



PROPERTY BRANCH

PROCEDURES MANUAL

FOR THE IDENTIFICATION AND MANAGEMENT OF MATERIALS CONTAINING ASBESTOS IN ACT GOVERNMENT PREMISES

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PROCEDURES MANUAL FOR THE IDENTIFICATION AND MANAGEMENT OF MATERIALS CONTAINING ASBESTOS IN ACT GOVERNMENT OWNED AND/OR OCCUPIED PREMISES

I Background on asbestos in the ACT

i. Asbestos

Asbestos is a naturally occurring mineral fibre mined from the earth and used extensively in materials & equipment prior to 2003. Asbestos is a versatile product, which withstands heat, erosion and decay; it also has fire and water resistant properties. While the majority of building products containing asbestos were phased out by 1985, it continued to be used in plant rooms and other equipment until 2003.

The majority of materials containing asbestos found in non-residential buildings are asbestos cement sheeting. However, there is also still a wide range of other forms in such as piping and lagging. These materials can be found externally and internally, and in wet and dry areas.

If these materials are in good condition, and remain undisturbed and well maintained, they do not pose a health risk. Risk occurs when is disturbed or damaged, for example by sanding, sawing or drilling, releasing asbestos fibres into the air. In some people, this may lead to asbestos –related diseases. The use of all forms of asbestos has been banned nationally since 31 December 2003.

ii. General Information About Government Properties/Workplaces

Given that many Government workplaces were constructed before 1985, it is highly likely they will have materials containing asbestos. Some examples of materials containing asbestos in commercial buildings and/or their likely location are:

- Flat, patterned or corrugated asbestos cement sheeting (also known as fibro) used for walling, eaves and roofing;
- Sheeting behind/under ceramic tiles in wet areas;
- Vinyl floor tiles and backing for sheet vinyl flooring;
- Asbestos cement piping (e.g. heater flues);
- Lagging on water pipes;
- Asbestos rope/fabric in expansion joints (e.g. heater and other exhaust flues);
- Bituminous waterproof membranes (used on flat roofs)
- Filling in fire doors;
- Electrical switchboards;
- Electrical duct heater units (millboard); and
- Lift motor rooms.

iii. New Asbestos Legislation

In August 2004 and February 2005 the ACT Legislative Assembly amended the *Dangerous Substances Act 2004*, introducing new asbestos laws affecting all property owners in the ACT. The primary aim of the legislation is to increase awareness of asbestos issues and improve asbestos management in the ACT.

Under the new legislation, from 4 April 2005, **owners/occupiers of premises** are required to provide written information on what they know about materials containing asbestos at their premises to:

- **tenants** and prospective tenants
- prospective **buyers**, and
- persons doing relevant work at the premises, such as **tradespeople, technicians and maintenance workers**.

The new legislation can be viewed at <http://www.legislation.act.gov.au/a/2004-66/>

To help owners and occupiers provide the written information there is a simple form, which can be filled out. *Managing Asbestos: Advisory Form* is available on this Government's asbestos website www.asbestos.act.gov.au.

iv. ACT Asbestos Task Force

The new asbestos legislation provided for the establishment of the ACT Asbestos Task Force, which was established in November 2004. The primary purpose of the Asbestos Task Force was to analyse the extent and impact of asbestos in the ACT, and provide a report to Government on the future management of asbestos in the ACT.

As part of its 2005 work program the Task Force:

- Undertook a successful public awareness campaign on asbestos and its associated risks and the new laws,
- Key information about managing asbestos is available on the ACT Government's Asbestos Management website - <http://www.asbestos.act.gov.au/> -
- Examined the extent and impact of asbestos in the ACT, which involved a survey of over 600 homes and 250 non-residential buildings and independent health risk assessment.
- Prepared a report to Government by August 2005 on the future management of asbestos in the ACT.

Recommendation 23 of the report specifically recommends that the ACT supports a long-term goal of achieving practical removal of materials containing asbestos from non-residential government premises.

v. Government Assets Asbestos Group

All ACT Government agencies are currently participating in the Government Assets Asbestos Group, a working party of the ACT Property Forum. This is to ensure that obligations under the new legislation are met for properties owned or occupied by the Territory.

In the lead up to the implementation of the legislation, agencies identified all Government-owned properties; developed an interim asbestos register for each agency's properties; provided written information about materials containing asbestos (known as a 47J Asbestos Advisory Form) and when available, Asbestos Inspection Reports for these properties; and wrote to landlords of premises leased by the Territory requesting asbestos advisory information on each leased premises.

The Government Assets Asbestos Group has also assisted in the establishment of a prioritised asbestos inspection program for all Government-owned properties; the development of a whole-of-Government Asbestos Register (as part of the ACT Property Register); and the establishment of procedures for identifying/managing materials containing asbestos in Government-occupied premises.

vi. ACT Property Register

The ACT Property Register was developed in 1993. It provides an inventory of the ACT Government's property portfolio and enables staff to identify property responsibility, and make informed decisions on the day-to-day management, disposal actions and acquisitions of Government owned properties.

Property Branch administers the ACT Property Register and meets the licence fees and technical support costs. Each individual government agency however is responsible for entering and updating of information on the Register for the properties that they are responsible for.

The ACT Property Register does not include public housing properties. These properties are recorded on a separate register managed by Housing ACT. The Territory's non-habitable structures such as bridges, traffic lights, etc are recorded on the DUS Municipal Network Infrastructure and Asset Management System, otherwise known as IAMS.

The ACT Property Register also contains a comprehensive Asbestos Register for each listed Government property. Each agency is also responsible for the entering and updating of information on the Asbestos Register for their properties.

It is anticipated that the Asbestos Register contained on the Property Register will soon be available on-line to authorised property, accommodation and maintenance staff in all agencies. The Asbestos Register will contain downloadable PDF's of signed 47J forms, asbestos inspection reports and diagrams indicating asbestos locations. While these documents will not be able to be altered on-line, it will be possible for them to be read and printed by authorised officers.

II Procedures

i. ACT Government-owned premises

As is stated in section I (iii), under the new legislation building owners are required to provide written information on what they know about materials containing asbestos at their premises to tenants, prospective buyers and tenants, tradespeople and maintenance workers undertaking relevant works at the premises.

While the Territory is the legal owner of all ACT Government-owned premises, the agency responsible for the premises (managing agency) is required to meet the responsibilities of the 'owner'.

In the instance that a government agency is the occupant of a Government owned premises, which Urban Services is responsible for, Urban Services, as the managing agency, is required to provide relevant asbestos advisory information (known as an 47J Asbestos Advisory Form) to the Chief Executive of the tenant agency occupying the premises.

As the 'occupier', the tenant agency is then required to provide written information about what that agency knows about materials containing asbestos to any relevant persons engaged by the agency to undertake maintenance or repair work at the premises (refer to section II (vi) below).

ii. Creation of 47J Asbestos Advisory Forms For ACT Government owned Properties

Consistent with the legislation, the 47J form is used to provide this written advice. The form should provide specific advice as to the Territory's knowledge about materials containing asbestos for each premises, and also disclose any areas where asbestos has previously been identified by visual inspection or other means, and what is known about those materials. Where an asbestos inspection report exists, this report should be attached to the 47J form.

One 47J form should be prepared for each premise, which can be a series of buildings in one complex (such as a school).

Agency Chief Executives should ensure that their agency's delegations schedule assigns responsibility to appropriate officers to sign 47J forms. This includes Group/Branch Heads responsible for agency asset register(s).

In addition to the actions outlined above the managing agency should also:

- Provide copies of the 47J form/report to the agency's accommodation/ facility management staff (central) and to relevant facility contact officers in the premises (localised);
- Upload the form/report in PDF format to the Asbestos Register; and
- Distribute the form/report to Property, InTACT and Procurement Solutions, and major external maintenance contractors (if any).

iii. Asbestos inspections

Whilst asbestos inspections are not required under the legislation, it is considered as industry best practice. In response to Recommendation 23 of the ACT Asbestos Taskforce Report, to achieve the practical removal of asbestos from all Government owned properties, the ACT Government has decided to conduct asbestos inspections for all its owned properties

Where current inspection reports do not exist, for Territory-owned properties built before 1990, a priority inspection/re-inspection program has been established, with priority being given to properties such as child-care centres, health facilities and schools.

Inspections are conducted by recognised inspection companies such as Robson Laboratories or MPL, and can be arranged directly (consistent with Government procurement guidelines) or through Property Branch. Housing ACT is also conducting an inspection and management program of its properties through its Total Facilities Management contractors.

iv. Updating Of 47J Forms following asbestos inspection or removal

Once an asbestos inspection report has been received, the managing agency should:

- Undertake any urgent asbestos removal/disposal or containment recommended by the report, using licensed asbestos removal companies;
- Prepare a new 47J form reflecting the report (and also asbestos removal if any) and attach the report to the form;
- Distribute the new form/report to tenants (if any); relevant accommodation/facility management staff (central) and facility contact officer (localised); Property ACT, InTACT and Procurement Solutions; and major external maintenance contractors (if any);
- Upload the new form/report in PDF format to the Asbestos Register.

v. Issuing 47Js/Reports for sale of Government properties

Should a Territory property be put up for sale, the managing agency will be required to provide asbestos advisory information to the prospective buyer(s), usually through the Land Development Agency which will handle the sale. If there is an asbestos inspection report for the property, it should also be attached to the asbestos advisory form.

Where any structures are to be demolished prior to sale, asbestos advisory information and where an asbestos inspection report, exists, will also need to be provided to Property Branch and/or the demolition contractor.

In either case the System Administrator (at Property Branch) should be notified so that the Property Register can be updated.

vi. Premises leased by the Territory

As stated in section I (iii), for premises leased by the Territory, it is the responsibility of the building owner to provide the Territory (as the tenant) with any information that the building owner has about materials containing asbestos in the premises.

Property Branch, and ACT Government agencies leasing a premises directly from private building owners, should therefore write to the building owner and request asbestos advisory information (47J Asbestos Advisory Form) for the premises. The owner also remains responsible for providing asbestos advisory information directly to tradespeople/technicians that the owner engages to work in/on the premises.

As the 'occupier', an agency leasing a premises from a private building owner is also required to provide written information about what the agency knows about materials containing asbestos to any relevant persons engaged by the agency to undertake maintenance or repair work at the premises. Where the tenant agency has not been provided with information from the owner but still has knowledge of material containing asbestos at the premises, the agency is required to provide that information.

vii. Providing 47J Forms/Reports to maintenance workers

A completed and signed copy of the 47J Form for the premises should be provided at the sign in book or front counter of all premises. A notice to suppliers will also be

attached to the sign in book, and all contracted suppliers will be given an induction that will cover the asbestos notification, signing in, etc.

viii. Recording the issuing of 47J Forms/Reports to maintenance workers

A form attached to the **47J** Form should be signed by suppliers of trades/maintenance services providing services at each facility. Each supplier will be required to sign the attachment the first time they enter/provide services at the premises unless the information provided on the 47J form changes.

ix. Undertaking major works In ACT Government premises

All major maintenance works or upgrades in Government-owned properties should be undertaken with the involvement of appropriate accommodation, procurement and property management staff.

As a general rule, 'base building' works (structural modifications, fire and safety services, air-conditioning, lifts, major maintenance/refurbishment) will be undertaken by Property Branch or other managing agency, while fit out, data services and minor maintenance will be undertaken by the tenant. In both cases, relevant property management or accommodation/ facility management staff will coordinate the work.

All Government works orders and works contracts should include reference to the new legislation and the need to sight asbestos advisory information.

x. Undertaking minor works In ACT Government premises

It is common for some minor works, such as the installation of phone/computer cabling or minor modifications to office fit out, to be undertaken directly by individual business units, without the active involvement of central accommodation/ facility management staff. Such works are likely to occur in both owned and leased premises.

In these situations, it is the responsibility of the authorising officer within the business unit to ensure that they provide the appropriate asbestos advisory information, including relevant attachments such as inspection reports, to all tradespeople/workers engaged on the project. Where the workplace in question is part of a larger property/complex, it will be necessary to provide information on the total property where there is any chance that the works will extend beyond the immediate area (eg 'chasing' cabling or plumbing).

Staff should also be aware that it is not appropriate for them to undertake any minor works themselves (eg installing noticeboards or artworks) unless they have consulted the relevant asbestos advisory information, available from their agency's accommodation/facilities staff.

xi. Arrangements with contractors for issuing 47Js/Reports

Where period contracts are arranged, the head contractor will be given a copy of the relevant asbestos advisory information (47J Form and Inspection Report if any) for the buildings/facilities they are maintaining under the contract.

The head contractor will sign for receipt of asbestos advisory information and will be responsible for the distribution of the information to any subcontracts they engage.

Copies of the information will also be available at the sign in book or entrance foyer for out buildings, and the same procedure for maintenance will apply tradespeople [section II (vii) and (xiii)].

xii. Roles/responsibilities of ACT Government tradespeople and technicians

- Understand and comply with **47J** and emergency procedures
- Work safely- adhere to all standard operating procedures in accordance with training and instructions and take reasonable care of themselves and others who may be affected by their actions
- Use all workplace equipment in accordance with any instruction given by the Department to insure its safe and proper use
- By completing the Wise Hazard Alert
- Bring OHS (Environmental, Risk & Quality) issues to the attention of the Supervisor and committee
- Participate in OHS (Environmental, Risk & Quality) inspection program and comply with corrective action results
- Report all workplace incidents and accidents to their supervisor promptly
- Notify their supervisor and/or HSR of any known hazards and steps taken to remove and/or manage it.

xiii. Advising staff

While not required by legislation, staff should be provided with general advice on the legislation, and be made aware of how to access available knowledge about the presence of materials containing asbestos in their workplace.

Staff should also be made aware that it is not appropriate for them to undertake any minor works themselves (eg installing noticeboards or artworks) unless they have consulted the relevant asbestos advisory information, available from their agency's accommodation/facilities staff.

xiv. What to do if materials (possibly) containing asbestos are disturbed

In the unlikely event that material that is suspected of being asbestos is disturbed in a workplace, staff should contact the relevant property management representative immediately. The ACT already has extensive OH & S and asbestos removal policies. The OH&S Asbestos Management Policy for the ACT Government can be viewed at http://www.psm.act.gov.au/documents/asbestos_management.pdf

xv. NOHSC Code of Practice for the Safe Removal of Asbestos

Two new codes of practice were released in April 2005. These are the Code of Practice for the Safe Removal of Asbestos and the Code of Practice for the Management and Control of asbestos in workplaces. The Membrane Filter Method for Estimating Airborne Asbestos Fibres was also declared by NOHSC on 27 April 2005.

The Office of the Australian Safety and Compensation Council has since replaced the Commission, and all relevant codes are available from <http://www.nohsc.gov.au/OHSInformation/NOHSCPpublications/#5>

xvi. Asbestos removal

The revised Code of Practice for the Safe Removal of Asbestos provides guidance on safely removing asbestos and asbestos-containing materials from buildings, structures, plant and equipment and vehicles.

Whole or partial removal of asbestos from Government-owned premises will primarily be undertaken if it has been recommended by an asbestos inspection. This will usually involve the presence of friable asbestos material that has been identified by an inspection, or where a re-inspection has identified the deterioration of previously stable asbestos materials.

Materials containing asbestos will also be removed to allow major refurbishment work to occur safely, or because it is cost effective to remove such materials at the same time as other work is proceeding.

It is essential that asbestos removal (and disposal) be conducted by licensed asbestos removal companies. For more information contact the Contracts Manager at Facilities Management, Property Branch on telephone number: 62130700). Asbestos removal must be consistent with ACT OH & S policies and asbestos removal policies, which can be viewed at http://www.psm.act.gov.au/documents/asbestos_management.pdf

A number of actions need to be undertaken to update Government records and asbestos advisory information following asbestos removal. Refer to section II (iv) above.

xvii. Demolition of buildings

Where any buildings/structures are to be demolished, asbestos advisory information (Form 47J) will also need to be provided to the demolition contractor. This should generally take place through Procurement Solutions. The System Administrator (at Property Branch) should be notified so that the Property Register can be updated.

xviii. Asbestos Disposal

It is essential that asbestos disposal be done in accordance with ACT No Waste guidelines.

Small loads of asbestos waste are accepted at Mugga Lane Small Vehicle Transfer Station and Mitchell Resource Management Centre from 7.30 to 5pm daily (except Christmas Day and Good Friday). No appointment is necessary. However asbestos waste must be double wrapped in heavy duty plastic (200 microns). Heavy duty plastic is available at hardware stores.

Commercial loads over 250kg are accepted by appointment only at Mugga Lane Landfill on weekdays.

To make an appointment contact Theiss Services on 6232 7111.

For more information see the ACT NoWaste website: www.nowaste.act.gov.au or www.asbestos.act.gov.au

xix. Management and monitoring of asbestos left in situ

Follow inspection report recommendations. If there is no report, use the NOHSC.

xx. Insurance

Contractors involved in maintenance or minor new works on buildings, must have the standard insurance covers that are required by all contractors carrying out works or services for the Act Government.

Asbestos removalist and other specialist suppliers must have evidence of appropriate insurance, including \$20,000,000 public liability. Procurement Solutions will have details of all pre-qualification requirements.

III. Further Information

Should you require further information as to your agency's responsibilities in responding to this important issue, please contact in the first instance:

Government properties and the Government Assets Asbestos Group:
Horst Kirchner (Property) Ph 62130712 horst.kirchner@act.gov.au

ACT Property Register and Asbestos Register:
Margaret Whitem (Property) Ph 62052081 margaret.whitem@act.gov.au

Detailed asbestos information and the ACT Asbestos Task Force:
Chris Healy (Task Force Secretariat) Ph 6207 8812 chris.healy@act.gov.au

Legal advice on the legislation:
Genevieve Larkin (Government Solicitor) Ph 6207 0643 genevieve.larkin@act.gov.au

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CHECKLIST OR RESPONSIBILITIES AND ACTIONS REQUIRED

Tick or Cross as appropriate:

- Provide relevant asbestos advisory information to the Chief Executive of the agency that occupies each Government-owned premises.
- Provide written information about what the agency knows about materials containing asbestos to any relevant persons engaged by the agency to undertake maintenance or repair work at the premises.
- Enter and update information on the ACT Property Register, including the Asbestos Register.
- Nominate an Authorising Officer to give approval for either Read Only or Read/Edit access to the ACT Property Register for agency staff. Authorisations to be revalidated/updated annually.
- Entries for 'Transfer', 'Sale' or 'Demolition' of properties on the ACT Property Register require co-approval from the System Administrator (Property Branch).
- Chief Executives should ensure that their agency's delegations schedule assigns responsibility to appropriate officers, such as Group/Branch Heads responsible for the agency asset register(s), to sign 47J forms.
- Once an asbestos inspection report has been received, the 'owning' agency should:
 - Undertake any urgent asbestos removal/disposal or containment recommended by the report, using licensed asbestos removal companies;
 - Prepare a new 47J form reflecting the report (and also asbestos removal if any) and attach the report to the form;
 - Distribute the new form/report to tenants (if any); relevant accommodation/ facility management staff (central) and facility contact officer (localised); Property Branch, InTACT and Procurement Solutions; and major external maintenance contractors (if any);
 - Upload the new form/report in PDF format to the Asbestos Register.
- Should a Territory property be put up for sale, the owning/managing agency is required to provide asbestos advisory information to the prospective buyer(s), usually through the Land Development Agency which will handle the sale.

- Where any structures are to be demolished prior to sale, asbestos advisory information will also need to be provided to DUS Property and/or the demolition contractor.
- In the case of the previous two check items, the System Administrator (at Property Branch) should be notified so that the Property Register can be updated.
- All premises to have Awareness Form 47J at the sign in book or front counter.
- All major maintenance works or upgrades in Government-owned properties should be undertaken with the involvement of appropriate accommodation, procurement and property management staff.
- All Government works orders and works contracts should include reference to the new legislation and the need to sight asbestos advisory information.
- The authorising officer within the business unit to ensure that he/she provides the appropriate 47J form (and any attachments, reports, etc) to all tradespeople/workers engaged on the project.
- Where period contracts are arranged, the contractor should be given a copy of the 47J Form for that set of buildings/facilities that are maintained in that contract.
- The head contractor is responsible for the distribution of asbestos advisory information to all subcontracts that are engaged by them. Alternatively, copies should be available at the sign in book or entrance foyer for out buildings, and the same procedure for maintenance tradespeople will apply.
- Staff should be provided with general advice on the legislation and be made aware how to access available knowledge about the presence of materials containing asbestos in their workplace.
- Staff should also be made aware that it is not appropriate for them to undertake any minor works themselves (eg installing noticeboards or artworks) unless they have consulted the relevant asbestos advisory information, available from their agency's accommodation/facilities staff.
- In the unlikely event that material that is suspected of being asbestos is disturbed in a workplace, staff should contact the relevant property management representative immediately.
- Whole or partial removal of asbestos from Government-owned premises will primarily be undertaken because it has been recommended by an asbestos inspection.

- Where any buildings/structures are to be demolished, asbestos advisory information will be provided to the demolition contractor via Procurement Solutions.

- It is essential that asbestos disposal is done in accordance with ACT No Waste guidelines.

- Asbestos removalist and other specialist suppliers must have evidence of appropriate insurance - \$20,000,000 public liability, workers compensation, insurance of the works and adequate vehicle, plant & equipment insurance.