Item No: **C1118(2) Item 17**

Subject: **DRAFT INNER WEST COUNCIL ASBESTOS POLICY**

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SUMMARY

Council resolved at the 14 August 2018 Council Meeting with a Notice of Motion that a report on how Council can adopt the office of Local Government Model Asbestos Policy for NSW.

A draft Asbestos Policy in accordance with the resolution. The draft policy provides guidance and information on how to manage asbestos for Council workers, the local community and wider public.

This report is seeking Council's endorsement of the draft Asbestos Policy to be placed on public exhibition for 28 days, with the results presented to Council along with a final Policy for adoption.

RECOMMENDATION

THAT:

1. **The draft Inner West Council Asbestos Policy be placed on public exhibition for a period of 28 days;**

2. **The results of the public exhibition are presented to Council along with a final Inner West Council Asbestos Policy for adoption**

BACKGROUND

Council resolved at the 14 August 2018 Council Meeting with a Notice of Motion that a report on how Council can adopt the office of Local Government Model Asbestos Policy for NSW.

A draft Asbestos Policy in accordance with the resolution. The draft policy provides guidance and information on how to manage asbestos for Council workers, the local community and wider public.

POLICY DISCUSSION

Inner West Council acknowledges the serious health hazard of exposure to asbestos.

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.

The draft Asbestos Policy **(Attachment 1)** has been prepared taking into consideration the Model Asbestos Policy for NSW Councils in accordance with Section 23A of the *Local Government Act 1993* and the Local Government NSW Developing Your Council's Asbestos Policy.

The draft Policy objective is 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;
- sources of further information.

Part 1 in Section 6 of the draft Policy includes the sections that are likely to be of most interest to the local community and wider public.

Part 2 in Section 6 of the draft Policy is information that applies to workers associated with Council including employees, contractors, consultants, and volunteers (as defined by the NSW *Work Health and Safety Regulation 2017*).

Definitions for key terms used in the draft Policy are provided in Appendix C and acronyms are listed in Appendix D.

The draft Policy applies to friable and non-friable (bonded) asbestos within the LGA. The draft 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 E of the draft Policy).

The draft 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 **(Attachment 2)**;
- *Code of practice on how to safely remove asbestos* (catalogue no. WC03561) published by SafeWork NSW **(Attachment 3)**;
- Additional guidance material listed in Appendix B of the draft Policy.

FORMER LEGACY COUNCIL POLICIES

In developing this new Policy, the Asbestos Policy (former Leichhardt Council) was considered. It is appropriate that on adoption of the new Policy, the former Leichhardt Council Asbestos Policy **(Attachment 4)** be rescinded by Council. This will be recommended when the final Policy is brought back to Council under report for adoption.

The former Ashfield and Marrickville Council’s did not have an adopted Asbestos Policy hence no rescission is required.

FINANCIAL IMPLICATIONS

There are no financial implications arising from the Policy.

OTHER STAFF COMMENTS

Feedback from the following stakeholders have been received, reviewed and incorporated where appropriate in the draft Asbestos Policy: Council's Trees, Parks and Sportsfields Group, Council's Footpaths, Roads, Traffic and Stormwater Group, Council's Environment and Sustainability Group, Council's Integration, Customer Service and Business Excellence Group, Council's Legal Services Group, Development Assessment and Regulatory Services Group, Council's Human Resources Group, Council's Strategic Planning Group, Council's Properties, Major Projects and Facilities Group, and the NSW Internal Ombudsman.

PUBLIC CONSULTATION

It is recommended that the draft Inner West Council Asbestos Policy be placed on public exhibition for 28 days.

CONCLUSION

The purpose of draft Asbestos policy is to provide guidance and information on how to manage asbestos for Council workers, the local community and wider public.

This report is seeking Council's endorsement of the draft Asbestos Policy to be placed on public exhibition for 28 days, with the results presented to Council along with a final Policy for adoption.

ATTACHMENTS

1. Draft Inner West Council Asbestos Policy
2. Code of practice on how to manage control asbestos workplace-by SafeWork NSW
3. Code of practice on how to safely remove asbestos - by SafeWork NSW
4. Former Leichhardt Council Asbestos Policy