 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 good condition insitu (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.

12.4 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 of less than 10 square meters.

12.5 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. Asbestos removed during works shall be removed from the Asbestos Register and the Asbestos Management Plan updated.

12.6 Removal of asbestos in the council workplace

Removal of asbestos or asbestos containing materials in the council workplace will be undertaken by Council workers if it is deemed reasonable and is less than 10 square metres of bonded asbestos. Asbestos shall be handled in line with WHS Management System WHSI022c – Asbestos removal worker instruction.

All other asbestos shall be removed by a suitably licensed asbestos contractor.

An asbestos removalist must meet the requirements of the NSW Work Health and Safety Regulation 2017 including the requirements to:

- notify SafeWork NSW 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 SafeWork NSW that this five day period be waived
- prepare, supply and keep an asbestos removal control plan
- obtain a copy of the Asbestos Register for the workplace before carrying out asbestos removal work at the workplace (this does not apply if the asbestos removal work is to be carried out at residential premises, for example cleaning up asbestos that has been illegally dumped at a residential premises)
- 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 2017*.

12.6.1 Verification of licensed Asbestos removalist contractors

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 SafeWork NSW'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 and is provided with appropriate health monitoring by their employer.

The licensed asbestos removalist is to provide the following documentation prior to carrying out asbestos removal work:

- Asbestos removal control plan
- Public liability certificate of currency
- Workers compensation certificate of currency
- SafeWork NSW confirmation details to carry out the removal work

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 SafeWork NSW.

12.6.2 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.

13. 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.

Council will:

- stop works in the vicinity of the asbestos immediately
- inform the site supervisor immediately, inform necessary workers and record the incident
- evacuate the area
- restrict access to the area, label the area with a "Danger Asbestos Sign – Do Not Enter"
- ensure only appropriately trained and equipped contractors attend the site
- exclude the public from the site and provide information to the public if in a public area
- update the asbestos register and notify workers of any newly identified asbestos locations.

Council's trained workers or licensed Asbestos Contractors will manage the accidental disturbance as per the requirements set out by current legislation and as per the license requirements.

14. Council's Role in the Disposal of Asbestos Waste

14.1 Responding to illegal dumping

Where Council commissions the removal of illegally dumped asbestos material or suspected asbestos material, Council will ensure this is undertaken in accordance with section 12.

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

14.2 Transporting and disposing of asbestos waste

Council engages Contractors to transport and dispose of asbestos waste. This will be in accordance with the legislation and as outlined in section 8.

As Council utilises authorised contractors to carry out this function, proof of receipt for asbestos waste received at a licensed landfill facility will be required. The receipt provided may note the time, date and location of disposal, weight of asbestos containing material disposed, method of disposal (note on handling) and a receipt number. This information must be recorded by the facility, regardless of whether a receipt is issued.

Where asbestos waste is illegally dumped, management options for Council include:

- To undertake surveillance via video cameras to issue fines to deter dumping

- To provide targeted education to neighbouring landholders to ensure they do not access the waste.

14.3 Re-excavation of landfill sites

The re-excavation of a council landfill site where significant quantities of asbestos waste are deposited is not encouraged and 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 EPA (as the appropriate regulatory authority under the *Protection of the Environment Operations Act 1997*).

15. **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.

16. **Implementing council's asbestos policy**

16.1 Supporting documents

The implementation of this policy is supported by:

- Council's conditions of consent
- Guidelines for dealing with household asbestos.
- Guidelines for business and industry – dealing with asbestos
- SafeWork NSW – Code of Practice – How to Manage and Control Asbestos
- Council also has several internal documents that support this policy.
- Site or building specific asbestos management plan (designed by authorised contractor)
- Online Asbestos Register (refer to 13.3)
- WHSI022c – Asbestos removal worker instruction.
- Complaints handling procedures – Pol-016.003 ([Customer feedback and Complaints Management Policy](#))
- Council's online hazard and WHS incident reporting system - [MY.SAFETY](#)
- maintenance and inspection schedules for Council owned assets
- Training registers/records (relevant to identifying, handling and removing of asbestos materials).
- Safe Work Method Statement for asbestos removal

Council intends to update its website to provide residents with accurate and up to date information on asbestos management.

16.2 Communicating the policy

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

- Council's Customer Services Centre, Civic Centre, 20 MacMahon Street, Hurstville
- Council's website [Asbestos Management Policy](#)
- Council's Work Health Safety Management System on the Safety Intranet Page.
- All employees shall receive information on the location of the policy at induction.

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 1 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 / Coordinators / People Leaders are responsible for ensuring workers who report to them have access to the policy and appropriate information, documentation and training in asbestos awareness (as per the *NSW Work Health and Safety Regulation 2017*) prior to planning the activity or activities. Further information about training is noted in section 10.2.2 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).

16.3 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.

The appropriate supervisor, manager, director, or the General Manager, shall respond to non-compliance with the policy by providing education and training, taking action consistent with Council's discipline procedures or altering the worker's duties, or in the case of serious breaches, terminating the worker's services. Each case shall be assessed on its merits with the aim of achieving a satisfactory outcome for all parties.

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.

17. **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.

Responsibilities

Position	Responsibility
Executive Team	The Executive Team is responsible for supporting and participating in the requirements of this policy
Council Management	Council management is responsible for executing the requirements of this policy.
Council Workers	It is the responsibility of all Council workers to adhere to this policy. Council's regulatory and operational role in regard to asbestos management are outlined in Table 1 of this Policy which details the specific business units responsible for key asbestos management functions. Further responsibilities for Council workers are outlined in PART 2 – Management of asbestos risks within Council.

Version Control and Change History

Version	Amendment Details	Procedure Owner	Period Active
1.0	Kogarah City Council – Policy – Asbestos Management	Planning & Environmental Services	28/10/13 to 2018
1.0	Hurstville City Council – Asbestos Management Policy	Director Service Delivery	17/12/2014 - 2018
2.0	New Georges River Council Policy	WHS Team	2018 – 2025
3.0	<p>Georges River Council Asbestos Management Policy</p> <p>Summary of Amendments</p> <ul style="list-style-type: none"> Removed reference to WHS in title Policy owner changed from Work Health and Safety, Business and Corporate Services Directorate to Environment, Health and Regulatory Services, Environment and Planning Directorate Updated legislative references 	Manager Environment, Health and Regulatory Services	2025 - 2028

Version	Amendment Details	Procedure Owner	Period Active
	<ul style="list-style-type: none"> • Moved Related Documents to Appendix G • Formatted into new corporate Policy Template • Moved definitions from within the Policy and in Appendix E to Definition of Terms table within the Policy • Allocating Business Unit responsibilities to Section 1 – Roles and Responsibilities of Council. • General formatting, editing and updating of content to reflect current legislation and standards. 		

Appendix A – General information and guidance

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: Environmental Health Standing Committee (enHealth), Asbestos: A guide for householders and the general public, Australian Health Protection Principal Committee, Canberra, 2013.

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 SafeWork NSW (phone 13 10 50) to confirm the contractor has the appropriate class of licence for the asbestos removal job.

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.

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 K](#) gives an indication of areas in NSW known to have naturally occurring asbestos.

There is no known naturally occurring asbestos within the Local Government Area.

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 3 and in the *Naturally occurring asbestos fact sheet* (catalogue no. WC03728) published by SafeWork NSW, which provides a photograph of naturally occurring asbestos. The SafeWork NSW website provides further information on naturally occurring asbestos and supporting documents on what people can do to avoid contact with naturally occurring asbestos.

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 I](#).

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 and may have moved to wall cavities, cornices and sub-floor areas)
- cement flooring
- external toilets
- fencing
- guttering, downpipes and vent pipes
- inside appliances e.g. 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 I](#).

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
- bituminous 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 e.g. fire blankets.

Other places asbestos can be found are listed in [Appendix I](#).

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.

Situations where asbestos contamination may occur

Situations where asbestos contamination may occur include:

- industrial land, e.g., 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 e.g., 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, e.g., 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).

Significantly contaminated land

For sites that are significantly contaminated, the EPA and SafeWork NSW 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 measurable 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 EPA has details of sites that have been nominated as significantly contaminated on its Public Register found on the EPA website.

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.

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
- checking, removing or replacing ceiling insulation which contains asbestos.

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.

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.

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Appendix B – Further information

Aboriginal communities

Illegal dumping prevention and clean-up. Handbook for Aboriginal communities, 2008 (EPA) can be found on the EPA website.

Asbestos contractors

Choosing an asbestos consultant fact sheet (catalogue no. WC04547) can be found on Safework's website. <http://www.safework.nsw.gov.au/>

For a listing of asbestos removal contractors in your area, refer to your local telephone directory or the Yellow Pages www.yellowpages.com.au or by contacting the Asbestos Removal Contractors Association NSW (ARCA) www.arcansw.asn.au or by emailing: email@arcansw.asn.au. An asbestos removal contractor's licence can be verified by contacting the SafeWork NSW's Certification Unit on **13 10 50**.

Asbestos waste

Advice about safely disposing of household asbestos waste can be found on the EPA website. <https://www.epa.nsw.gov.au/>

Asbestos waste disposal facility search function on the Asbestos Safety and Eradication Agency website.

Management of asbestos in recycled construction and demolition waste, 2010 (SafeWork NSW) <http://www.safework.nsw.gov.au/>

Contaminated land

Guidelines on the duty to report contamination under the Contaminated Land Management Act 1997, 2015 (EPA). <https://www.epa.nsw.gov.au/>

Managing land contamination: Planning guidelines SEPP 55 – Remediation of land, 1998 (Department of Planning and Environment and EPA) <https://www.epa.nsw.gov.au/>

Emergency management

Guidance Material: Asbestos and Fire-damaged Buildings, 2015 (EPA) <https://www.epa.nsw.gov.au/>

NSW Asbestos Emergency Plan: The NSW Asbestos Emergency sub plan details the specific arrangements for the coordinated funding and management of asbestos debris during and following a larger scale emergency, being an event that requires a significant and coordinated response, where the presence of asbestos containing material in the community poses a significant risk to public health and safety. www.emergency.nsw.gov.au

Environmental risk assessment

Environmental health risk assessment: Guidelines for assessing human health risks from environmental hazards, 2002 (Commonwealth of Australia)

Available via email by contacting the enHealth Secretariat:

enHealth.Secretariat@health.gov.au

Health

Asbestos and health risks fact sheet, 2007 (NSW Health)

www.health.nsw.gov.au

Further advice concerning the health risks of asbestos can be obtained from your local public health unit.

Renovation and development

Asbestos: A guide for householders and the general public, Environmental Health Standing Committee (enHealth), Australian Health Protection Principal Committee, Canberra, 2013 (available at:

www.health.gov.au

Asbestos Awareness website (Asbestos Education Committee)

www.asbestosawareness.com.au

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

www.bpb.nsw.gov.au

Practical guidance

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

Code of practice on how to safely remove asbestos (catalogue no. WC03561) published by SafeWork NSW <http://www.safework.nsw.gov.au/>

Tenants

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

www.tenants.org.au

Tenants – Housing NSW tenants

Asbestos fact sheet, 2010 (Housing NSW)

www.housing.nsw.gov.au/NR/rdonlyres/F4E1131F-2764-4CB1-BC07-98EB6C594085/0/Asbestos.pdf

Appendix C – 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 NSW Environment Protection Authority
JRPP Joint Regional Planning Panel
LGA Local Government Area
NATA National Association of Testing Authorities
NOA Naturally occurring asbestos
NSW New South Wales
SEPP State Environmental Planning Policy
VET Vocational Education and Training

Appendix D – Relevant contacts

Georges River Council Customer Service Centre

Location: Corner MacMahon and Dora Streets, Hurstville

Open: 8:30am – 5:00pm, Monday to Friday

Phone: 9330 6400

Email: mail@georgesriver.nsw.gov.au

Website: www.georgesriver.nsw.gov.au

Asbestos-related disease organisations (non-exhaustive)

Asbestos Diseases Foundation Australia Inc

Phone: (02) 9637 8759

Helpline: 1800 006 196

Email: info@adfa.org.au

Website: www.adfa.org.au

Asbestos Diseases Research Institute

Phone: (02) 9767 9800

Email: info@adri.org.au

Website: www.adri.org.au

Australian Institute of Occupational Hygienists Inc.

Phone: (03) 9338 1635

Email: admin@aioh.org.au

Website: www.aioh.org.au

Dust Diseases Authority

Phone: (02) 8223 6600

Toll Free: 1800 550 027

Email: DDAenquiries@icare.nsw.gov.au

Website: www.icare.nsw.gov.au

NSW Environment Protection Authority (EPA)

Phone: (02) 9995 5000

Environment line: 13 15 55

Email: info@epa.nsw.gov.au

Website: www.epa.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 or contact:

Asbestos Removal Contractors Association NSW

PO Box Q1882

Queen Victoria Building

NSW 1230

Email: email@arcansw.asn.au

Website: www.arcansw.asn.au

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

Civil Contractors Federation (CCF)

Phone: (02) 9009 4000

Email: ccfnsw@ccfnsw.com

Website: www.ccfnsf.com/

Local Government NSW

Phone: (02) 9242 4000

Email: lgnsf@lgnsf.org.au

Website: www.lgnsf.org.au

NSW Ombudsman

Phone: (02) 9286 1000

Toll free (outside Sydney metro): 1800 451 524

Email: nswombo@ombo.nsw.gov.au

Website: www.ombo.nsw.gov.au

Training providers (non-exhaustive)

TAFE NSW

Phone: 131 601

Website: www.tafensw.edu.au

Housing Industry Association (HIA)

Phone: (02) 9978 3333

Website: www.hia.com.au/

Local Government Training Institute

Phone: (02) 4922 2333

Website: www.lgti.com.au

Comet Training

Phone: (02) 9649 5000

Website: www.comet-training.com.au/site

Master Builders Association (MBA)

Phone: (02) 8586 3521

Website: www.masterbuilders.com.au

SafeWork NSW

SafeWork NSW Information Centre Phone: 13 10 50

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

Website: www.safework.nsw.gov.au

Appendix E – 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.

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: www.epa.nsw.gov.au/managewaste/house-asbestos-land.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 F – Asbestos-related legislation, policies and standards

- Contaminated Land Management Act 1997
- Code of practice on how to manage and control asbestos in the workplace (catalogue no. WC03560) published by SafeWork NSW
- *Code of practice on how to safely remove asbestos* (catalogue no. WC03561) published by SafeWork NSW
- Demolition work code of practice 2015
- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2021
- Local Government Act 1993
- Local Government (General) Regulation 2005
- Protection of the Environment Operations (General) Regulation 2022
- Protection of the Environment Operations (Waste) Regulation 2014
- Protection of the Environment Operations Act 1997
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- NSW Work Health and Safety Act 2011
- NSW Work Health and Safety Regulation 2017
- Workers' Compensation (Dust Diseases) Act 1942.

Appendix G – Agencies roles and responsibilities

NSW organisations:

Department of Planning and Environment (DPE)

DPE'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 DPE 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 (Resilience and Hazards) 2021* 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*.

Dust Diseases Authority (DDA)

The Dust Diseases Authority 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 DDA's statutory function is to administer the *Workers' Compensation (Dust Diseases) Act 1942*. Services include:

- payment of compensation benefits to eligible workers and dependents
- 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.

NSW 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 2014*. Clauses 77 through to 81 of the *Protection of the Environment Operations (Waste) Regulation 2014* set 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 Maritime Services 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 SafeWork NSW with senior officials from:

- Department of Industry
- Department of Planning and Environment
- Dust Diseases Authority
- Environment Protection Authority
- Local Government NSW
- Ministry of Health
- Office of Emergency Management
- Office of Local Government.

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 SafeWork NSW website: www.safework.nsw.gov.au.

Local Government NSW (LGNSW)

Local Government NSW (LGNSW) is the peak body for councils in NSW. LGNSW represents all NSW general-purpose councils, the special-purpose county councils and the NSW Aboriginal Land Council.

LGNSW is a credible, professional organisation facilitating the development of an effective community-based system of Local Government in NSW. LGNSW represents the views of councils to NSW and Australian Governments; provides industrial relations and specialist services to councils; and promotes NSW councils to the community.

In 2012, LGNSW commenced a project funded by SafeWork NSW to assist councils to adopt and implement a model asbestos policy. The project is outlined at: www.lgnsw.org.au

NSW Department of Industry

The NSW Department of Industry, Skills and Regional Development (known as the NSW Department of Industry) leads the state government's contribution to making NSW:

- a fertile place to invest and to produce goods and services, and thereby
- create jobs and opportunities for our citizens

The NSW Department of Industry also has responsibilities for:

- skill formation and development to match industry demand
- partnering with stakeholders in stewardship and sustainable use of the state's natural resources; and
- supporting economic growth in the regions.

Within the Division of Resources & Energy in the Department, the Geological Survey of NSW teams of field geologists, geophysicists, mineral geoscientists and palaeontologists and geospatial specialists produce a range of maps. Geological mapping records the distribution of rock types and location of structures at or near the Earth's surface. The maps have applications to land use assessment, engineering construction, environmental management and natural hazard risk assessment.

The Geological Survey of NSW prepared the state-wide mapping of naturally occurring asbestos (NOA) in NSW for the Heads of Asbestos Coordination Authorities.

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.

Office of Fair Trading and the Building Professionals Board (BPB)

NSW Fair Trading safeguards the rights of all consumers and advises business and traders on fair and ethical practice. NSW Fair Trading provides services directly to individuals and businesses to create a fair, safe and equitable marketplace.

NSW Fair Trading is establishing a Loose-Fill Asbestos Implementation Taskforce responsible for overseeing and implementing the NSW Government Voluntary Purchase and Demolition Program for properties containing loose-fill asbestos insulation. The Loose-Fill Asbestos Implementation Taskforce will be in place until work is completed on the purchase and demolition of all properties that choose to participate in the Program.

The Building Professionals Board (BPB) is now part of Fair Trading and oversees building and subdivision certification. The BPB's role involves providing practice advice and educational programs to assist certifying authorities (private and council) in carrying out their role. The BPB certifies and audits both private and council certifiers. Further information about the BPB may be found at: www.bpb.nsw.gov.au

Office of Local Government

The Office of Local Government is responsible for local government across NSW. The Office's organisational purpose is to 'Strengthen Local Government' and its organisational outcome is 'Fit for the future councils leading strong communities'.

The Office has a policy, legislative, investigative and program focus in matters ranging from Local Government finance, infrastructure, governance, performance, collaboration and community engagement. The Office strives to work collaboratively with the Local Government sector and is the key adviser to the NSW Government on local government matters.

SafeWork NSW

SafeWork NSW is responsible for the issuing and control of licences that are issued to all asbestos removal and demolition contractors. SafeWork NSW 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.

SafeWork NSW administers work health and safety, injury management, return to work and workers compensation laws, and manage the workers compensation system. SafeWork NSW'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.

National organisations

Asbestos Safety and Eradication Agency

The Asbestos Safety and Eradication Agency was established in 2013 to provide a national focus on asbestos issues which go beyond workplace safety to encompass environmental and public health issues. The agency's objective is to eliminate asbestos-related disease in Australia.

The agency has broad functions under its legislation, including:

- reporting on the implementation of the National Strategic Plan on Asbestos Awareness and Management (NSP); reviewing and amending the NSP as required and promoting the NSP
- providing advice to the Minister about asbestos safety

- liaising with all levels of government, agencies or bodies about the implementation of the NSP; as well as asbestos safety in general; and
- commissioning, monitoring and promoting research about asbestos safety.

The agency administers the National Asbestos Exposure Register which was created to record the details of members of the community who may have been exposed to asbestos. Registration forms are online at <https://www.asbestossafety.gov.au/national-asbestos-exposure-register>

The agency also maintains a national database for asbestos disposal facilities, which members of the public can search to identify their nearest facility that accepts asbestos waste, available online at <https://www.asbestossafety.gov.au/search-disposal-facilities>

Councils interested in finding out more about the agency, updating information listed on the disposal database, or receiving information, flyers or brochures for distribution within the LGA should contact the agency at enquiries@asbestossafety.gov.au.

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

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-enviro-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@swa.gov.au

Website: www.safeworkaustralia.gov.au

Appendix H – 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.

Emergency management

Scenario	Lead organisation	Other regulators
Emergency response	Emergency services	Fire and Rescue (Hazmat) SafeWork 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 SafeWork NSW
Handover to Recovery Committee following a significant incident	Recovery Committee (formed by State Emergency Recovery Controller)	Local council EPA SafeWork NSW
Remediation not requiring a licensed removalist	Local council	Principal Certifying Authority SafeWork NSW (workers)
Remediation requiring licensed removal work	SafeWork NSW	Local council Principal Certifying Authority
Clearance Certificate issued by an Asbestos Assessor	SafeWork 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	SafeWork 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	NSW Department of Industry	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) SafeWork NSW (workers)
Soil contaminated with asbestos waste and going to be disturbed by a work practice	SafeWork 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) SafeWork 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 SafeWork NSW (workers on site)
Soil contaminated with asbestos waste but at a mine site	NSW Department of Industry 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"> identification in situ management removal requirements disposal requirements. 	Local council Private Certifiers	SafeWork NSW EPA
Site contaminated due to past uses	Local council	SafeWork NSW EPA
Licensed removal work required	SafeWork NSW	Local council Private Certifiers
Removal does not require a licensed removalist	Local council Private Certifiers	SafeWork 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 SafeWork 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	SafeWork NSW (worksites) EPA and Local council (non-worksites)	
Waste transported by vehicle	EPA	SafeWork NSW
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	Department of Immigration and Border Protection	SafeWork NSW Department of Employment

Workplaces

Scenario	Lead organisation	Other regulators
Asbestos installed/supplied after 2003 (illegally)	SafeWork NSW	
Risks to the health of workers	SafeWork NSW	
Asbestos management and asbestos going to be removed	SafeWork NSW NSW Department of Industry (mine sites)	
Risks to the health of the public from worksites	SafeWork 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	SafeWork NSW	
Transport or waste disposal issues	EPA	SafeWork NSW Local council
Asbestos contaminated clothing going to a laundry	SafeWork 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 I – 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
'Tillex' 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
'Tillex' marbletone decorative wall panels	Available from early 1960s
'Tillex' 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	During the 1960s and 1970s, pure loose-fill asbestos was sold as ceiling insulation for residential and commercial premises. A Canberra based company known as 'Mr Fluffy' installed insulation in at least 1,000 homes in the ACT and

Asbestos containing materials	Approximate supply dates
	is also understood to have installed insulation into homes in NSW.
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

Sources:

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

NSW Taskforce Report: Loose-Fill Asbestos Insulation in NSW Homes (2015)
www.fairtrading.nsw.gov.au/biz_res/ftweb/pdfs/Tenants_and_home_owners/Loose_Fill_Abestos_Taskforce_Report.pdf (accessed October, 2015).

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

Ceiling insulation (which may have moved into wall cavities, cornices and sub-floor areas)

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 ceilings, which may have spread to wall cavities, cornices and sub-floor areas

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

Sources:

Environmental health notes number 2 guidelines for local government on asbestos, 2005 (Victorian Department of Human Services).

www.health.vic.gov.au/environment/downloads/hs523_notes2_web.pdf

NSW Taskforce Report: Loose-Fill Asbestos Insulation in NSW Homes (2015)

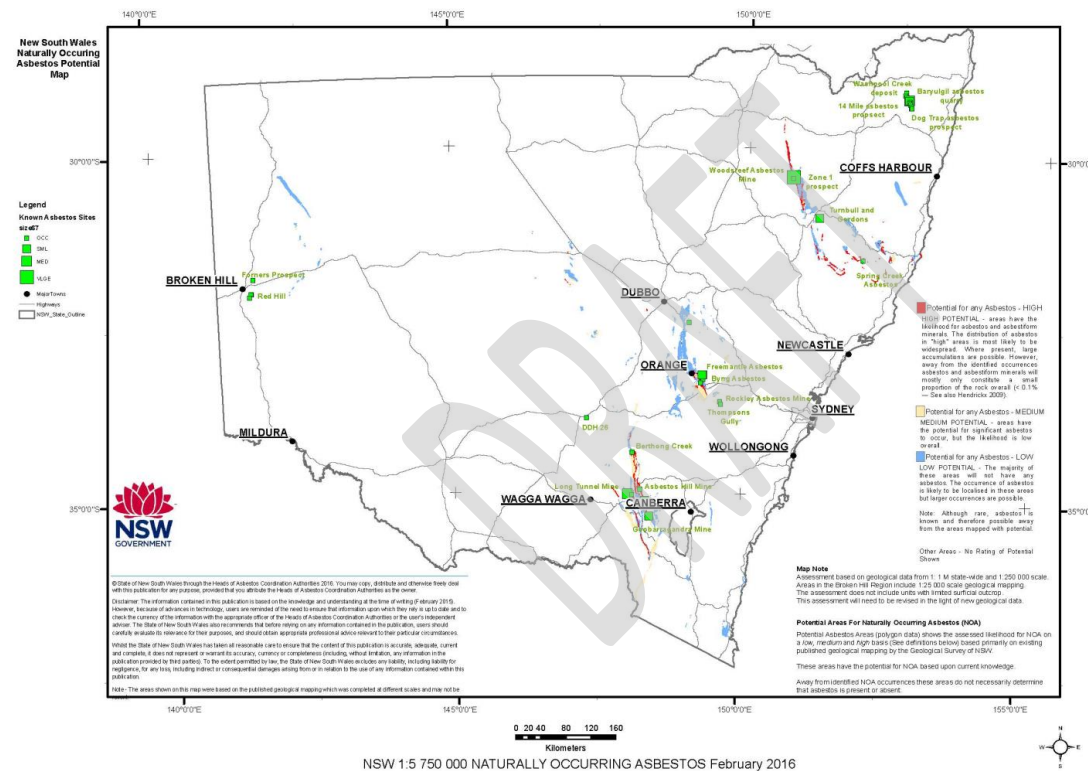
www.fairtrading.nsw.gov.au/biz_res/ftweb/pdfs/Tenants_and_home_owners/Loose_Fill_Abestos_Taskforce_Report.pdf (accessed October, 2015).

Appendix J – 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"> any amount of friable asbestos or asbestos containing material any amount of asbestos containing dust any amount of non-friable asbestos or asbestos containing material.
Class B	<p>Can remove:</p> <ul style="list-style-type: none"> any amount of non-friable asbestos or asbestos containing material <p>Note: A Class B licence is required for removal of more than 10 m² of non-friable asbestos or asbestos containing material but the licence holder can also remove up to 10 m² of non-friable asbestos or asbestos containing material.</p> <ul style="list-style-type: none"> asbestos containing dust associated with the removal of non-friable asbestos or asbestos containing material. <p>Note: A Class B licence is required for removal of asbestos containing dust associated with the removal of more than 10 m² of non-friable asbestos or asbestos containing material but the licence holder can also remove asbestos containing dust associated with removal of up to 10m² of non-friable asbestos or asbestos containing material.</p>
Trained Council workers	<p>Can remove:</p> <ul style="list-style-type: none"> up to 10 m² of non-friable asbestos or asbestos containing material asbestos containing dust that is: <ul style="list-style-type: none"> associated with the removal of less than 10 m² of non-friable asbestos or asbestos containing material not associated with the removal of friable or non-friable asbestos and is only a minor contamination.

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

Appendix K – Map



Item: ENV024-25 Endorsement of Hurstville Golf Course Clubhouse Planning Proposal for Gateway Determination

Author: Senior Strategic Planner

Directorate: Environment and Planning

Matter Type: Committee Reports

ENV024-25

RECOMMENDATION:

- (a) That Council forward Planning Proposal No.2025/0003 (Hurstville Golf Course Clubhouse) enclosed in Attachment 1 to the Department of Planning, Housing and Infrastructure for a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*.
- (b) That Council publicly exhibit the Planning Proposal in accordance with the terms of the Gateway Determination issued by the Department of Planning, Housing and Infrastructure and in accordance with the *Georges River Council Engagement Strategy*.
- (c) That the Director Environment and Planning be authorised to make minor editorial amendments to the Planning Proposal as required throughout the reporting process.

EXECUTIVE SUMMARY

1. Council at its meeting held 26 May 2025 considered a report (ENV014-25) on the Hurstville Golf Course Club House Planning Proposal (PP) and resolved:
“That Council endorses the preparation of the Hurstville Golf Course Clubhouse Planning Proposal to amend the Georges River Local Environmental Plan 2021, by inserting into Schedule 1 additional permitted uses, “function centre” as an additional permitted use on the site of the Hurstville Golf Course Clubhouse (on part of Lot 1, DP176469 known as 57 Lorraine Street, Peakhurst).”
2. The purpose of this Report is to seek Council’s endorsement to forward the PP No.2025/0003 (Hurstville Golf Course Clubhouse), enclosed in **Attachment 1**, to the Department of Planning, Housing and Infrastructure (DPHI) for a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*.
3. The Clubhouse is currently restricted in its use as ancillary to the Hurstville Golf Course. The inclusion of the additional use as a function centre will ensure that the Clubhouse building can be used by the wider community for events, functions, conferences, and receptions.
4. The objective of the PP is to enable a function centre to operate within the Clubhouse building. The intended outcomes are to:
 - to allow the use of the existing Clubhouse to be used as a function centre,
 - to support the long-term viability of the facility as multi-purpose venue, and
 - to implement the recommendations of Council’s *Optimising Community Access and Facility Use Plan*.
5. The PP meets both the strategic and site-specific merit tests that are outlined in the *Local Environmental Plan Making Guideline* dated August 2023.
6. The Georges River Local Planning Panel (LPP) at its meeting held 19 June 2025 considered the PP and recommended as follows:
 - (a) *Support the proposed amendment to Schedule 1 of the GRLEP; and*

- (b) *Endorse the forwarding of the PP to the NSW Department of Planning, Housing and Infrastructure (DPHI) to request a Gateway Determination under Section 3.34 of the Environmental Planning and Assessment Act 1979 for an amendment to the GRLEP by introducing “function centre” as an additional permitted use on that part of Lot 1, DP176469, Hurstville Golf Course Clubhouse (57 Lorraine Street, Peakhurst) as shown in the planning proposal.*

BACKGROUND

7. The Hurstville Golf Course is located at 57 Lorraine Street, Peakhurst and is legally identified as Lot 1 in DP 176469, Lot 1 DP33385 and Lot 7054 DP1127614 and Lot 3 DP522691 (57A Lorraine Street). The Clubhouse is sited on Lot 1 of DP176469. Refer to **Figure 1** below.
8. The Site (refer to Figure 2) is situated along the Georges River and is bounded by dwellings to the east, Roberts Avenue to the north, Lorraine Street to the west and the Lime Kiln Wetlands to the south. The Site includes the Hurstville golf course, proshop and amenities which covers up to 40 hectares with the surrounding area being a mix of low and medium density residential. The Clubhouse fronts Lorraine Street – opposite the block between Monterra Avenue and Whitegates Avenue.
9. A detailed site and locality description is provided in Section 2 of the PP (**Attachment 1**).
10. The Hurstville Golf Course is one of Council’s premium facilities and was opened in 1968. The construction and use of the current Hurstville Golf Course Clubhouse building was approved in December 2020 (DA2020/0115). The consent restricts the use of the Clubhouse as ancillary to the Hurstville Golf Course, making it unavailable for hire or use by a third party for events and functions.
11. The Clubhouse was completed in February 2023, with grant funding under the NSW Stronger Communities Fund. **Figures 3 & 4** shows the Clubhouse as built and the surrounding area.
12. DA2024/0189 was lodged in May 2024 seeking to amend the use of the Clubhouse to a function centre. The application sought to use the first floor as a function centre for a maximum of 110 persons for both golf and non-golf related events until 12 midnight up to a maximum of 100 times per year with a maximum of 2 per week. Advice was provided to the applicant via Council letter dated 25 November 2024 that a function centre is prohibited in the RE1 zone. The DA was withdrawn on 5 December 2024.
13. Council at its meeting held 24 March 2025 considered a report on a plan for optimising community access to Council’s Premium Facilities. The *Optimising Community Access and Facility Use Plan* has been developed to increase community access at all Council facilities. To ensure asset sustainability, this plan optimises utilisation, promotes greater community engagement, and addresses reputational concerns about excluding the community from valuable public assets. One of the actions in the Plan is to: *Submit a Planning Proposal and then a Development Application (DA) for the Hurstville Golf Course Function Room.*



ENV024-25

Figure 1 - Extract from Generic Plan of Management – Sportsgrounds showing Hurstville Golf Course.



Figure 4 – Rear view of the clubhouse from Golf Course looking SW

14. Council, at its meeting held on 26 May 2025, considered a report on the Hurstville Golf Course Clubhouse Planning Proposal and resolved:

That Council endorses the preparation of the Hurstville Golf Course Clubhouse Planning Proposal to amend the Georges River Local Environmental Plan 2021, by inserting into Schedule 1 additional permitted uses, “function centre” as an additional permitted use on the site of the Hurstville Golf Course Clubhouse (part of Lot 1 DP176469, Hurstville Golf Club, No.57 Lorraine Street, Peakhurst).

PLANNING PROPOSAL

15. The Site is zoned RE1 – Public Recreation under the GRLEP. Function centres are a prohibited use in RE1 zone in the Land Use Table.
16. A planning proposal is required to permit the use of the Clubhouse building as a function centre. The Hurstville Golf Course Clubhouse Planning Proposal seeks to amend the GRLEP to insert into Schedule 1 additional permitted uses to the GRLEP 2021 a function centre as an additional permitted use on the site of the Hurstville Golf Course Clubhouse.
17. The intended outcomes of the planning proposal are:
 - to allow the use of the Clubhouse to be used as a function centre by the wider community,
 - to support the long-term viability of the facility as multi-purpose venue, and
 - to implement the recommendations of Council’s *Optimising Community Access and Facility Use Plan*.
18. It is not considered appropriate to provide “function centre” as an additional permitted use to the entire portion of Lot 1 of DP176469 which has an area of approximately 29.4 hectares. Council is seeking the additional use to be restricted to the Golf Clubhouse building and surrounds only which has an approximate area of 2,250 sqm. Refer to Figure 5 for the proposed extent.



Figure 5 – Aerial image of the Clubhouse.

The red outline indicates the extent of the additional permitted use of 'function centre'.

19. Council has previously utilised *Schedule 1 additional permitted uses* to the GRLEP to permit additional uses on specific Council owned land zoned RE1 Public Recreation zone. This has included registered clubs and entertainment facilities which are uses prohibited in the RE1 Public Recreation zone, including Beverley Park Golf Course, Olds Park Club and Jubilee Oval.

ASSESSMENT OF THE PLANNING PROPOSAL

20. The PP has been prepared by Council staff. As such, this section provides a summary and references to the justification of the PP's merits within the report itself. Refer to Section 5 - Justification of Strategic and Site-Specific Merit with the PP for further detail (**Attachment 1**).
21. The PP meets both the strategic and site-specific merit tests that are outlined in the *Local Environmental Plan Making Guideline* dated August 2023.
22. In terms of Strategic Merit, the PP aligns with the following Council strategies that identify the priority and positive lifestyle outcomes of providing community access to open space, community hubs, quality parks and facilities:
 - Community Strategic Plan 2022-2032;
 - Open Space, Recreation and Community Facilities Strategy 2019-2036; and
 - Community Infrastructure Needs Assessment and Acquisition Area Strategy.
23. The only inconsistency with the section 9.1 Ministerial Directions is 1.4 - Site Specific Provisions, which is considered to be justified as the proposal does not seek any amendment to development standards for the site. The PP is consistent with other applicable Ministerial directions and SEPPs.
24. In terms of site-specific merit, the proposal:

- Focuses solely on land use, ensuring no changes to the built form provisions that could impact the surrounding area;
 - Does not adversely affect critical habitats or threatened species, populations or ecological communities or their habitats;
 - Does not propose any built form changes to the Clubhouse and its ability to comply Bush Fire Protection requirements; and
 - Does not create additional requirements for public infrastructure.
25. The proposal does not adversely impact road network capacity or off-street parking/access requirements. The existing golf course has no off-street parking, however, it is serviced by 148 on-street car parking spaces, including seventy (70) marked spaces and two (2) accessible parking spaces provided along the Lorraine Street frontage of the site.
26. The Traffic Assessment lodged with DA2020/0115 stated that there was sufficient car parking in the vicinity of the site to address the car parking requirements of the DCP had they been strictly applied. This was further supported by the Traffic and Parking Report submitted with the DA. Any future DA to increase the intensity of the current uses on site will be required to justify sufficient parking provision in accordance with Council's DCP.
27. The clubhouse operates from 5.45am to 7.00pm daily consistent with the existing golf course operations, except for a few annual events which will operate up until 10.00pm. The Acoustic Report submitted with DA2020/0115 identified that the clubroom would be open in conjunction with the approved hours of operation of the golf course, except for a small number of days per year coinciding with major events when it would operate up until 10.00pm. Any future DA to increase the intensity of the current uses on site will be required to identify the likely acoustic impacts caused, including appropriate mitigation measures.

MAPS

28. If the PP is supported, a map sheet amendment is required to the Additional Permitted Uses Map (APU) and will be submitted to DPHI with the PP (Refer to **Attachment 7**).

GEORGES RIVER LOCAL PLANNING PANEL

29. The Direction from the Minister for Planning and Public Spaces under Section 9.1 of the Environmental Planning and Assessment Act 1979 and the charter of the Georges River Local Planning Panel 2018 both specify that a Planning Proposal is to be referred to the Local Planning Panel before it is forwarded to DPHI seeking a Gateway Determination.
30. The Georges River Local Planning Panel at its meeting held 19 June 2025 considered the PP and recommended as follows:

(a) Support the proposed amendment to Schedule 1 of the GRLEP;

(b) Endorse the forwarding of the PP to the NSW Department of Planning, Housing and Infrastructure (DPHI) to request a Gateway Determination under Section 3.34 of the Environmental Planning and Assessment Act 1979 for an amendment to the GRLEP by introducing "function centre" as an additional permitted use on that part of Lot 1,

DP176469, Hurstville Golf Course Clubhouse (57 Lorraine Street, Peakhurst) as shown in the planning proposal.

31. A copy of the report that was referred to the LPP is available on [Council's website](#).

AMENDMENT TO GENERIC PLAN OF MANAGEMENT - SPORTSGROUND

32. An amendment to the Generic Plan of Management – Sportsground will be required as it currently restricts development to be in accordance with the zoning (i.e. the RE1 Zone), and a function centre is not a permissible use in the RE1 Zone. This will be the subject of a separate process which is anticipated to be reported to Council following the receipt of a Gateway Determination from the DPHI.

PROJECT TIMELINE

33. The project timeframe is dependent on the Gateway Determination date and the requirements for the public exhibition period. An indicative project timeline is provided in Table 1.

Table 1 – Indicative Project Timeframe

Task	Anticipated Timeframe
Consideration by Georges River LPP	June 2025
Council decision	July 2025
Gateway Determination	October 2025
Timeframe for public exhibition (including both government agency and community consultation as required by Gateway Determination)	November 2025
Consideration of submissions	December 2025
Council consideration and finalisation	February 2026
Submission to the Department to finalise the Planning Proposal as an amendment to the GRLEP	February 2026
Gazettal of LEP amendment	March 2026

FINANCIAL IMPLICATIONS

34. No budget impact for this report.

RISK IMPLICATIONS

35. Strategic Risk 1 – Financial Sustainability: The expansion of the permitted uses of the clubhouse will increase revenue for the club and ultimately Council.
36. Strategic Risk 3 – Assets and Infrastructure: The Hurstville Golf Clubhouse is restricted via the consent granted under DA2020/0115 to its use being associated with the golf course. The consent also states that the premises shall not be available for hire or use by a third party for events and functions without prior consent. The inclusion of additional uses will ensure that the clubhouse building can be used by the wider community and not just the Golf Club. The clubhouse will be able to be used for events, functions, conferences, and reception centres.
37. Strategic Risk 6 – Reputation: The clubhouse was built at a cost of \$3.3m from grants. Use of the clubhouse by the wider community will positively impact the Council's identify. Its limited use may impact negatively on Council's reputation given it was built by grants.








COMMUNITY ENGAGEMENT

38. Should the Planning Proposal be supported, it will be forwarded to the delegate of the Minister for Planning and Public Spaces requesting a Gateway Determination.
39. If a Gateway Determination is issued with terms deemed acceptable to Council, it is intended to exhibit the PP for a minimum period of 28 days or as specified in Gateway Determination and with the provisions of the *Environmental Planning and Assessment Act 1979* and its *Regulation 2021*.
40. Notification of the public exhibition will include:
- Newspaper advertisement in The Leader;
 - Community engagement project on Council's YourSay website;
 - Notices in Council offices and libraries;
 - Letters to adjoining landowners (in accordance with Council's Community Engagement Strategy)
 - Letters to State and Commonwealth Government agencies identified in the Gateway Determination.

FILE REFERENCE

D25/195183

ATTACHMENTS

- Attachment 1  Planning Proposal Report - Hurstville Golf Course Clubhouse Planning Proposal (PP2025/0003) - *published in separate document*
- Attachment 2  Appendix 1 - Approved plans for Construction of Clubhouse building (DA2020/0115) - *published in separate document*
- Attachment 3  Appendix 2 - Optimising Community Access and Facility Use Plan - *published in separate document*
- Attachment 4  Appendix 3 - Council Report to Prepare Planning Proposal - May 2025 - *published in separate document*
- Attachment 5  Appendix 4 - Council resolution to prepare planning proposal - May 2025 - *published in separate document*
- Attachment 6  Appendix 5 - Map of subject site and coastal management areas - *published in separate document*
- Attachment 7  Appendix 6 - Draft Additional Permitted Uses Map Sheet - APU -005 - *published in separate document*