7 February, 2010

Changes to ensure safe asbestos removal

All owners and builders who apply for 10-day approvals for new homes and renovations will now be required to safely remove asbestos.

Minister for Planning, Tony Kelly, said state-wide guidelines regulating works involving the safe removal of asbestos in complying development were urgently needed and have now been delivered.

“New provisions introduced by the NSW Government place much greater responsibility on owners and builders to ensure the safe and lawful disposal of asbestos,” the Minister said.

“In particular, it ensures owner-builders undertaking work on their own land must meet the same safe asbestos removal standards as licensed builders.

“It also ensures consistent standards are in place in all NSW councils, which has not been the case since complying development was introduced in 1998.”

The complying development systems enable builders to get fast-tracked 10-day planning approval from an accredited or council certifier, if they comply with relevant NSW or local council guidelines.

“These changes announced today are about ensuring public health and safety, while at the same time not stifling the benefits of undertaking home renovations as complying development,” the Minister said.

New amendments to the Environmental Planning and Assessment Regulation relating to complying development require:

- Any development involving asbestos removal to be undertaken by a contractor who is licensed for asbestos removal under the Occupational Health and Safety Regulation;
- Applications for complying development certificates to provide information as to the amount of asbestos to be removed;
- The applicant to have entered into a contract with a licensed asbestos removal business; and
- The landfill for the safe disposal of the asbestos to be specified in the contract.

Mr Kelly said the amendments will apply to all applicants getting 10-day complying development certificates either through the NSW Housing Code, the NSW Commercial and Industrial Code or any relevant council planning document for complying development.

“Local councils have the power to issue an immediate stop work order if a suspected breach occurs with potential fines of up to $1.1 million,” the Minister said.

“These controls not only deliver regulation in local government areas where previously there were none, but they also go above and beyond many existing standards currently imposed by many councils.”