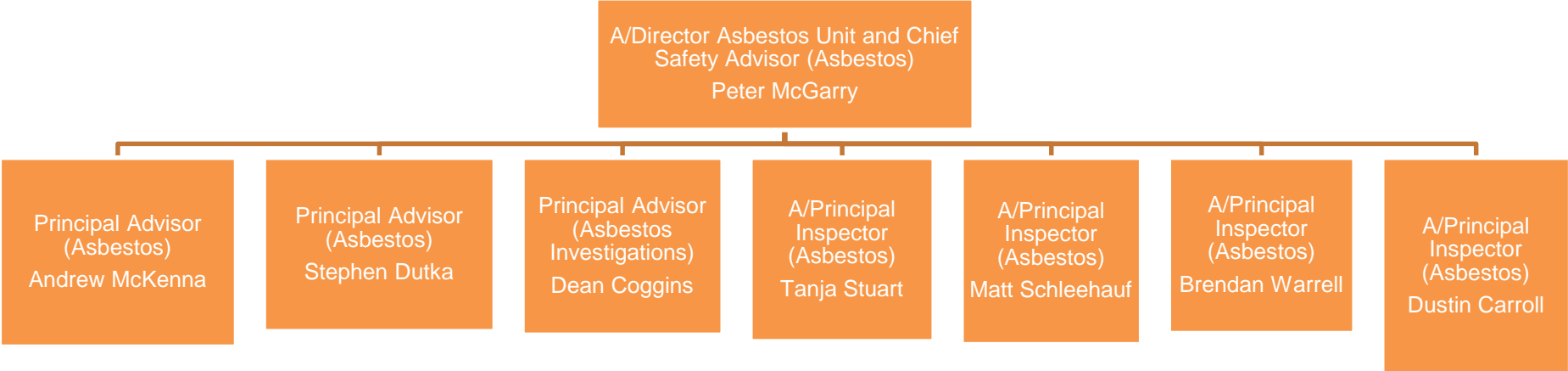


Update on compliance and enforcement of asbestos laws

Dr Peter McGarry ^{PhD}

A/Director (Asbestos Unit) and Chief Safety Advisor (Asbestos)

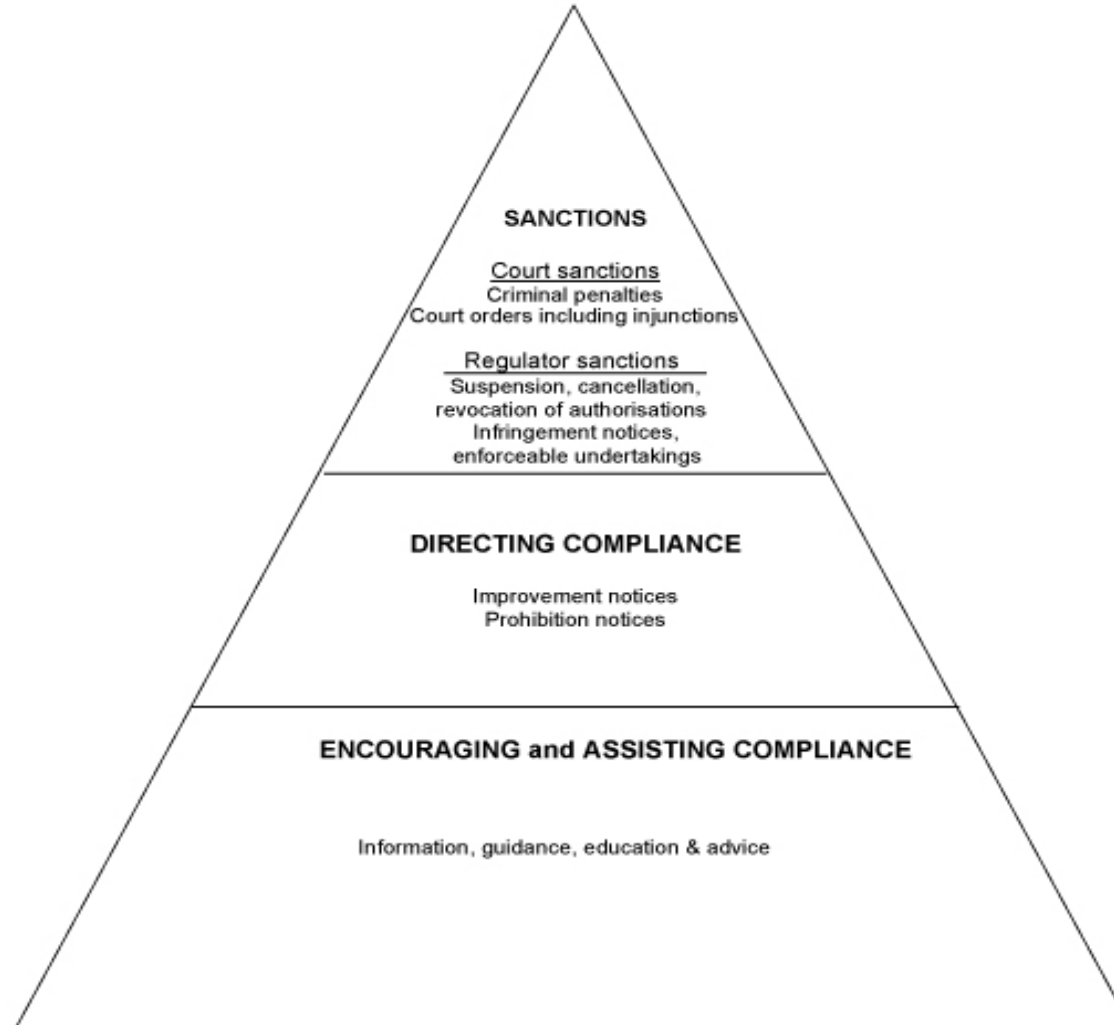
Asbestos Unit team



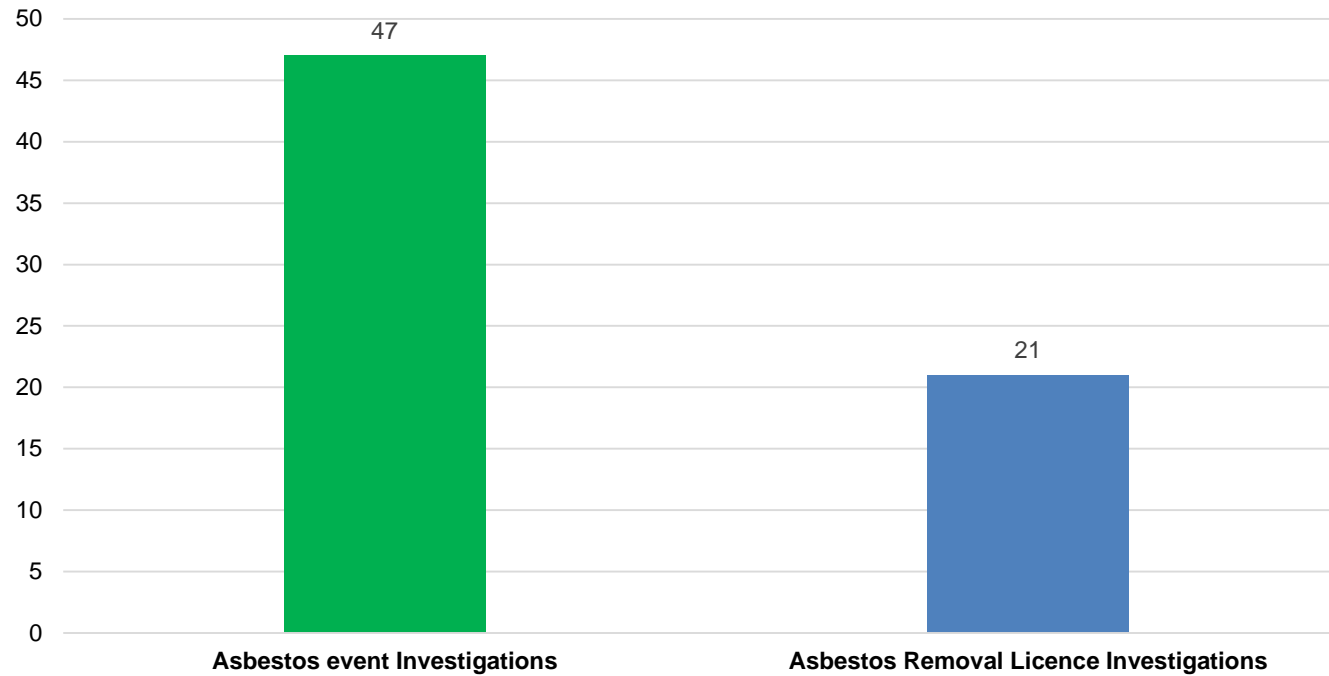
And 200 plus regionally based inspectors



Compliance and enforcement pyramid



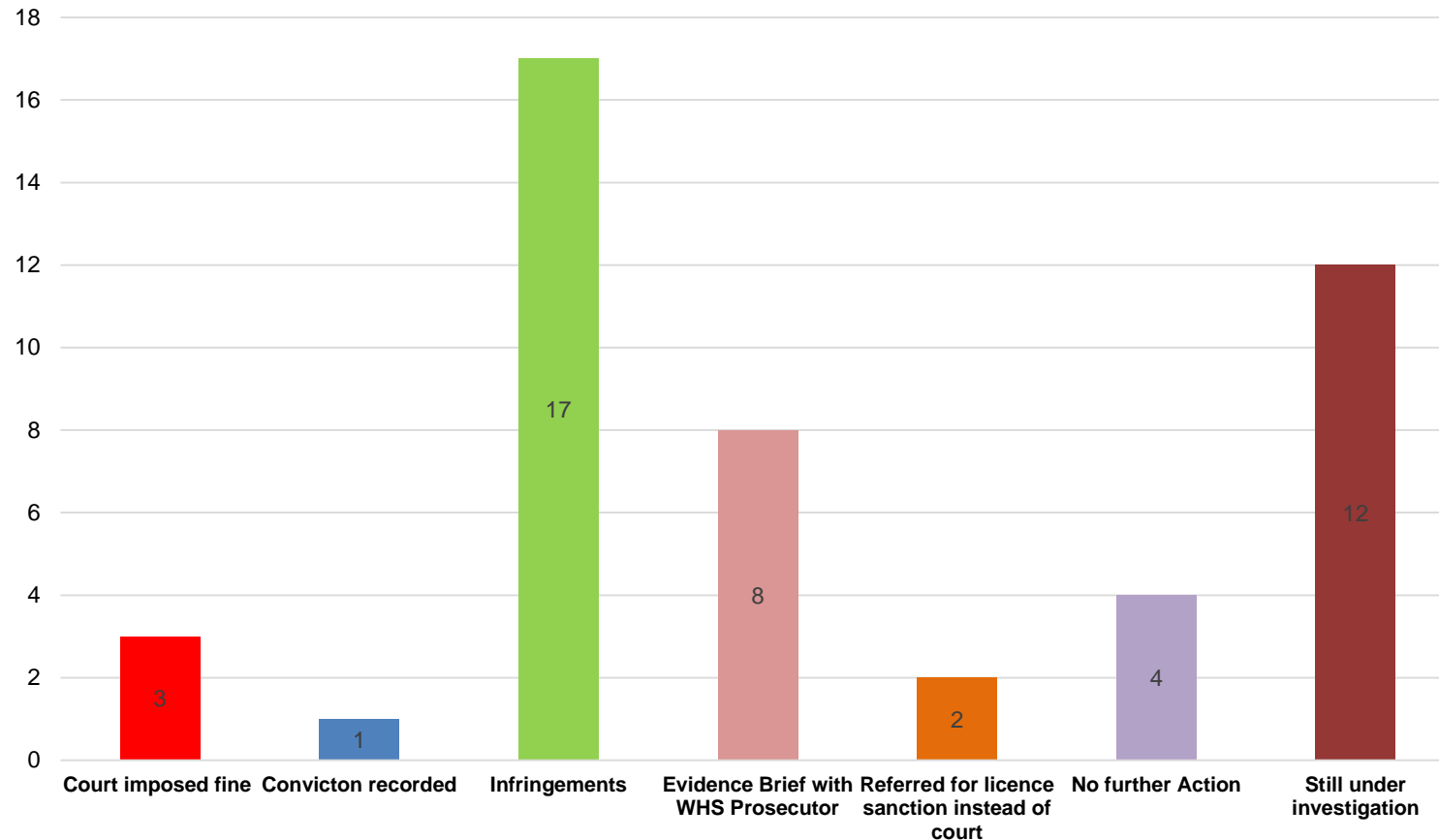
Number of Asbestos Investigations - WHSQ Asbestos Unit Period May 2017 to Oct 2019



Selection of matters to be investigated is informed by:

- Whether the event is one of the priority asbestos; regulatory offence sections
- The gravity of the offence/s
- The extent of asbestos-containing dust & debris (ACD) contamination
- The potential risk to persons
- Relevant WHS legislative compliance history

Investigation Outcomes - WHSQ Asbestos Unit Period May 2017 to Oct 2019



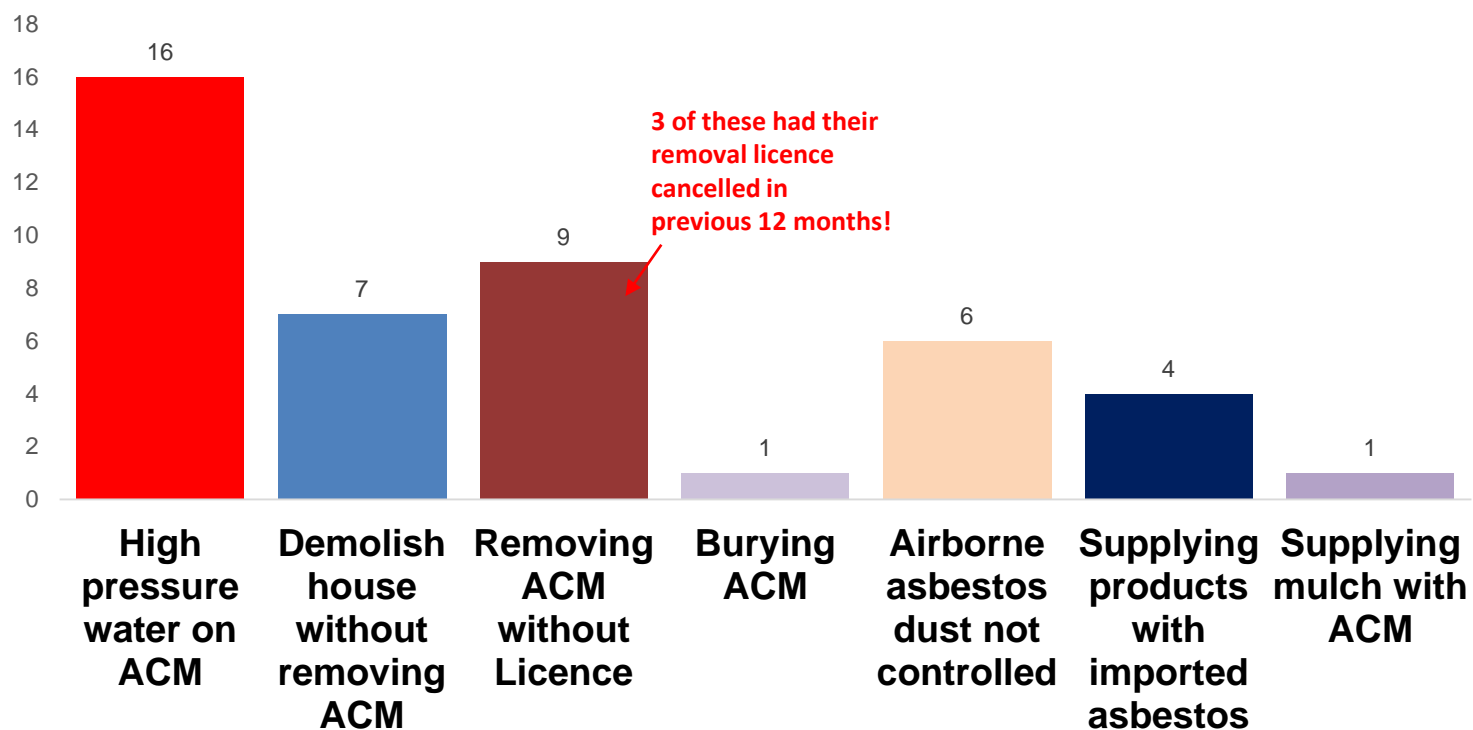
**Court fines: range
\$1,000 to \$7,500**

**Infringements: average
several thousand dollars
in total per investigation**

**Clean up costs: range
\$5,000 to \$80,000**

Matters that put people at risk of exposure to asbestos

Matters investigated - WHSQ Asbestos Unit
Period May 2017 to Oct 2019



Asbestos removal licence sanctions- WHSQ Asbestos Unit Period May 2017 to Oct 2019

9



**Licence cancellations –
disqualification period
1 to 2 years**

**Licence
suspensions
– 6 months**

Notifying persons in immediate vicinity of licensed asbestos removal

- WHS legislation is clear about
 - who has to notify, and
 - who must be notified, and
 - when such notification should occur
- However, the definition of “immediate Vicinity” is unclear
- Draft Fact Sheet titled: *‘Immediate vicinity’ when informing particular persons about licensed asbestos removal work*
- Scenario based guidance
- Your input would be valued to improve the document.

Immediate vicinity scenarios

- **Example 1:** Licensed asbestos removal work at a domestic premises in a typical suburban street
- **Example 2:** Asbestos removal work in a telecommunication pit beside a road
 - (although the quantity of asbestos being removed is likely to be less than the threshold required for licenced removal, the high visibility of such removal means it is good practice to notify persons in immediate vicinity)
- **Example 3:** Licensed asbestos removal work at a business location
- **Example 4:** Licensed asbestos removal work at a single business located within a strip complex of businesses

Immediate vicinity scenarios

- **Example 5:** Licensed asbestos removal work in a large manufacturing workplace containing multiple work areas and multiple buildings
- **Example 6:** A rural property whose closest neighbour is several kilometres away
- **Example 7:** Asbestos Removal Work Within 500m of a School, Kindergarten or Child Care Facility
- **Example 8:** a residential apartment block or office block

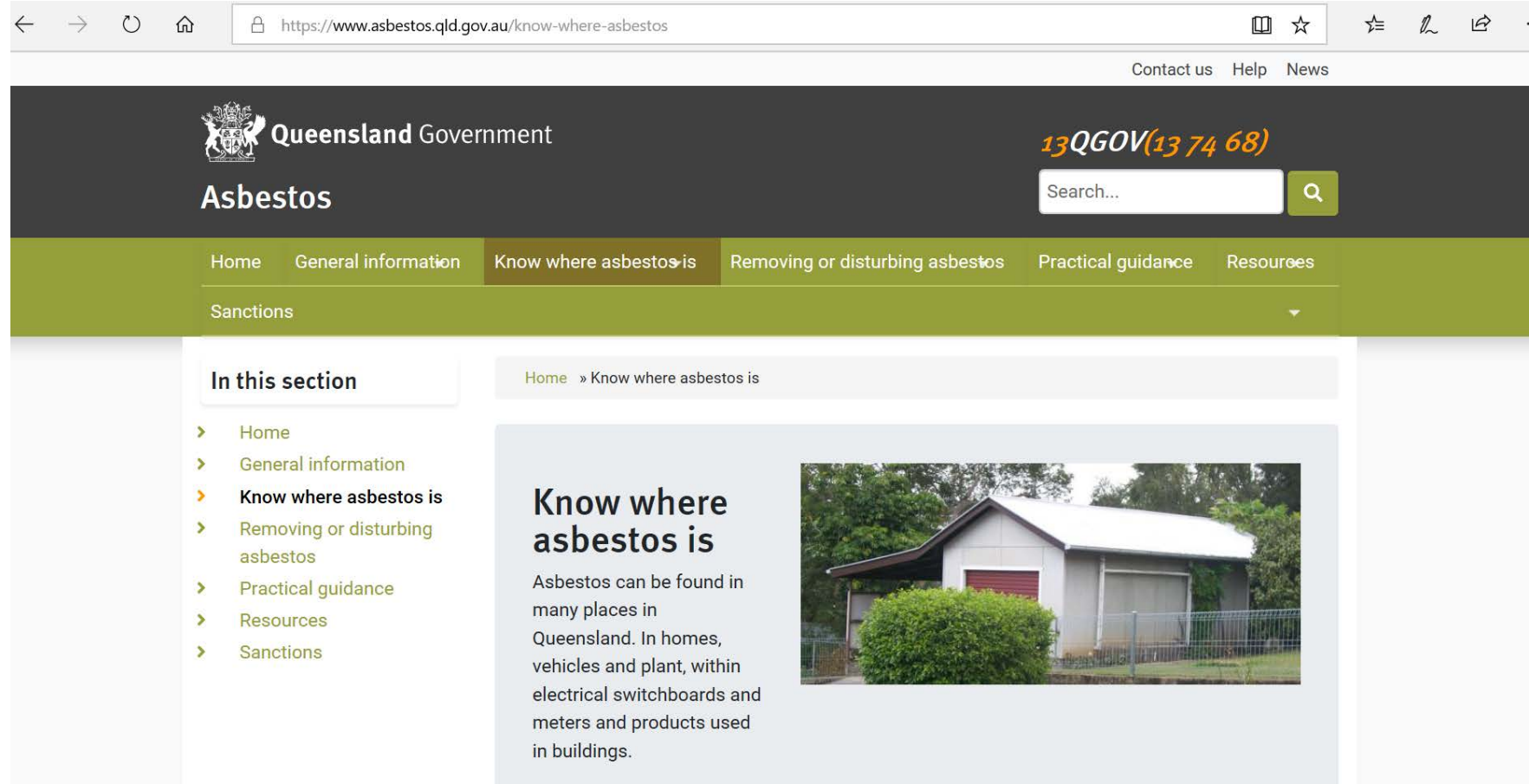
Immediate vicinity consultation process

- **Option 1:** Hard copy of draft fact sheet provided to you has contact details of Peter McGarry
 - Write your contact details on the contact list and/or provide your business card
 - You can email your comments to Peter.
- **Option 2:** A copy of the draft fact sheet will be emailed to you
 - You can then track changes to document and email to Peter.

Low Density Board

Consultation has commenced with a view to (re)classifying Low Density Board as friable and therefore can only be removed by a Class A Licenced Asbestos Removalist under full friable removal requirements.

Further resources



The screenshot shows a web browser displaying the Queensland Government website. The address bar shows the URL <https://www.asbestos.qld.gov.au/know-where-asbestos>. The page header includes the Queensland Government logo, the text "Asbestos", and the phone number "13QGOV(13 74 68)". A search bar is present with the text "Search...". The navigation menu includes "Home", "General information", "Know where asbestos is", "Removing or disturbing asbestos", "Practical guidance", "Resources", and "Sanctions". The "Know where asbestos is" page is active, showing a breadcrumb trail "Home » Know where asbestos is". A sidebar on the left lists navigation options: "Home", "General information", "Know where asbestos is", "Removing or disturbing asbestos", "Practical guidance", "Resources", and "Sanctions". The main content area features the heading "Know where asbestos is" and a paragraph: "Asbestos can be found in many places in Queensland. In homes, vehicles and plant, within electrical switchboards and meters and products used in buildings." An image of a small white building with a red door is shown to the right of the text.

<https://www.asbestos.qld.gov.au>

In summary

- WHSQ intends to maintain the Inspector resources dedicated to asbestos prosecutions and licence sanctions.
- WHSQ cannot prosecute everything and therefore focuses on high risk asbestos events to prosecute and to support licence system.
- The monetary penalty amounts are set by the penalty units assigned to relevant sections of the WHS legislation and the discretion of the court.
- A summary of the prosecutions, infringements and licence sanctions can be found at: <https://www.asbestos.qld.gov.au/sanctions>
- Please provide us with comment on the draft *Immediate Vicinity Fact Sheet*
- A wealth of guidance material can be found at www.asbestos.qld.gov.au



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