



Victoria Government Gazette

No. S 567 Friday 14 December 2018
By Authority of Victorian Government Printer

Occupational Health and Safety Act 2004

OCCUPATIONAL HEALTH AND SAFETY REGULATIONS 2017

Exemption

This exemption from compliance with regulations 220 and 221 of Part 4.4 (Asbestos) of the Occupational Health and Safety Regulations 2017, preventing asbestos being stored or transported unless for the purposes of disposal, is granted by the Victorian WorkCover Authority (the Authority) under the provisions of regulation 537 of the Occupational Health and Safety Regulations 2017, subject to the exemption conditions being observed by the person to whom this exemption is granted.

In accordance with regulation 542 of the Occupational Health and Safety Regulations 2017, in granting an exemption, the Authority is satisfied that the exemption will result in a level of health and safety at the workplace that is at least equivalent to that which would be achieved by observance with regulations 220 and 221.

The Authority also took into account the requirements contained in regulations 231 and 238 of the Occupational Health and Safety Regulations 2017 as they relate to persons or employers, respectively, with management or control of workplaces and their duties to manage occupational health and safety risks arising from or associated with the management or removal of asbestos.

In order to mitigate a potential significant fire risk identified at the workplace located at 300–400 Broderick Road, Lara, the Australian Sawmilling Company Pty Ltd (TASCO) is exempted from compliance with regulation 221 of the Occupational Health and Safety Regulations 2017 to enable it to transport Asbestos Containing Material (ACM) from one location within the workplace to another location in the workplace as an interim measure to mitigate an immediate significant fire risk.

TASCO are also exempt from meeting the compliance requirements of regulation 220 of the Occupational Health and Safety Regulations 2017 in relation to storage of ACM until the ACM is disposed of at an approved EPA licensed landfill site.

The exemption activities must be carried out in accordance with the specified exemption conditions. The exemption is subject to TASCO:

- a) complying with the Asbestos Management Plan prepared by Hazard Alert dated 12 December 2018 (The Plan),
- b) providing WorkSafe with the results of all daily air monitoring tests as they become available. Fortnightly written status reports are also to be provided to WorkSafe, in accordance with (the Plan),
- c) providing WorkSafe with an ACM disposal plan specifying how it will dispose of the ACM that has been moved from the overburdened stock pile within the time frame specified in the 'Term of Exemption',
- d) informing WorkSafe, as soon as possible after becoming aware, of any circumstances arising that result, or may result, in non-compliance with the exemption.

This exemption starts from the date of publication of the notice of the exemption in the Government Gazette and expires on 15 March 2019, unless the Exemption is revoked, amended or extended by WorkSafe or subject to any order of a Court or Tribunal of competent jurisdiction.

Dated 14 December 2018

VICTORIAN WORKCOVER AUTHORITY
(TRADING AS WORKSAFE)

SPECIAL

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