

BUILDINGS WITH ASBESTOS CONTAINING MATERIALS

Any building constructed prior to 2000 shall be assumed under the Health and Safety at Work (Asbestos) Regulation 2016 to have ACM (Asbestos Containing Material).

The Health and Safety at Work (Asbestos) Regulation 2016 required all Commercial/Industrial buildings to have an Asbestos Survey completed prior to April 2018 and if found to have Asbestos present an Asbestos management plan prepared. When undertaking maintenance on an existing building or alteration/extensions these reports shall be referenced and a schedule of work supplied to Council at the time of applying for building consent. <https://worksafe.govt.nz/topic-and-industry/asbestos/working-with-asbestos/conducting-asbestos-surveys/>

Residential dwellings are not likely to have had an Asbestos survey and will need to have a competent person undertake an assessment and prepare an Asbestos report, this report will also need to include a schedule of works as to how the Asbestos is to be managed during the Building Consent process.

An individual or company being employed by an owner to undertake “building work” is a PCBU (Person Conducting a Business or Undertaking) and must adhere to “Worksafe NZ” regulations. <https://worksafe.govt.nz/managing-health-and-safety/getting-started/understanding-the-law/primary-duty-of-care/who-or-what-is-a-pcbu/>

An owner/builder undertaking building work is not subjected to the “Health and Safety at Work Regulations 2016” but the owner must comply with the relevant section of the New Zealand Building Act 2004 (F2 Hazardous Building Materials) <https://www.building.govt.nz/building-code-compliance/f-safety-of-users/f2-hazardous-building-materials/>

Building Inspections

A building consent that identifies that ACM will be affected or removed by the proposed “building work” will need to have a written clearance report received and accepted by Council prior to the Building Inspector entering the property. No clearance confirmation, no site inspection!



WHAT IS AN ASBESTOS MANAGEMENT PLAN?

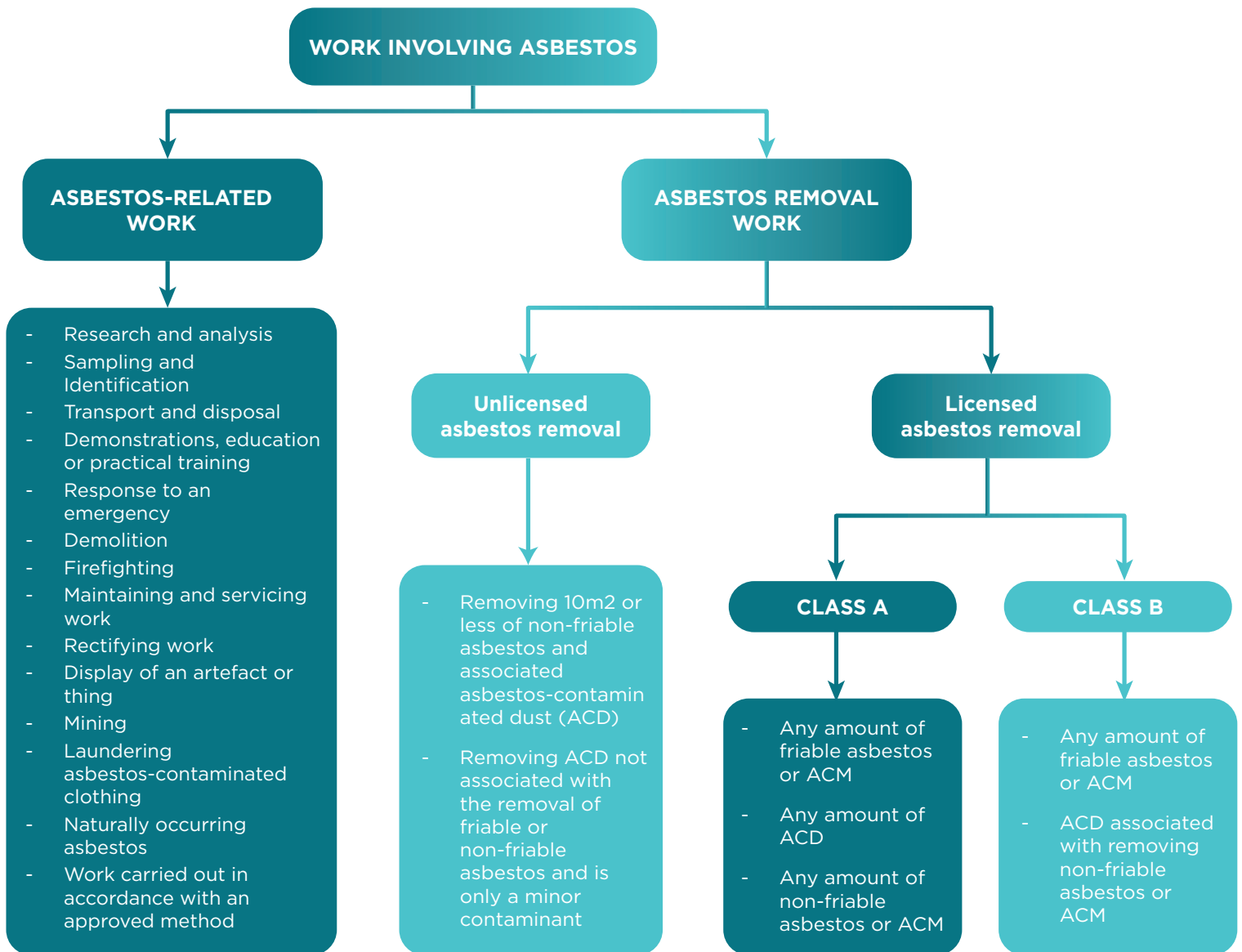
An asbestos management plan sets out how the workplace’s identified asbestos or ACM will be managed.

An asbestos management plan must include information about:

- The identification of asbestos and ACM (eg where any signs and labels are located)
- Decisions, and reasons for the decisions, about how the asbestos risks are managed (eg safe work procedures and control measures)
- Procedures for recording incidents or emergencies involving asbestos in the workplace
- Information about the workers carrying out work involving asbestos, including
 - Information and training that has been or will be provided
 - Their roles and responsibilities
 - Any health monitoring that has been or will be conducted.

Other information may be included in the asbestos management plan, such as:

- A timetable for managing asbestos exposure risks (eg priorities and dates for removal, reviews, circumstances and activities that could affect the timing of action)
- Procedures, including a timetable for reviewing and (if necessary) revising the asbestos management plan and asbestos documentation
- Air monitoring procedures, if required.



PLANNING DEMOLITION OR REFURBISHMENT WORK AT A WORKPLACE.

Considerations

If a structure or plant at a workplace is going to be refurbished or demolished, the PCBU intending to carry out the work must make sure the structure or plant is inspected to determine the presence of asbestos or ACM. The PCBU should also consider the following questions:

- Are there inaccessible areas that are likely to be disturbed during the demolition or refurbishment?
- What is the type and condition of the asbestos or ACM?
- What is the quantity of asbestos or ACM?
- What is the method of demolition or refurbishment, and how will it affect the asbestos or ACM?
- If asbestos is likely to be disturbed during demolition or refurbishment, can it be removed safely before work starts; if so, how can this be done?

Identifying Asbestos

Demolition or refurbishment must not start until a competent person confirms whether or not asbestos or ACM is either fixed to, or installed, in the structure or plant.

If a competent person is not sure, on reasonable grounds, whether asbestos is present, or the structure or plant is inaccessible, the PCBU carrying out the demolition or refurbishment work must assume asbestos is present.

WHAT IS ACM?

Something is an ACM if it contains more than one percent asbestos, as determined by a testing method called Polarized Light Microscopy. When dry, an ACM is considered friable if it can be crumbled, pulverized, or reduced to powder by hand pressure. If it can't, it's considered non-friable ACM

Demolition

The workplace PCBU or the PCBU with management or control of the structure or plant must make sure all asbestos likely to be disturbed by the demolition work is identified and, so far as is reasonably practicable, removed before the work starts.

The PCBU may demolish part of a structure or plant in order to access the asbestos. For example, the PCBU may demolish part of a wall to access asbestos located in the wall cavity so it can be removed before further demolition starts.

Refurbishment

The workplace PCBU or the PCBU with management or control of the structure or plant must make sure all asbestos likely to be disturbed by the work is identified and, so far as is reasonably practicable, removed before refurbishment starts.

DEMOLITION AND REFRUBISHMENT OF HOMES.

When a PCBU is going to demolish or refurbish a home, the home becomes the PCBU's workplace. The PCBU must not start demolition or removal work until a competent person has inspected the relevant area or areas for asbestos or ACM. If the competent person has identified asbestos or ACM in the part of the home that will be demolished or refurbished, or the PCBU assumes it is present, the PCBU must inform the home owner and occupant that asbestos or ACM is present so that appropriate action to remove or manage the ACM is taken.

Refurbishment

A PCBU planning to do refurbishment work in a home must identify all asbestos likely to be disturbed by the refurbishment work. They must make sure, so far as is reasonably practicable, that the asbestos is removed before work starts.

HOME OWNER/OCCUPANT DUTIES

If a PCBU conducts demolition or refurbishment in a person's home, the owners or occupants must take reasonable care to protect their own health and safety while work is going on in their home.

They must make sure whatever they do or fail to do does not adversely affect the health and safety of others, including the PCBU and the PCBU's workers.

They must comply with the PCBU's reasonable instructions, as far as they are reasonably able, that will allow the PCBU to comply with the Act and the Regulations.

Competencies for people identifying Asbestos

A competent person with experience in identifying where asbestos is or may be present may be helpful for workplace PCBUs who do not have the experience.

The competent person should have the knowledge and skills to identify or assume the presence of asbestos through training, qualifications and experience.

Someone in the PCBU's business may have the knowledge and experience to do this task. If no-one is available, the PCBU should engage an external person.

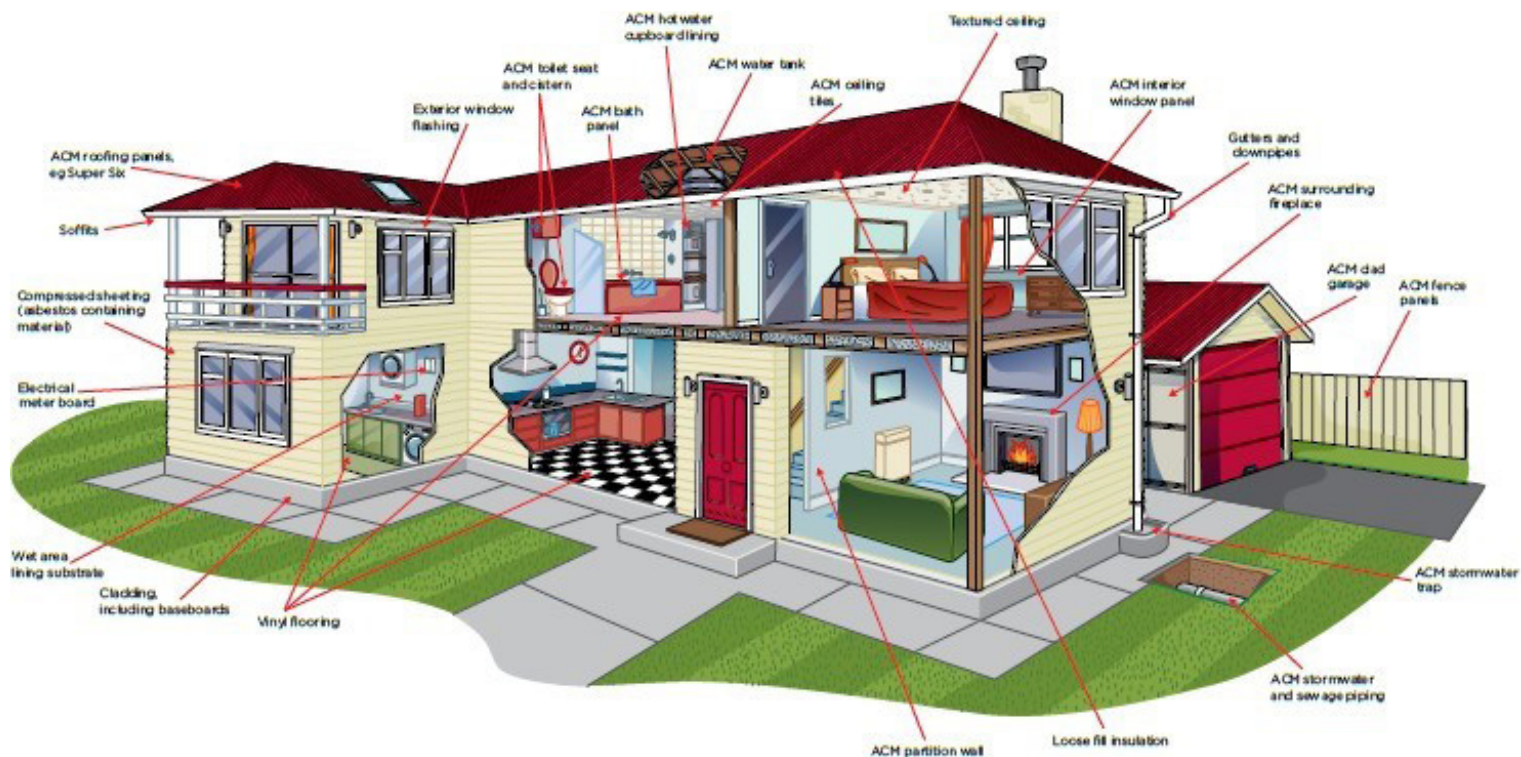


Figure 14: Potential asbestos locations in a pre-2000 house

For further information, refer to – “Conducting Asbestos Surveys” or “Asbestos management and removal” guidance documents, available from Worksafe NZ: www.worksafe.govt.nz

<https://worksafe.govt.nz/topic-and-industry/asbestos/management-and-removal-of-asbestos/>

<https://worksafe.govt.nz/topic-and-industry/asbestos/working-with-asbestos/conducting-asbestos-surveys/Asbestos>

Declaration form - to be completed where applicable when applying for building consent i.e. alterations to an existing building.