

STANDING COMMITTEE ON PUBLIC ADMINISTRATION

INQUIRY INTO THE MANAGEMENT OF ASBESTOS-CONTAINING MATERIALS IN WESTERN AUSTRALIAN STATE SCHOOLS

**TRANSCRIPT OF EVIDENCE TAKEN
AT PERTH
WEDNESDAY, 24 OCTOBER 2007**

SESSION TWO

Members

**Hon Barry House (Chairman)
Hon Ed Dermer (Deputy Chairman)
Hon Matthew Benson-Lidholm
Hon Vincent Catania
Hon Nigel Hallett**

Hearing commenced at 12.08 pm

PARR, MR MALCOLM

Acting Executive Director Infrastructure, Department of Education and Training, examined:

PATRICK, MR GARY

Principal Consultant Environmental Health, Department of Education and Training, examined:

The CHAIRMAN: On behalf of the committee, I welcome you to the meeting. You will have signed a document entitled “Information for Witnesses”. Have you read and understood that document?

The WITNESSES: Yes.

The CHAIRMAN: These proceedings are being recorded by Hansard. A transcript of your evidence will be provided to you. To assist the committee and Hansard, please quote the full title of any document you refer to during the course of the hearing for the record. Please be aware of the microphones, which are there for recording purposes and not amplification. I remind you that your transcript will become a matter for the public record. If for some reason you wish to make a confidential statement during today’s proceedings, you should request that the evidence be taken in closed session. If the committee grants your request, any public and media in attendance will be excluded from the hearing. Please note that until such time as the transcript of your public evidence is finalised, it should not be made public. I advise you that premature publication or disclosure of public evidence may constitute a contempt of Parliament and may mean that the material published or disclosed is not subject to parliamentary privilege. Would you like to make an opening statement to the committee?

Mr Parr: We were given some 19 questions, to which we have given due consideration. We are happy to proceed to answer those questions if that is your wish.

The CHAIRMAN: Thank you. Do have written information prepared that you are prepared to table?

Mr Parr: We have written responses for each of the 19 questions. I am more than happy to table that.

The CHAIRMAN: Having tabled the written responses, there is no necessity to read every word. However, I will go through the questions so that we can get an understanding of the content. Have inspection and risk assessments surveys of asbestos-containing materials in all Western Australian schools been conducted in 2007? How many schools were surveyed?

Mr Parr: The number of public schools inspected as part of this asbestos risk assessment process was 765. Following the completion of that, the department was advised by the Department of Housing and Works that four schools were inadvertently overlooked. Those schools are Hopetoun, Leeming, Oberthur and Onslow Primary Schools. Arrangements are in place for the assessment of those four schools to be completed at the earliest possible date.

The CHAIRMAN: How were they inadvertently overlooked? Do you know anything about the background of that?

Mr Parr: No, I do not.

Hon NIGEL HALLETT: Section 2(1) states that the DET witness gave evidence that there are 771 public schools, which means that another two were missed.

Mr Parr: You would appreciate that each year new schools are opened and some schools are closed. The figure that our census showed earlier this year, as I recall, was 769 schools. The evidence that might have been provided to the committee approximately 12 months ago referred to 771 schools, and the census information collected by the department in the early part of this year, as I recall, revealed that the number of schools is 769. There was a net decrease of two schools.

The CHAIRMAN: When were the surveys conducted and completed?

Mr Parr: They were undertaken between November 2006 and July 2007. Following the completion of those assessments and the compilation of the electronic database, the asbestos management plans, together with the risk assessment profile, which was site specific, were distributed to schools in August this year.

The CHAIRMAN: How were the surveys conducted and what methodology was followed?

Mr Parr: The surveys were managed by the Department of Housing and Works. It engaged assessors. As part of the establishment of this process, it was necessary that those assessors be deemed competent people - that is a reference to the occupational health and safety legislation - so it was necessary to train those people. That training was undertaken jointly by the Department of Housing and Works and the Department of Education and Training. Following that, the assessors proceeded with the assessment. It was a visual assessment that examined the condition of the asbestos cement product and its potential to be disturbed. For example, if it was clearly a very aged piece of asbestos sheeting that might have held lichen growth on it and it was in a location where the bough of a tree would brush against it if there was wind, that would be deemed to be at a higher risk than if it was asbestos cement sheeting that had not incurred any significant erosion and was not likely to be in contact with vegetation. So it was a visual inspection and measures taken on those criteria, and those criteria were used to form a risk assessment matrix. I think colleagues from the Department of Housing and Works earlier today may well have spoken to that information on that matrix.

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[12.15 pm]

The CHAIRMAN: Yes, we have just heard from the Department of Housing and Works and they have described the matrix, which comes up as a result of the next question. Most of it has probably been covered already, but we will ask you for your perspective. Were any ACMs - asbestos-containing materials - given a risk rating and were any of these ACMs given a risk rating of one, which is the critical one we are looking at, because the matrix seems to have been turned on its head? What was nine is now one -

Mr Parr: Correct.

The CHAIRMAN: - requiring the immediate removal. Where were these ACMs located - that is, at what schools and in what building materials, fences, ceilings etc - and approximately what percentage of ACMs were given a risk rating of four and below, as you were talking about, which requires the responsible party to remove it when practicable or take remedial action?

Mr Parr: Each of the ACMs was given a risk rating, as you described, from one to nine, with one being the highest and nine the lowest. At the completion of the process, there were 64 components with a risk rating of one or two. The majority of these related to trees and vegetation brushing against an asbestos cement sheet, and others related to asbestos debris found at the school. This was typically at ground level in the soil. It might have been where a sheet of super six fencing had been broken previously and there were remnants of asbestos in the soil nearby; that sort of thing. And so the actions taken in each case were to prune the necessary vegetation - foliage, tree boughs and that sort of thing - away from the areas where that was the cause; or, alternatively, to collect

and remove remnant asbestos debris that might have been found at the ground level. I do not have available today the schools and the particular building materials. Suffice to say that it was asbestos cement sheeting. Just what position it was in, whether it was a fence, whether it was wall cladding or the underside of eaves, I am not able to advise today.

The CHAIRMAN: If that material is available, are you happy to provide it to the committee after the transcript has been circulated for your correction?

Mr Parr: Yes.

Hon ED DERMER: On that theme, I am interested to find out in particular how many components at risk rating three and four were also found, and I wonder whether it might not be simplest for us to ask the department to provide us with the full set of results from the survey.

Mr Parr: May I respond?

The CHAIRMAN: Yes, certainly.

Mr Parr: If you go to the last sentence in our written response to this question, I think some of those issues are answered. In terms of recording risk against particular asbestos cement products in schools, there were more than 21 000 data entries; and 481, or approximately two per cent, of these were deemed to have a risk rating of one to four inclusive.

The CHAIRMAN: Is it possible to get that extract from your 21 000 data entries?

Mr Parr: Of those with a rating of one to four?

The CHAIRMAN: A rating of one to four.

Mr Parr: I would expect so. We would be relying on the Department of Housing and Works, but I think it would be available.

Hon ED DERMER: What would be helpful there would be if we had a figure for each one - one, two, three and four - if that is possible.

Mr Parr: Yes.

Hon ED DERMER: Thank you.

Mr Parr: If I understand how the database is arranged, it will be more than schools. At a particular school there might be six components, for example, making up the 481. So the 481 does not necessarily equate with the number of schools; it is the number of instances where that sheet of asbestos was deemed to be of that risk rating.

The CHAIRMAN: If you divide 21 000 by 700, that gives you a rough idea of how many asbestos materials on average there would be for each school, although that would vary of course.

Mr Parr: And also appreciate that asbestos cement products have not been in manufacture for the best part of 20 years; so, of the 769 schools, those constructed in the latter part of the 1980s and beyond do not contain asbestos cement products.

Hon ED DERMER: If the mean might be about 30, then the range would vary enormously from new schools to old schools.

Mr Parr: Yes.

The CHAIRMAN: Okay; we will just move on with the questions. What asbestos maintenance, repair and removal work was undertaken during this survey period?

Mr Parr: This survey was designed to assess risk, and no asbestos structural maintenance work nor repair nor removal was undertaken as part of this process. The remedial action that was taken is answered in the previous question insofar as the removal of vegetation and also the removal of asbestos debris, but no structural maintenance, repair or removal was undertaken as part of this process.

The CHAIRMAN: This is digressing a little, but in the process of this survey, where remedial action was identified as being necessary, what was the process? It is identified by the Department of Housing and Works or their contractors and the information comes through to you, Then what is the process of getting it attended to?

Mr Parr: The private sector - I will call them private sector - risk assessors did the visual inspection and fed the information into the Department of Housing and Works. That created the risk assessment matrix and hence a rating. The Department of Housing and Works then liaised with the Department of Education and Training in respect of those items that were deemed to be requiring attention, and that work was undertaken, as I say; namely, removal of the vegetation and the collection of asbestos debris. In the process that was run, there were just two items that required attention other than that, and they are detailed at the top of page 3. One is Gnowangerup District High School, where in the manual arts area there was a heat board or a heat mat on a workbench, which had been there for many years. It is understood it was installed by the school and it contained asbestos cement products. Arrangements have now been made to have that replaced; and until such time as that occurs, the school has been requested to not use that bench. The other item that had a risk rating of two is located at the former agricultural research station at Salmon Gums, which is now part of Esperance Senior High School's farm holdings. The walls on a particular house at that former research station were deemed to be ranked two.

The CHAIRMAN: Okay. I think we are up to question 6. Was air monitoring for the presence of airborne asbestos fibres conducted? If so, why and where was this done? Did any asbestos fibre counts exceed the national standards?

Mr Parr: As part of this process no air monitoring was undertaken. This process was not designed to be measuring fibres in the air but, rather, to be assessing the condition of in situ asbestos cement sheeting; and, secondly, to assess what the potential was for the disturbance of that. Hence, air monitoring was not undertaken, but a risk assessment matrix was established involving, I guess, two variables: the condition of the product and also the potential for disturbance.

The CHAIRMAN: So was there any air monitoring done at all?

Mr Parr: No.

The CHAIRMAN: In the past year?

Mr Parr: In respect of this process?

The CHAIRMAN: In respect of this process, but was there any done in respect of any particular incident?

Mr Parr: Over time, when an incident does occur at a school, there are occasions when air monitoring is undertaken to determine whether there is an elevated level of asbestos cement fibres in the atmosphere. I think I would say that in all the air monitoring that has been undertaken at various schools over many, many years going back to 1991, when the committee on Western Australian hazardous substances undertook their research and undertook an enormous number of hours of air monitoring, the incidence of asbestos fibres in the air has not exceeded the standards whereby those levels would be a concern.

The CHAIRMAN: Okay. Do you have any really accessible data on the air monitoring that has been done?

[12.30 pm]

Mr Parr: I would certainly draw your attention to the report of 1991, I think it was, by the Western Australian hazardous substances committee. My recollection is that something in excess of 700 hours of air monitoring was undertaken at something like 13 schools, and it did not have any positive results in terms of identifying significant levels of fibre. More recently, in fact in the first part of 2006, the parent group at Hillarys Primary School expressed concern about the condition of

some of the asbestos cement sheeting at that school. The department agreed to undertake some air monitoring at that school at a time and at locations determined by the school. Four external monitors and one internal monitor were placed at the school. The air monitoring was conducted and no asbestos fibres were collected at any of the five sampling stations. Further, the air quality of the schools was at least 10 times better than the Australian national exposure standard. They are two examples that demonstrate that air monitoring has, over the years, not identified heightened levels of asbestos fibres in the atmosphere in the vicinity of the schools.

Hon ED DERMER: If you took five samples and in each of the five samples no fibres at all were found, and then you looked at the Australian standard, which presumably has a certain concentration of fibres in the air, how can it be 10 times clearer if it has no fibres at all? I would have thought that, mathematically, to be 10 times better than the standard, it would at least have to have some fibres to work out the 10 to one ratio.

Mr Patrick: The threshold fibre count for the national exposure standard for all asbestos types is 0.1 fibres per millilitre of air. If no fibres were detected, or if fewer than 10 fibres were detected, the air monitoring is reported as less than or equal to 0.01 fibres per millilitre.

Hon ED DERMER: In all those cases were no fibres detected?

Mr Patrick: No. The reports showed up fewer than 0.01 fibres per millilitre of air, which is one-tenth of the Australian exposure standard.

The CHAIRMAN: We will move through the body of questions. The seventh question has been partially answered. Is an updated global asbestos register of ACM materials in schools with a risk rating being recorded and maintained? Who enters those risk ratings and other data? Who maintains the asbestos register? Does each school keep an asbestos register on site?

Mr Parr: The consolidated global asbestos register is held by the Department of Housing and Works, which is responsible for maintaining the register. Members must appreciate that the database was established only several months ago. It is proposed that when major capital works or maintenance works are undertaken at schools, the register will be updated to record, where appropriate, the asbestos cement products that have been removed from the location, if that is the case. Finally, each school has a hard copy of an asbestos management plan, which comprises two components. The first component is some generic material, which describes how asbestos cement products should be managed in a school setting. The second component is the site-specific risk assessment rating. Each school has a hard copy of that. They were distributed in August this year.

The CHAIRMAN: I take it that this is the first comprehensive survey of this type. When will the next survey of schools take place, and how often are the surveys conducted?

Mr Parr: Your assertion is not absolutely correct. A major survey was undertaken in 1999. At that time, the legislation did not require a risk assessment; it required location identification. That survey was undertaken by the department in 1999. Subsequently, the legislation was expanded to include the need for a risk assessment element, and that was undertaken as part of this survey. The next survey is anticipated to be undertaken in 2009-10, and at two or three-year intervals thereafter.

The CHAIRMAN: What has been done in relation to asbestos risk that is reported and detected between surveys?

Mr Parr: That is managed on behalf of the Department of Education and Training by the Department of Housing and Works through what we refer to as its “breakdown maintenance” or “faults maintenance” process. When an incident occurs, the principal or his or her nominee will report that incident to the Department of Housing and Works via a call centre. The incident could be the result of damage caused by vandals over a weekend that is discovered on the following Monday morning when people return to school, or it could be because of a cricket ball going through some panelling at lunchtime. Work on incidents involving asbestos is remediated via the faults management process.

The CHAIRMAN: That would only happen with a batsman of the calibre of Hon Matt Benson-Lidholm! Who conducted the asbestos surveys? What minimum qualifications did these persons have? Was each person who removed asbestos licensed to do so?

Mr Parr: The contractors were engaged by the Department of Housing and Works. Their prerequisite experience was they had a good knowledge of occupational safety and health and risk management techniques, or a background in building. As I said earlier, they undertook some specific training, which was administered, in large part, by the Department of Housing and Works prior to commencing the actual survey work. None of the contractors was involved in either the removal or the repair of asbestos cement products as part of this process; it was a visual assessment only.

The CHAIRMAN: Did the department conduct information and training sessions - you have partly answered that - for persons who surveyed, handled or removed asbestos in 2007, and are these sessions held regularly?

Mr Parr: My answer to the previous question in part answered that insofar as the Department of Housing and Works arranged for training for these assessors. Training for assessors in the future will be provided on an as-needed basis.

The CHAIRMAN: Does the department have personnel in the field who regularly monitor the work quality and practices of persons who survey, handle or remove asbestos at schools?

Mr Parr: The risk assessors or contractors were engaged by the Department of Housing and Works, and that department undertook quality checks on the assessments. The department ensured and satisfied itself that there was some consistency in the assessment, and hence reporting.

The CHAIRMAN: How was methodology of the surveys developed, and why was this methodology followed?

Mr Patrick: The methodology was developed jointly with the Department of Housing and Works. We felt that it employed the sound principles of risk management. We were looking at the condition of the material and the potential for disturbance. Traditional risk management looks at probability and severity. We already know the severity of the outcome of asbestos exposure. Therefore, that criteria could not fit into the matrix; we could not have three criteria. Therefore, the probability of disturbance and the condition, which is basically the severity of any deterioration, were the two criteria that we selected. Given that a visual inspection only was conducted, those two criteria were felt to be more than enough to give rigour to the risk assessment.

The CHAIRMAN: With reference to Mr Dudman's letter, dated 26 August 2007, of which a copy was provided to you, what is your response to his statement that asbestos kills people and that one fibre is enough?

Mr Parr: The department's position is consistent with that of the general scientific community; that is, the risk to health due to the exposure to asbestos cement products is both dose and response related. The assessment of risk is dependent upon the level of exposure and the duration of time for which that exposure was in play. The workers who worked at Wittenoom some 40 or 50 years ago were in a very different environment from those who live in metropolitan Perth today. It is about dose and length of exposure.

The CHAIRMAN: You draw on the general scientific community's view. Can you indicate to the committee any specific research that you have used as the basis for that view?

Mr Parr: Yes. I refer the committee to the report of the 1991 Western Australian Advisory Committee on Hazardous Substances, which contained a number of eminent medical researchers, including Dr Bill Musk. The committee's work included an assessment of scientific knowledge and scientific findings at that time. It is the opinion of the Department of Education and Training that the body of science on this matter has not changed in that time.

The CHAIRMAN: Earlier today, the Department of Housing and Works indicated that it relied quite heavily on advice from a Mr Foley, who was an environmental consultant, I believe for Coffey or something or other. Is that advice familiar to the Department of Education and Training?

Mr Patrick: Yes. Mr Foley was involved in the WAACHS report. The report that Mal refers to is consistent with a plethora of other scientific documentation in the scientific and medical communities; that is, it is a dose and response-related issue. Mr Foley's position is amenable to the position that it is dose and response related.

The CHAIRMAN: As a general point, are you able to provide some of this general scientific research that supports the contention that it is, as you say, dose and response related?

Mr Patrick: I would have to go back through my library. There are more than two million items on the web related to asbestos management and various positions. A lot of papers have been produced over many years. I am sure that we can produce some documentation to that effect.

Mr Parr: If the committee members would like to refer to the reference list at the rear of the publication of the Western Australian Advisory Committee on Hazardous Substances of 1991, that would prove to be a valuable source of scientific knowledge.

The CHAIRMAN: Thank you. Are surveys conducted in compliance with the code of practice for the management and control of asbestos in workplaces?

Mr Parr: Yes.

[12.45 pm]

The CHAIRMAN: Is there a clear delineation of roles and responsibilities between different government departments and officers in relation to the management of ACM in schools? Please explain the respective roles of the Department of Housing and Works and your department.

Mr Parr: I contend that there is a clear delineation. The difference between the roles and responsibilities of those within the Department of Education and Training and those in the Department of Housing and Works is that in the Department of Education and Training the role is predominantly at a strategic level, to determine when assessments will be undertaken, and what course of action is to be taken in response to a particular incident, having taken technical advice, whereas our colleagues in the Department of Housing and Works work at a more operational and implementational level. They provide technical advice to the department.

The CHAIRMAN: The next question relates to the Auditor General's report. Does the Department of Education and Training's management plan address the concerns expressed in the Auditor General's fourth public sector performance report from September this year? The Auditor General found that the Department of Housing and Works management plan lacked a communications strategy, a timetable for action, management options and reasons for decisions, and the Department of Education and Training's management plan lacked a timetable for action, management options and reasons for decisions.

Mr Parr: I would like to table a copy of some correspondence back to the Office of the Auditor General, which is dated 15 August 2007.

The CHAIRMAN: Is that a letter from the department to the Auditor General?

Mr Parr: Yes, under the signature of the deputy director general. That correspondence addresses the issues raised by the Auditor General.

The CHAIRMAN: Has asbestos risk management training for new principals as part of the induction process taken place in 2007? Has there been periodic refresher training for existing principals?

Mr Parr: All principals were involved in training from November 2006 to May-June of 2007. All principals were involved in the training process during that time, and an arrangement is in place for

people who are assuming the role of principals for the first time in 2008. As part of the induction process for those newly appointed principals and first-time principals, it will be a repeat of that training regime for those people in the first half of 2008.

The CHAIRMAN: Do Western Australian school buildings comply with the requirements of the Occupational Safety and Health Regulations 1996?

Mr Parr: With regard to asbestos cement products?

The CHAIRMAN: Yes.

Mr Parr: The answer is yes.

The CHAIRMAN: I have a question on the letter to the Auditor General that you tabled, in response to his findings. Do you have any objection to this committee making that letter public?

Mr Parr: No.

The CHAIRMAN: In relation to the previous question again, in correspondence to this committee, Mr Dudman, former president of the Carine Senior High School Parents and Citizens Association, has asserted, I believe in relation to the Occupational Safety and Health Regulations 1996, that government departments such as yours are breaking the law in not complying with those requirements. Do you have a response to that?

Mr Parr: Yes, my response would be that a good deal of attention was given to an incident at Carine Senior High School in the latter part of 2005, with which Mr Dudman is familiar. WorkSafe was called in to consider that situation. Two improvement notices were issued. I contend that WorkSafe, in monitoring the Department of Education and Training's training against the Occupational Safety and Health Act, was concerned about just two items. They were that the asbestos registers held in schools did not contain the risk assessment element - that was the primary purpose for undertaking this survey during 2006-07 - and that no training procedure was in place to ensure that principals in schools were aware of their roles and responsibilities in the management of asbestos cement products. I would contend that, given that WorkSafe identified only those two issues and now they have been rectified, the department is compliant with that legislation, particularly when the reason for calling WorkSafe to that site was the result of an incident with tree boughs brushing against some facia asbestos. It was a physical incident. Attention was given to that, and then they focused on, if you like, the other issues that departments need to be compliant with, which I contend are more administrative than physical, on a site. They have now been complied with, so I would answer yes, we are compliant. The department is complying.

The CHAIRMAN: Has WorkSafe become involved in any other incident apart from the Carine Senior High School situation, in terms of giving work orders or improvement notices in relation to asbestos containment?

Mr Parr: Yes, there would be instances where that has occurred.

The CHAIRMAN: Do you have any idea how many?

Mr Parr: I can think of those in which there has been a major fire; for example, in a case some years ago in which a classroom block at Warwick Primary School was totally lost in a quite major fire. It is not unusual in those circumstances for WorkSafe inspectors to examine those situations. There are undoubtedly others.

Mr Patrick: I think, from memory, Hillarys Primary School might have attracted a notice around the same time as the Carine issue. That was in relation to the risk assessment aspect as well. I am pretty sure that that is the case.

The CHAIRMAN: Once again, would you have readily accessible data on WorkSafe's involvement in your buildings?

Mr Patrick: If they were involved, we would have records of the notice being issued to us.

The CHAIRMAN: Would you be able to provide them to the committee?

Mr Parr: We can do that, if that was indeed the case. I recall asking WorkSafe the general question; I am not sure whether I asked the specific question, but we can maybe follow that up.

Hon ED DERMER: The questions I would like to ask relate to your responses to question 4. Your answer states that action was taken to address all of the high-risk items, and as a result only two items remain to be resolved. Can I assume from that that 62 of the 64 instances of ACMs rated at one or two have now been addressed, and hopefully rendered to a condition in which they would no longer be categorised as one or two?

Mr Parr: Yes, you can assume that.

Hon ED DERMER: The other two will be dealt with in a matter of weeks, as I understand it.

Mr Parr: Certainly Gnowangerup. I do not have the information available readily.

Hon ED DERMER: Could you provide us with the information on Salmon Gums?

Mr Parr: Yes.

Hon ED DERMER: What then leaves me concerned is the asbestos-containing materials that were categorised as three and four, and what action is proposed to be taken on taking a careful look at those materials, or otherwise taking steps to address potential concerns. I understand you are looking at in excess of 400 instances in categories three and four.

Mr Parr: Yes.

Hon ED DERMER: I just wondered what plans the department has for those instances.

Mr Parr: They will continue to be monitored through the building condition assessment process, which is a separate process. This process is basically to measure the maintenance condition of all school premises. It is undertaken roundly every 18 to 24 months. With the knowledge of this risk assessment, inspectors are well placed to continue to monitor those items.

Hon ED DERMER: Within that process, can you tell us how frequently asbestos-containing materials classified as either three or four will be re-examined?

Mr Parr: A visual inspection would form part of the building condition assessment process.

Hon ED DERMER: How frequently does that occur?

Mr Parr: Every 18 to 24 months. Of course, in the risk assessment process, they would certainly be inspected again at the time of the next asbestos cement risk assessment process, which, as I said earlier, is planned to occur every two to three years. The other aspect that will prevail will be on-site monitoring of that situation by school personnel, to the extent that the position deteriorated or vegetation grew and made contact with that particular sheet.

Hon ED DERMER: Have the principals been alerted to the occurrence of level three and level four asbestos-containing materials in their respective schools?

Mr Parr: Yes, by virtue of the fact that the site-specific risk assessment for every school is in each school.

Hon ED DERMER: Is that report given to the principal of each school?

Mr Parr: Yes, there is a hard copy in each school.

Hon ED DERMER: I imagine they will be able to be guided by that report as to which areas to keep an eye open for.

Mr Parr: Yes.

Hon ED DERMER: You talked earlier about the decision to carry out air monitoring at Hillarys Primary School. What was the sequence of events that led to that decision?

Mr Patrick: A complaint or query was raised by a member of the parents and citizens association about the structure of the internal walls of the library. I inspected that facility and was of the opinion that it was not asbestos-containing material. The member of the P&C was not convinced. We got in a builder with 35 or 40 years' experience, and he stated that it was not asbestos cement. The member of the P&C was still not fully convinced, so I took a sample and had it analysed at the laboratory. The lab technician, upon receipt of the material, said that it was not asbestos cement, but then he put it under the microscope and found chrysotile asbestos. Fortunately, this was one of only a handful of schools where the internal walls were made of material that was in the transition phase when Hardie phased out asbestos and replaced it with a cellulose product. It contained only a very small percentage of chrysotile - somewhere in the vicinity of two per cent. These materials were commonly referred to as HardiFlex. There was a common belief, certainly in some elements of the building industry, that because they were HardiFlex, they were asbestos free, when in fact they were actually in the transition phase from 1964 to 1965 to around 1985 when Hardie phased out asbestos and replaced cellulose as a binding agent within the cement matrix. As a result of that finding, there was, I believe, a further complaint made to WorkSafe, and that is where I think the order originated to basically have in place the risk assessment done. That was done along the lines of the Carine response as well.

[1.00 pm]

Hon ED DERMER: I understand that chrysotile asbestos is the more scientific name for white asbestos; is that correct?

Mr Patrick: That is correct.

Hon ED DERMER: In that Hillarys site, is it possible for you to provide the committee with the report of asbestos-containing materials at the Hillarys Primary School in terms of the risk grades attributed to each of the asbestos-containing materials that were found there?

Mr Patrick: Yes, we can do that.

Hon ED DERMER: Thank you. Does the department see any role for air monitoring any of the asbestos-containing materials that continue to be located at the schools?

Mr Parr: Not at this stage, no.

Hon ED DERMER: Is it not being considered in terms of being a worthwhile thing to do in schools where there might have been a level three or some other indication of a borderline example?

Mr Parr: I think I would frame my response in terms of: there is an ambient level of asbestos fibre in the air. It is a very stable substance. It is not radioactive or anything of that nature where it is emitting something. It is only upon disturbance that you are likely to get the emission of fibre into the air. The super 6 asbestos fence alongside my house is a quite stable product, unlike a radioactive material. I suggest that you would find that the ambient level of asbestos fibre in the air in the vicinity of my house is no different from what it would be elsewhere.

Hon ED DERMER: I suppose what I am getting at is this: with the best will in the world to achieve comparability in the reporting from the eight inspectors who looked at the 21 000 AC materials inspected, there is a degree of arbitrariness, is there not, whereby you decide which square in the matrix to assign to each AC material? I can understand what you have done; you have addressed the issues for categories 1 and 2. If my children were at a school where there was a high incidence of 10 or more ACMs that were category three, I would be concerned, and I would want to have that school carefully monitored. If you addressed all the incidences of levels one and two, logically, the most outstanding risk is that where there are instances of level three. If there was a school where there was a higher number than usual of AC materials or volume of each of those materials at level three, has the department considered any special case for careful monitoring of such schools? Would air monitoring be an appropriate tool to use in those instances?

Mr Parr: The department has responded in some instances where a particular school's administration or parent community has drawn attention to what they perceive to be an issue, or alternatively there has been a minor incident. Hillarys is the case in point. There is a concern among some of the parent community about the condition of the school, which is some 35 years old. The building fabric contains asbestos cement cladding, so air monitoring was agreed to in an attempt to, I guess, allay the concerns. In other instances where there has been a minor incident, air monitoring has been agreed to and undertaken, always with negative results.

Hon ED DERMER: Does "a minor incident" refer to some disturbance of material?

Mr Parr: Yes; it could have been a minor fire; it could have been a breaking and entering situation in which some panels were damaged as people were entering the building - those sorts of things. I suppose the other thing to consider is the cost effectiveness of undertaking air monitoring on a wider scale than where there is a strongly held view by a school community that there is a risk there or, alternatively, in instances other than where there has been some sort of incident. As I said earlier, there have been literally hundreds of hours of air monitoring undertaken at our schools. I cannot recall an instance in which the level of asbestos fibre in the air anywhere near approached the levels specified in the standards.

Hon ED DERMER: If each school has been assessed for multiple asbestos-containing materials where such materials do exist, and there is a score from one to nine on each of these - you have addressed all the ones and twos, which is fine - has the department decided to inform perhaps the parents and citizens organisation for each school what the profile was for their school?

Mr Parr: I am not aware of any action in that regard. I imagine that in many schools the principal would inform the parent body, typically the P&C association, on receipt of the asbestos management plan, which has a site-specific risk assessment profile attached to it, that that has been received, and there might be some discussion at the P&C level, but there has been no broad communication to parents or to P&C associations in that regard.

Hon ED DERMER: Each principal is given a profile for that school, including how many ACMs were in the school and the category for each ACM in the school, and it is then up to the principal to decide whether to communicate that information to parent representatives. Am I right in understanding what you have been saying?

Mr Parr: I think that is probably a reasonable description of how it probably works in most schools.

Hon ED DERMER: But you can confirm that each principal has been given the profile for their respective school?

Mr Parr: Absolutely. The asbestos management plan is now in every school.

Hon ED DERMER: That plan lists all the ACMs -

Mr Parr: It contains two components. One is a generic narrative of how to manage asbestos cement products. The other is a site-specific profile of the risk assessment for that school.

Hon ED DERMER: Which would list each of the ACMs for that school and what its risk category number is?

Mr Parr: That is correct.

Hon MATT BENSON-LIDHOLM: With regard to what exists in schools, when I was involved in the education system, something that was actively promoted by the department, and probably the union also, was the need to have occupational safety and health officers in schools. Obviously, in a one or two-teacher school, the principal does everything, so the training of the principal in that regard is fine. However, I am thinking about some of the bigger schools in the metropolitan area that may be ageing and have possible issues with asbestos-containing materials. Is there a need to

have training of occupational safety and health officers to, if you like, advise the principal about the need to look at situations that may prevail in particular schools?

Mr Patrick: It is not the role as such of the department, as an employer, to train safety and health representatives, because they represent their fellow employees. Having said that, it is certainly the department's responsibility under the Occupational Safety and Health Act to provide all necessary training. However, the nature of the asbestos issue is not simple; it is a very complicated area. The level of training that would be needed to address the issue of getting safety and health reps involved in the asbestos issue I do not think would be accessible. Certainly, there is a perception that it is not the role of safety and health reps to undertake activities on behalf of the department. That necessarily would not be received well if we said, "We'll train you in asbestos management so you can look after these issues for the department."

Hon MATT BENSON-LIDHOLM: I was thinking more of an advisory capacity. I take your point that perhaps this is an internal sort of thing. However, in terms of keeping principals informed, I would have thought that the department has a duty of care to everyone. Perhaps in terms of spreading the load of administrative tasks in a school, maybe it would be a good idea for principals to be able to delegate particular tasks to people who might have this role or position in a school. I see a duty of care on behalf of the department, obviously going through the principal. However, in some respects, if we take some of the bigger schools around the place, there may well be an issue there. I am not saying for one minute that occupational safety and health officers need the sort of training that inspectors have, but certainly in terms of some sort of advisory capacity, it might be perhaps even a goodwill gesture on the part of the department to have some sort of focus on these officers just as a precautionary sort of mechanism.

Mr Parr: In our training, did any schools send more than the principal; in other words, were they represented by two or three people? In some cases, was it the principal's nominee who was represented, for the reasons that the committee member has outlined, to try to spread the load?

Mr Patrick: In the main, the training that was delivered was part of the briefing session that principals normally received. They had a number of topics to cover, one of which was asbestos management and their role and responsibilities. In some cases, there were deputy principals there as well. However, we will capture, for want of a better word, all those people in forthcoming training. In providing training to specific people out there, other than the principals or the site administrators, the position I hold as principal consultant environmental health is well known; it is also well known, and it was conveyed in the training session to principals, that if they need information or any of their staff have queries about the asbestos cement issue in their school, they can always contact me and I will provide that information. It is hoped that down the track the department will have a website for our particular directorate. Although some work has been done on that to date, it has not become active, but, hopefully, if that does eventuate, there will be a lot of information on the department's website, so that staff can access that as another medium for getting that information out there without direct training.

Hon MATT BENSON-LIDHOLM: In respect of agricultural-style schools and some of the country schools on larger properties such as some of the farm sites - I mention places like the Gnowangerup Training Centre; I see the Gnowangerup District High School was mentioned; Mt Barker Community College; and some of the ag schools - did the assessments of those sorts of places include farm buildings that might have occasional uses for staff and students or even people coming in and working at the schools? A lot of farms and those sorts of places were donated or bought with lots of old buildings with perhaps asbestos materials in them. Were those sorts of things also assessed in the work done on the 765 sites?

[1.15 pm]

Mr Parr: My understanding is that it was a very comprehensive survey and included all buildings that would contain asbestos cement. In fact, further, if the assessors were not sure whether the

product was asbestos cement, they should make the assumption that it was and then assign it a risk assessment.

Hon MATT BENSON-LIDHOLM: Part of their brief obviously was to traipse around some of these schools, no matter how large and arduous the task may have been; they had to do exactly that. Obviously, hay sheds and all those sorts of things are very important in the completion of a satisfactory process.

Mr Patrick: Part of the protocols that we covered in the training was that the assessors, upon meeting with the principal or site administrator upon arrival, were to get hold of a copy of the site plan. Every school has one as a result of their emergency response procedures. The site plan details all the buildings within the school site, and that was used as the basis for making sure that they covered every building on site.

The CHAIRMAN: A couple of the questions referred to asbestos maintenance, repair and removal work and who does that work. Could you also provide us with details of any asbestos removal work done in 2007, not just as a result of this survey?

Mr Patrick: We would have to refer that back to the Department of Housing and Works.

Mr Parr: The Department of Housing and Works may be a more appropriate agency to put the question to.

The CHAIRMAN: Yes. We would like information on what was done, who did it and whether they were licensed, basically. This may be in the same category, but I am not sure whether you or the Department of Housing and Works would have information on the specific instances in which air monitoring in schools was used in 2007 in any capacity.

Mr Patrick: We do. In relation to contractors who remove ACM, there is no licence arrangement as such for normal asbestos cement product. That may change with WorkSafe amending its criteria for asbestos cement roofing. I believe that is going to be reduced to 10 square metres; anything greater than that will require licensing. However, in terms of the code of practice, all the person has to be is competent. One would argue that a builder in the building industry with 30 or 40 years' experience would be competent to handle ACM. The licensing comes into it only when there is friable material. If you are seeking to find out whether they are licensed, that information will not be there.

Hon ED DERMER: Friable material?

Mr Patrick: Friable material requires licensing.

The CHAIRMAN: Not a cook-up!

Hon ED DERMER: I was not familiar with the term, so thank you.

Mr Parr: Typically, it was what we referred to as limpet asbestos, whereby it was sprayed on as a lagging on pipe work and mechanical plant, shipping and that sort of thing.

Hon ED DERMER: It is the outer layer and not part of the actual product, so it is most likely, therefore, to release fibres.

Mr Parr: That is a very different circumstance, I can assure you, compared with asbestos cement sheeting, which is about 88 per cent cement.

The CHAIRMAN: Do you have anything to say in conclusion or are there any additional comments that you wish to make?

Mr Parr: What I would say, Chair, is that the department takes very seriously the management of asbestos cement products in our schools. The safety and wellbeing of our staff and students are paramount, and we would hope to manage this circumstance accordingly.

The CHAIRMAN: Thank you. As I mentioned before, the Hansard transcript will be provided to you for checking and correction, if necessary. It will also provide a guide to you on further information that you have agreed to supply the committee.

Mr Parr: Can you advise when that might come through? Obviously, the sooner it comes through, the sooner we can get to it.

The Committee Clerk: More than likely we will have it this afternoon or tomorrow morning.

Mr Parr: That is efficient.

The Committee Clerk: I will have it out to you tomorrow.

Mr Parr: Thank you.

The CHAIRMAN: Hansard are very efficient people.

Mr Parr: I was not suggesting otherwise.

The CHAIRMAN: Thanks very much, Mal and Gary.

Hearing concluded at 1.20 pm.
