



New South Wales

# **State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Asbestos) 2009**

under the

Environmental Planning and Assessment Act 1979

Her Excellency the Governor, with the advice of the Executive Council, has made the following State environmental planning policy under the *Environmental Planning and Assessment Act 1979*. (S08/00125-4)

TONY KELLY, MLC  
Minister for Planning

## **State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Asbestos) 2009**

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Environmental Planning and Assessment Act 1979

### **1 Name of Policy**

This Policy is *State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Asbestos) 2009*.

### **2 Commencement**

This Policy commences on 18 January 2010.

### **3 Repeal of Policy**

- (1) This Policy is repealed on the day following the day on which this Policy commences.
- (2) The repeal of this Policy does not, because of the operation of sections 5 (6) and 30 of the *Interpretation Act 1987*, affect any amendment made by this Policy.

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## Schedule 1      Amendment of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

### [1]    Clause 2.26 Development standards

Insert at the end of the clause:

**Note.** A building constructed before 1987 may contain asbestos. Businesses are licensed to undertake asbestos removal work under the *Occupational Health and Safety Regulation 2001* (refer to *Working with Asbestos: Guide 2008* (ISBN 0 7310 5159 9) published by the WorkCover Authority). If the work is not undertaken by a licensed contractor it should still be undertaken in a manner that minimises risks (refer to *Fibro & Asbestos—A Renovator and Homeowner's Guide* at <http://more.nsw.gov.au>). Information on the removal and disposal of asbestos to landfill sites licensed to accept this waste is available from the Department of Environment, Climate Change and Water.

### [2]    Clause 3.33 Demolition or removal of dwelling houses and ancillary development

Insert after clause 3.33 (1):

- (2) All demolition must be carried out in accordance with Australian Standard AS 2601—2001, *Demolition of structures*.

### [3]    Part 4, Division 1A

Insert after Division 1 of Part 4:

#### **Division 1A      Development standards for this code**

##### **4.1A    Development standards**

Any demolition of development that would be complying development under this code if it were being constructed or installed must be carried out in accordance with Australian Standard AS 2601—2001, *Demolition of structures*.