

Australian Capital Territory

Building (asbestos code - asbestos removal control plan) Determination 2006

Disallowable Instrument DI2006-174

made under the

***Building Act 2004*, s 139B (1) (Asbestos code)**

EXPLANATORY STATEMENT

The *Building Act 2004* (the Act), at section 139B (1) (as amended by the *Asbestos Legislation Amendment Act 2006*), provides the Minister may approve, in writing, certain codes of practice for the purposes of the Act. The purpose of the codes of practice may be to set out practices, standards and other matters about building work if the work involves the use, handling or disposal of asbestos.

Section 29 (1) (d) of the Act (as amended) requires that if an asbestos removal control plan is required to accompany a building application—the plan complies with the asbestos code.

This instrument establishes the asbestos code of practice in relation to an asbestos removal control plan, in that it must contain, as a minimum, certain information in regard to -

- the method proposed to be used to remove the asbestos;
- the approximate quantity and kind of asbestos to be removed;
- the equipment proposed to be used to remove the asbestos, including any personal protective equipment; and
- details of a program (prepared in accordance with the *NOHSC Code of Practice for the Safe Removal of Asbestos*, published by the Office of the Australian Safety and Compensation Council) for monitoring airborne asbestos.

This instrument also provides that the asbestos code and any other related documents are to be made available for inspection by members of the public between 9am and 4.30pm on business days at the ACT Planning and Land Authority shopfront, Dame Pattie Menzies House, 16 Challis Street, Dickson