



Chris Hartcher MP
Minister for Resources and Energy
Special Minister of State and
Minister for the Central Coast

**LEGISLATIVE COUNCIL
GENERAL PURPOSE STANDING COMMITTEE NO. 5
BUDGET ESTIMATES 2012 – 2013**

Portfolio Areas of –

RESOURCES AND ENERGY, SPECIAL MINISTER OF STATE, CENTRAL COAST

The Hon. Robert Brown (Chair),

Please find attached the following document relating to the Budget Estimates hearing for Resources and Energy, Special Minister of State and the Central Coast.

- Answer to the question taken on notice with respect to employee protection from asbestos.

Due date – Monday 17 December 2012

Yours sincerely,

Chris Hartcher MP



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QUESTIONS TAKEN ON NOTICE RELATING TO THE PORTFOLIO OF RESOURCES & ENERGY, SPECIAL MINISTER OF STATE, MINISTER FOR THE CENTRAL COAST

12 OCTOBER 2012, 9.00am – 1.00 pm

Question from The Hon. Luke Foley MLC

ASBESTOS IN THE ELECTRICITY INDUSTRY

The Hon. LUKE FOLEY: I turn to asbestos in the electricity industry. What is the Government doing about the widespread prevalence of asbestos in the industry due to insulation and fire-retardant properties?

Mr CHRIS HARTCHER: I will just give a preliminary answer and then I will ask one of the officers to give you some more information. Mr Humpherson, my chief of staff, and I met with the union and received advice from the union about asbestos. That is an issue that has to be taken very seriously. It affects the health of employees of the people of New South Wales and it is a matter of public health. We have asked the department to vigorously follow that up in conjunction with the union and with the employees. I will ask Mr Andrew Lewis to comment on that.

Mr LEWIS: In relation to the Minister's answer, yes, there are obviously workplace health and safety requirements and various regulatory frameworks in place that each of the businesses are required to comply with to ensure the welfare of their workers. I cannot give you any exact details today but I would certainly be happy to take the question on notice and come back with further information on the various programs that are in place within the businesses.

The Hon. LUKE FOLEY: I ask you, Minister, and Mr Lewis, through you, to perhaps come back to the Committee with some advice on what protections are in place for electricity workers who have no choice but to work in environments where asbestos is present? Could you do that for us?

Mr CHRIS HARTCHER: That is an important question. Can I ask for a slightly longer period than 21 days? I would not want to rush that.

The Hon. LUKE FOLEY: Fair enough, as long as you undertake to give it to us?

Mr CHRIS HARTCHER: Yes, I will undertake to do that. I have also got an undertaking in fact to reply to your Committee by 1 November in relationship to the other matter. We will try to aim for a more comprehensive answer to Mr Foley before the end of the year.

ANSWER

Following the earlier advice received from the union, a Roundtable on Asbestos was convened at my request by the Department on 8 November 2012, which I attended and which was chaired by the Deputy Director General of Resources and Energy.

The Roundtable was attended by representatives of the public and privately owned generators; the transmission and distribution businesses; the unions including the Electrical Trades Union, the Australian Services Union and Unions NSW; WorkCover NSW; and representatives from other Ministerial Offices or Departments including Premiers, Environment, Health, Industrial Relations, Fair Trading, and Finance and Services.

WorkCover was able to present details of an existing NSW framework known as the Heads of Asbestos Coordination Authorities (HACA) whereby a relevant Working Group could be formed to address particular asbestos-related issues.

Following presentations to the Roundtable by the Unions and the Industry representatives, it was agreed that WorkCover would make a recommendation at the HACA meeting on Monday, 12 November for the formation of a Working Group, that WorkCover would produce a Draft Terms of Reference for that Working Group and that an initial meeting of the Working Group would be convened for Wednesday 14 November 2012.

I am advised that these proposed actions were implemented and that the Electrical Industries Asbestos Safety Working Group has been formally established and met on 14 November, has refined its Terms of Reference and agreed to actions to be completed prior to the next meeting on 18 December 2012.

The Terms of Reference for the Working Group are to:

- Determine the methods most suited to auditing the current information available within the electrical industry on asbestos identification, register, management plans, health monitoring, training, safe removal and risk communication.
- Clarify compliance expectations in relation to registers, asbestos management plans, health monitoring, training, safe removal and risk communication.
- Confirm legislative requirements in relation to registers, asbestos management plans, health monitoring, training, safe removal and risk communication and identify the gaps in current information available
- Establish consistent and effective asbestos management procedures and practices across the electrical industry that complies with the requirements of the Work Health and Safety Regulation 2011.
- Consider and provide constructive feedback and guidance on improving the effectiveness of the management of asbestos matters.
- Foster a cooperative and consultative environment in which consensus can be reached on key issues.

The Working Group has the following deliverables:

- Establish an audit methodology and independent audit program to evaluate conformance with asbestos regulatory requirements.
- Review audit outcomes and develop and endorse an improvement plan for key corrective actions.

- Ensure that asbestos registers and asbestos management plans comply with regulatory requirements.
- Ensure that training and health monitoring provided to workers complies with regulatory requirements.
- Update and harmonise industry operating procedures to ensure they are consistent and reflect regulatory compliance expectations.
- Determine risk communication strategy for workers and others.
- Establish an action plan and timeframe for all deliverables at the first meeting of the Working Group.

I will be receiving regular reports on the progress of the Working Group as it undertakes its activities to identify opportunities to improve and enhance asbestos management in the electricity industry.