

INSIDE: Asbestosis Compliance & Are You Looking After Your Gas Bottles?

Asbestosis Anyone?

Asbestos Compliance was the 1st January 2008... Are all your buildings covered?

You've heard the horror stories regarding massive payouts to individuals; or maybe you know someone who's contracted mesothelioma or asbestosis? Either way the last thing you need is a tenant, unit owner or contractor contracting a disease as a result of inhalation of asbestos fibres on your building's common property.

As from 1st January 2008 new asbestos laws came into affect. All Asbestos Containing Materials or ACM is now to be included in an Asbestos Containing Materials Register that is kept on site in all buildings approved for construction before 31st December 1990 (which includes most building built during 1991 and some in 1992).

According to the Queensland Government's Workplace Health and Safety website;

Owners of buildings who have not complied with former regulations about the management of asbestos in buildings must now comply with the asbestos management code. Owners of structures that were compliant with former asbestos management regulations have until 1 January 2008 to comply with the asbestos management code.

Continued on page 2

How to have an explosion free BBQ

Some handy information to share with unit owners, committees and onsite managers to ensure that BBQ's are held without fear of incident in the future.

They are an item you don't give a second thought to but LP Gas Bottles have the potential to start fires or small explosions. As barbeques are often located in common property areas of buildings it is essential that proper care is given to these highly flammable items.

A large percentage of fires involving barbeques are due to leaking gas bottles. You need to be sure that a garden hose or other continuous supply of water is nearby at all times when barbequing and that the barbeque is located within 20 metres of a permanent private dwelling.

Please see page 3 for further tips and hints for handling LP Gas bottles.

Continued on page 3

Asbestosis Anyone? Continued from Page 1

Are workplaces like the common property of strata buildings exempt?

Common property fits under the definition of a workplace under the Workplace Health & Safety Act and Regulations and therefore must have an Asbestos Register. There is also a responsibility of the Body Corporate to comply with section 114 of the Body Corporate and Community Management Act 1997 ('the Act'). This section of the Act casts the duty on the Body Corporate to 'administer, manage and control the common property and body corporate assets reasonably and for the benefit of the Lot owners'.

It is also a common law duty of the body corporate not to endanger its occupants, workers and visitors by exposing them to unsafe materials on common property.

As the Workplace Health and Safety Act 1995 defines an owner is as 'a person who has control of or manages a workplace.' If Asbestos obligations are not met then there is an avenue for the Body Corporate Manager as well as the Body Corporate to be pursued.

What about the risk from civil litigation?

The major concern is being exposed to a civil litigation claim from a person who has contracted asbestosis, mesothelioma or another life threatening illness as a result of residing in or visiting a building with an asbestos problem which has not been properly managed. A claim of this nature could result in an award of damages in the hundreds, thousands or possibly millions of dollars. Given that most insurance companies now exclude claims related to asbestos this is a serious problem.

For a body corporate manager to avoid liability or defend itself (if joined as a defendant to any civil claim) it would need to show that it had highlighted the asbestos risk to the body corporate and recommended that the body corporate takes the appropriate steps to identify, manage and where necessary eliminate the risk.

Do the internals of residential units have to be inspected for Asbestos?

No. There is a residential exemption that excludes the internals of residential units.

How does including Asbestos Containing Materials (ACM) change things?

Up until 1st January 2006 only asbestos materials were required to be on your asbestos register. Asbestos Materials are most often found in acoustic and thermal insulation in walls and lagging (insulation) around pipes. In these situations asbestos was used in an almost raw state, which meant that asbestos fibres which are deadly if inhaled, would with very little disturbance get airborne. Asbestos fibres in this state are termed loose and friable.

On the other hand; Asbestos products, which were used extensively in building construction until 1990 and in some cases beyond and include AC sheeting or asbestos cement sheeting used in walls and soffits, floor and wall tiles, roof shingles, super 66 corrugated roofing sheets, electrical switchboard backing boards, fire doors and vermiculite.

Asbestos fibres in asbestos products were deemed until 1st January 2006 to be in a stable state and not a huge health risk. This of course is not true as simple act of drilling a hole through AC sheet releases airborne asbestos fibres.

These changes mean that both asbestos materials and asbestos products must now be on your asbestos register.

By what date must you comply?

The deadline was the 1st January 2008 so the majority of Body Corporate Managers have now complied with the new requirements. If you have not yet done so, now's the time to put a standard motion on all AGM meeting agendas in order to ensure that you are not at risk of civil litigation.

At Solutions IE we can provide you with an asbestos register that includes details of materials presumed to contain asbestos as well as risk assessment and analysis.

Order your hassle free common property asbestos report now by calling 1300 136 036.

How to have an explosion free BBQ Continued from Page 1

Some other handy tips for Small Gas Cylinders include...

1. Store the cylinder in an upright position so that the safety relief device is able to vent.
2. When storing, secure the Cylinder as low to the ground as practical.
3. Dispose of empty Cylinders on a regular basis.
4. Cylinders must be handled carefully and not allowed to fall upon one another, or be subjected to unnecessary shock.
5. Cylinders can only be recycled when they have been degassed, devalued or punctured to indicate their 'gas free' status.

Options for safe disposal of small gas cylinders that have not been de-gassed include;

- Gas cylinder exchange facilities in selected service stations and hardware stores
- Cylinder refilling depots that are usually owned by major gas suppliers
- Local dealers of the gas cylinders



Gas bottles should never be stacked on top of each other in this manner



Cylinders should be stored in an upright position so the pressure relief valve is able to vent

Some handy tips for Large Gas Cylinders (sometimes stored on common property)...

Generally;

- LPG piping must be installed and/or removed by a licensed gas worker.

In regards to refilling they can either be;

- Refilled where they stand by a delivery truck, or;
- The gas supplier collects the empty cylinder and exchanges it with a filled cylinder.

Be sure to keep these cylinders clear of obstruction and try to limit contact with them, particularly with fire.

Solutions ie is constantly reviewing state and national legislation to keep up to date with all aspects of Workplace Health and Safety. Our full time Quality Manager has extensive experience in the industry and our report templates are constantly updated to ensure you comply with WH&S restrictions.

Ordering a report is simple and inexpensive;

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