

Flying Minute: Submission on National Asbestos Strategic Plan

By Rebecca Brown, Manager Waste and Environment

That the Asbestos National Strategic Plan: Phase Three 2024-2030 submission be endorsed.

RESOLUTION 236.FM/2023

CARRIED

Executive Summary

- The Asbestos Safety and Eradication Agency has released the *Draft Asbestos National Strategic Plan (2024-2030)* for comment by 13 October. WALGA's request for an extension to this deadline was refused.
- The Plan documents the national priorities for action in relation to asbestos management and identifies the roles and responsibilities of Government and Regulators, including Local Government, in implementing the Plan.
- WALGA's Submission was developed in consultation with other Local Government Associations and national discussions with Local Governments across Australia.
- WALGA's submission generally supports the draft Plan, but recommends further clarification be provided on resourcing, responsibilities, performance measures and targets for the plan to be effectively implemented.

Attachment

- Draft WALGA submission to Asbestos Safety and Eradication Agency on the Asbestos National Strategic Plan: Phase Three 2024 – 2030

Policy Implications

WALGA Submission to ASEA: Best practice governance of waste asbestos transport, storage and disposal (2014).

Background

The Asbestos Safety and Eradication Agency (ASEA) was established in 2013 to administer the [Asbestos National Strategic Plan](#) (Draft ASNP). The third phase of which is now out for consultation. The aim of the Strategic Plan is to eliminate asbestos related diseases in Australia by preventing exposure to asbestos fibres. The Plan is delivered by Government and regulatory agencies, who are signatories to the Plan, taking action to improve asbestos management. Phase three of the Strategic

Plan key priorities are:

- Accurate identification and consistent assessment of asbestos
- Proactive management and removal
- Safe and effective transport and disposal
- International collaboration and leadership.

ASEA has highlighted the changing conditions in relation to asbestos includes increases in emergency events and asbestos related impacts and the aging of asbestos infrastructure which leads to greater risk.

Comment

WALGA has actively engaged with ASEA to ensure that role of Local Government is appropriately recognised. Local Government has the following roles in relation to asbestos:

- Maintaining asbestos in Local Government assets
- Work health and safety for Local Government workers and volunteers
- Local planning and development



- Community engagement and education
- Illegal dumping response
- Emergency preparedness response and recovery
- Some Local Governments and Regional Councils provide disposal options for their communities.

WALGA's submission generally supports the Plan but recommends:

- Amending the ANSP to include the anticipated timeframe, status and responsibility for delivering actions.
- Including commentary on the current rates of asbestos compliance, illegal dumping and illegal imports, to provide a baseline.
- Ensuring sufficient resources are available to ensure the Plan can be implemented.
- Provide further clarification in the document regarding the roles and responsibilities for all stakeholders and particularly the role that Local Government plays in emergency preparedness, response and recovery.

The Local Government Association of NSW coordinated a Local Government consultation session on the Draft ANSP which was attended by over 30 Local Governments/Local Government Association from across Australia, including Western Australia. This consultation highlighted the need for resourcing for Local Governments to assist with emergency event preparation, response and recovery.

WALGA requested for an extension to the Submission timeframe was refused. The submission was considered and endorsed by the Environment and Waste Policy Team on Tuesday, 3 October.



FLYING MINUTE OUTCOME

Poll created: 05/10/2023 at 09:52

Poll closed: 12/10/2023 at 23:59

Total invited to survey: 24

Total finished survey: 19

Endorse the Recommendation: 18

Endorse the Recommendation subject to comment below: 1

Do not endorse: 0

First Name	Last Name	Completed Date
Carol	Adams OAM	10/10/2023 21:32
Phillip	Blight	08/10/2023 20:10
Laurene	Bonza	12/10/2023 15:51
Ruth	Butterfield	05/10/2023 10:54
Cheryl	Cowell	05/10/2023 11:06
Frank	Cvitan	12/10/2023 13:55
John	Daw	06/10/2023 20:51
Tony	Dean	06/10/2023 11:46
Catherine	Ehrhardt	10/10/2023 16:24
Russ	Fishwick JP	05/10/2023 13:40
Moira	Girando JP	13/10/2023 08:28
Patrick	Hall	05/10/2023 13:28
Logan	Howlett JP	09/10/2023 15:56
Paul	Kelly	08/10/2023 23:18
David	Lagan	Not completed
Peter	Long	09/10/2023 14:20
Chris	Mitchell JP	Not completed
Chris	Pavlovich	Not completed
Les	Price	07/10/2023 19:28
Michelle	Rich	Not completed
Helen	Sadler	10/10/2023 15:21
Ken	Seymour	Not completed
Stephen	Strange	09/10/2023 14:02
Doug	Thompson	09/10/2023 16:29

Responses

(18) Endorse the Recommendation: Mayor Ruth Butterfield, President Cr Cheryl Cowell, Mayor Patrick Hall, Cr Russ Fishwick JP, President Cr Tony Dean, Cr John Daw, Cr Les Price, President Cr Phillip Blight, Cr Paul Kelly, Mayor Peter Long, President Cr Stephen Strange, Mayor Logan Howlett JP, Cr Doug Thompson, Cr Catherine Ehrhardt, Cr Helen Sadler, Mayor Carol Adams OAM, Cr Frank Cvitan

(1) Endorse the Recommendation subject to comment below: President Cr Laurene Bonza

(0) Do not endorse

Comments

President Cr Laurene Bonza

Comments from the Goldfields Esperance Zone are as follows:

City of Kalgoorlie Boulder

The City of Kalgoorlie Boulder is supportive and agree with all recommendations identified by WALGA. LGAs play a key role in this plan and the burden is likely to be greater on regional LGAs. Can this submission include comments on:

- *Funding pool managed by State to help out regional LGAs to remediate asbestos contaminated land which is not a result of an emergency event (a similar model used in QLD);*
- *Given many regional LGAs don't have Class A (friable) removal company and the cost to residents very expensive to attend which may result in the property not being remediated for long periods –*
 - *WorkSafe exemptions streamlined and available to LGAs without Class A;*
 - *Other options (which may include Class B) to assist regional LGs addressing friable asbestos issues in their community;*
 - *Fire damaged asbestos containing material remediation (house fires).*

Shire of Esperance

The Shire of Esperance supports WALGA's comments regarding the asbestos strategy with some additional points. As ACM stopped being sold in WA in the mid 80's these newer products are now over 30 years old and have reached their end of life. There is significant use of ACM in Esperance due to the coastal conditions and if the state government is serious about the strategy they need to incentivise and inspire action in the interests of public health. The WA government can drive ACM removal by providing free testing, free or subsidised disposal, no or low interest loans for home renovators or implement tax incentives.

While the Shire of Esperance is fully supportive of the LG roles and responsibilities regarding ACM, they are concerned about their capacity to deliver education to the community and feel this should be conducted on a state or federal level as the risks and consequences are the same - perhaps a mass media campaign. The Shire agrees with the comments regarding the necessity for the plan to consider emergency management but feel that it does not go far enough to capture the challenges faced by regional and remote communities. We cannot get qualified industrial hygienists to undertake air sampling or qualified contractors to undertake works following a fire or catastrophic incident. Often the homeowner does not have insurance or ACM is an exclusion in their policy and demolition, removal and cleanup costs can be significant. The government needs to consider a disaster relief funding for eligible residents in these circumstances.

Shire of Dundas

The Shire of Dundas is happy to endorse the submission and agrees with the comments from Kalgoorlie and Esperance, with the following additions:

- *Consideration to be given for the Federal Government to support funding for people still living in communities with asbestos still present, to undertake screening health checks, in the same way they currently support and compensate for asbestos-related disease.*
- *And, that any Federal funding provided for the removal of asbestos-related products, should be carried out with a collaborative approach with all levels of government to achieve a coordinated and comprehensive approach to manage and eliminate asbestos from our communities.*

Cr John Daw

City of Kalamunda:

- *The aim of the plan is to eliminate asbestos related disease in Australia by preventing exposure to asbestos fibres, through a nationally consistent and coordinated approach with the aim to have all asbestos removed from the community by 2030.*
- *EHO's are responsible for administering the Health (Asbestos) Regulations 2004 and education and awareness.*
- *The City's supportive of the Plan however, concerned about the implementation and costs (large number of City owned buildings contain asbestos).*
- *Further concerns that the City may see an increase in illegal dumping due to the costs associated with safe disposal.*
- *The City will need to develop an extensive communication plan for private properties to ensure they meet targets also by removing asbestos.*
- *It would be beneficial for WALGA to provide guidance, support (funding if possible) and training to Local Governments.*

Secretariat Comment

The Secretariat appreciates the comments provided by State Council members. The Submission has been updated to emphasise the concerns raised in relation to funding, contractors and the challenges for regional and remote areas. This includes:

- The significant costs associated with remediation of ACMs in public buildings and government owned housing;
- Accessing in a timely manner, and the cost of accessing, suitably qualified contractors in regional and remote areas, for example to undertake air monitoring following a fire or to remove friable asbestos;
- Remediation of asbestos contaminated land; and
- Community members whose properties are under, or not, insured.

Some of the issues raised are outside of the scope of the Submission, as they relate to State Government responsibilities and funding, so have been referred to the Environment & Waste Policy Team for consideration.

Submission on the Draft Asbestos National Strategic Plan Phase Three 2024-30

October 2023

About WALGA

The Western Australian Local Government Association (WALGA) is the united voice of Local Government in Western Australia. The Association is an independent, membership-based organisation representing and supporting the work and interests of 139 Local Governments in Western Australia, comprising 1,215 Elected Members and approximately 22,600 Local Government employees, as well as over 2.5 million constituents of Local Governments in Western Australia.

Western Australian Local Governments vary greatly in:

- size, ranging from less than 1.5 to over 370,000 square kilometres,
- population, just over 100 to more than 224, 000 people,
- the number of staff employed, from less than 10 to over 1000,
- in revenue received, which in 2019-20 ranged from just over \$2 million to just over \$226 million.

Acknowledgement of Country

WALGA acknowledges the continuing connection of Aboriginal people to Country, culture and community. We embrace the vast Aboriginal cultural diversity throughout Western Australia, including Boorloo (Perth) on the land of the Whadjuk Noongar People where WALGA is located, and we acknowledge and pay respect to Elders past and present.

WALGA is committed to supporting the efforts of WA Local Governments to foster respectful partnerships and strengthen relationships with local Aboriginal communities.

Comment

The Association appreciates the opportunity to comment on the Asbestos Safety and Eradication Agency (ASEA)'s [Draft Asbestos National Strategic Plan Phase Three 2024-30](#) (Draft ANSP).

This Submission was endorsed by WALGA State Council on 12 October 2023.

WALGA generally supports the priorities and actions identified within the Draft ANSP, but recommends further clarification be provided on resourcing, responsibilities, performance measures and targets for the plan to be effectively implemented.

Local Governments' role in asbestos management

The management of asbestos and asbestos containing material is a small but significant part of Local Government activities. As identified through the Draft ANSP, significant barriers to correct and safe disposal of asbestos are evident in the community, including low awareness of asbestos occurrence and risk, difficulty in identifying ACMs and accessing qualified asbestos assessors and removalists.

Local Government is often the first point of contact for residents to provide advice relating to asbestos disposal. Local Governments actively promote correct disposal of

asbestos to residents and provide resources to assist residents in assessing asbestos risk.

Challenges faced by Local Government, and the communities they represent, in ACM management include:

- Health, environmental and financial impacts of managing asbestos illegally dumped in the natural environment.
- Health and financial impacts of managing asbestos illegally disposed of through Local Government services, such as kerbside bin systems, vergeside collections and a landfills.
- The significant costs associated with remediation of ACMs in public buildings and government owned housing.
- Managing ACMs during emergency response and recovery.
- Accessing in a timely manner, and the cost of accessing, suitably qualified contractors in regional and remote areas, for example to undertake air monitoring following a fire or to remove friable asbestos.
- Remediation of asbestos contaminated land.
- Community members whose properties are under, or not, insured.
- Ensuring health and safety of Local Government staff and the community where ACMs are present, particularly in regional and remote communities.

WALGA supports the range of actions proposed under the Draft ANSP, in particular:

- **The development of further guidance on management of ACMs during emergency response.**
- **Improvement and promotion of the National Residential Asbestos Heatmap.**
- **The development of incentives to encourage the safe removal of ACMs from residential and commercial properties.**
- **The identification of legacy asbestos in remote communities to inform better management.**

National Action Plan and measuring performance

The Draft ANSP identifies proposed actions, performance measures and targets to support the overall aims, through a National Action Plan aligned to the four priorities and six enablers.

The actions and performance targets are clear, however need to be supported by outlining which agency, tier of government or non-government group has responsibility for implementing the action and reporting on the targets. Further detail on progress against the actions in previous versions of the plan would also be useful in determining whether the specified targets are achievable within the timeframe.

The 'percentage of national actions completed' target of 50% by 2026 and 100% by 2030 for several categories would be strengthened by providing information within the report on anticipated timeframes for each action, whether they are ongoing from previous plans or new actions, and defining who is responsible for implementation.

The 'Increasing level of compliance' target would be better supported by commentary within the report on the current level of compliance, frequency of illegal dumping and illegal imports in order to establish a baseline for reduction.

Recommendations:

Amend the National Action Plan section of the ANSP to include:

- anticipated timeframes for each action
- new or existing status of the action
- responsibility for implementation and monitoring.

Include commentary within the report on current rates of asbestos compliance, illegal dumping and illegal imports to establish a baseline for reduction.

That sufficient resources are available to ensure that the Plan can be implemented.

Asbestos Management System

While all participants have been identified in the updated matrix (Figure 1), further detail is required on the specific roles of each group, as it is unclear which actions sit under Local Government responsibility.

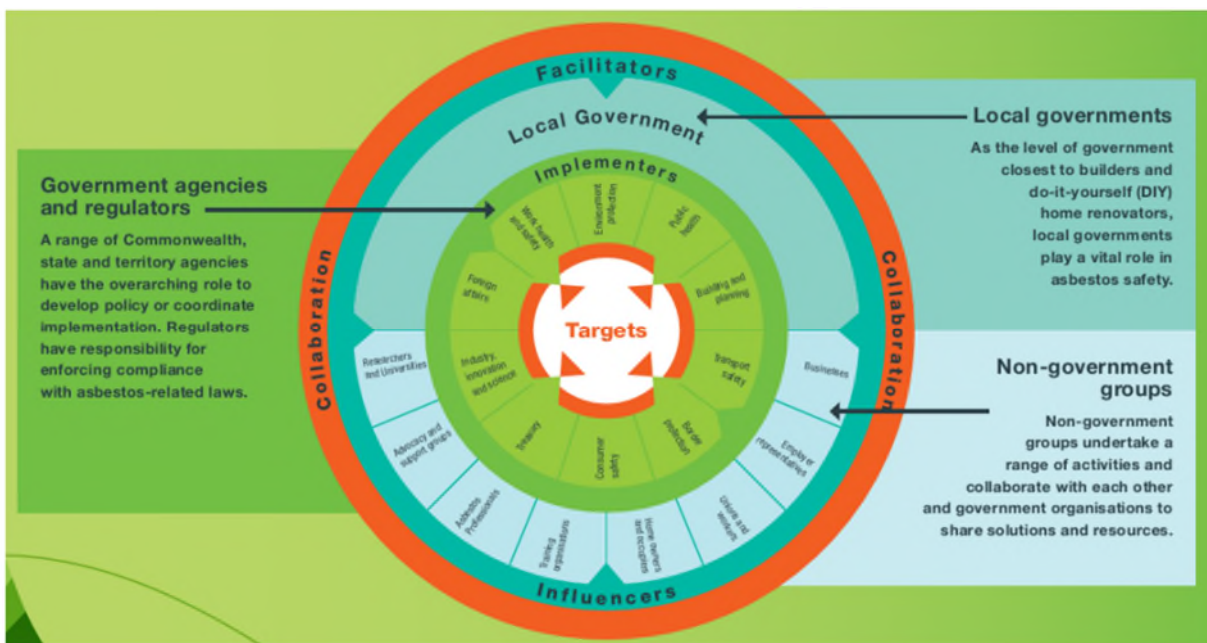


Figure 1: Asbestos Management System, Draft ANSP Phase Three

WALGA understands the intent to simplify the management system from previous phases of the plan, however the matrix used in Phase Two of the ANSP, which clearly specified the roles of each group within the system (Figure 2) is more effective in communicating the responsibilities of Local Government.

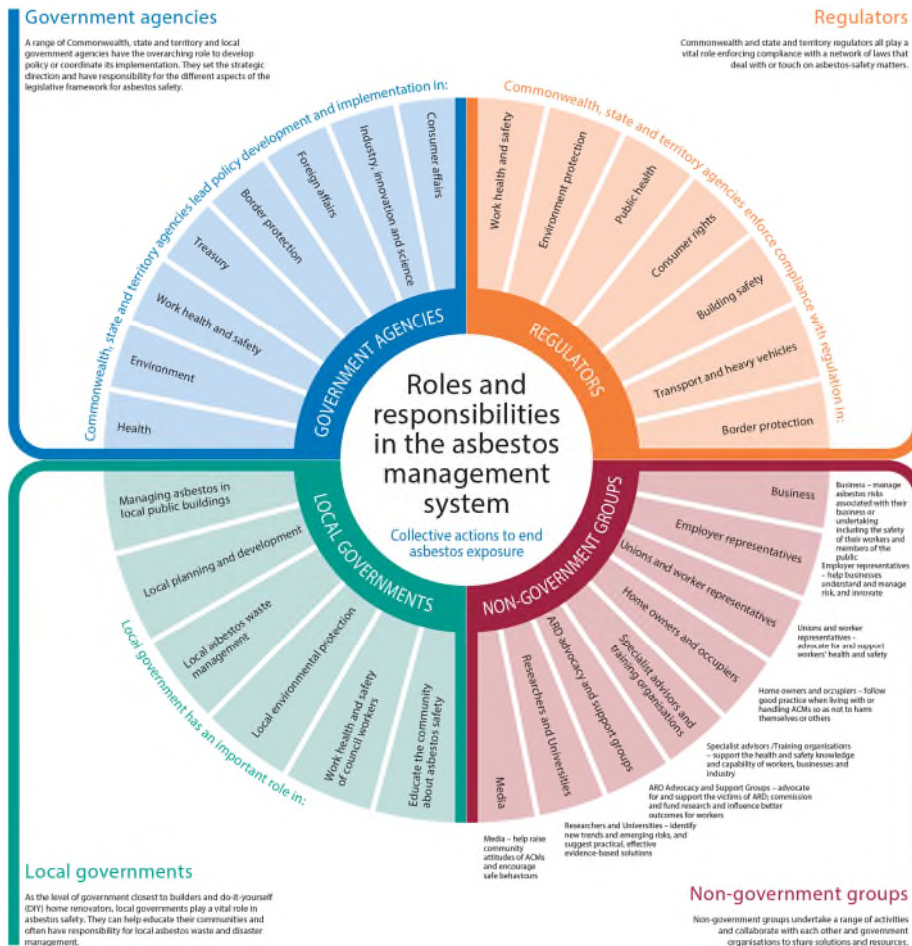


Figure 2: Asbestos Management System, ANSP Phase Two

Recommendation:

Amend the Asbestos Management System section to:

- **Define specific roles and responsibilities for each participant identified within the system, as outlined in the ANSP Phase Two.**
- **Ensure the role of Local Government in emergency preparation, response and recovery is clearly identified.**

Conclusion

Asbestos management is an ongoing and increasing challenge for Local Government, in particular asbestos management during and following emergency events, illegal disposal of asbestos into the environment and through Local Government services and the regulation of asbestos removal industry. Local Governments in regional and remote areas face additional significant and complex challenges, including the limited availability and cost of suitably qualified contractors, large areas of asbestos contaminated land requiring remediation and limited ability to fund asbestos removal and communities where property with asbestos is under, or not, insured.

Local Government considers that a coordinated and collaborative approach, with clearly identified roles and responsibilities and sufficient resourcing, will be essential to address this issue and anticipates the ANSP, and ASEA's, will provide the mechanisms to coordinate and fund national action.