

House relocations—asbestos exemptions

Work Health and Safety Regulation 2011

This exemption applies to:

- Section 419 of the [Work Health and Safety Regulation 2011](#) (WHS Regulation). Section 419 of the WHS Regulation provides for a prohibition on work involving asbestos or asbestos containing material subject to exceptions outlined in s.419. This includes transporting houses that contain asbestos.

A person may apply for an exemption to section 419.

A person granted an exemption must:

- comply with the conditions of an exemption
- ensure that any person under the management or control of that person complies with the conditions of the exemption.

Conditions of the exemption

Section 691(1) of the WHS Regulation provides that, in granting an exemption, the regulator may impose any conditions it considers appropriate. The regulator imposes the following conditions in relation to this exemption:

1. The exemption holder must ensure any asbestos containing material (ACM) or presumed ACM in the structure is identified by a competent person and recorded in a register which must be readily available during work to which this exemption applies.
2. The exemption holder must ensure any ACM or material presumed to be ACM that is likely to be damaged or disturbed during work to which this exemption applies is removed from the structure before it is transported.
3. The exemption holder must ensure any friable asbestos or friable ACM installed or fixed in the structure is removed in accordance with the WHS Regulation before the structure is transported regardless of whether it is likely to be damaged or disturbed during the work to which this exemption applies.
4. The exemption holder must ensure controls are used to prevent damage to any ACM, and to prevent any ACM falling out of, or from, the structure during the work to which this exemption applies.
5. During transportation, the exemption holder must inspect the structure to ensure it has not been damaged and that ACM components have not, or are not at risk, of falling from the structure.
6. The exemption holder must not re-use, or re-install, any asbestos or ACM that has been removed from the structure.
7. The exemption holder must ensure all transported structures are recorded in the asbestos register and management plan for the holding yard where the structure is stored.
8. The exemption holder must ensure no asbestos waste associated with the moving of the structure remains on site once the structure is moved.
9. If more than 10m² of bonded ACM is to be removed or any amount of friable asbestos is to be removed, the exemption holder must ensure an appropriately licenced asbestos removalist is engaged to complete the work.
10. Prior to preparing structures for transport, the exemption holder must ensure all asbestos or assumed asbestos identified in the asbestos register is clearly labelled and the asbestos register is made available to workers, contractors, clients and prospective purchasers of the structure.
11. The exemption holder must assist Workplace Health and Safety Queensland (WHSQ) in monitoring compliance with the conditions by participating in an audit and by making available relevant records, documents and schedules the allow compliance with exemption conditions to be evaluated.

Example of condition 2:

An asbestos cement sheet ceiling or wall must not be cut in half as part of preparing a house to be transported. Instead the entire asbestos cement sheet panel must be removed using proper control measures to minimise exposure to airborne asbestos fibres.

Example of condition 3:

Low density asbestos fibre board (LDB) or friable asbestos backing on sheet vinyl flooring removed by a class A asbestos removalist prior to preparing a house to be transported.

Examples of condition 4:

A structure that has ACM wall sheeting or cladding must have the sheeting or cladding supported from underneath to prevent it from being damaged. Any holes or cracks in ACM cladding must be sealed prior to transporting the structure. Loosely fitted soffits and veranda ceiling panels must be fixed in place or removed.

Examples of condition 5:

A structure being relocated over a distance that requires more than one day of travelling time would need to be inspected for any damage at the end of each day.

A structure being transported over rough or uneven surfaces would need to be inspected at regular intervals.

Examples of condition 8:

An assessment of the site by the exemption holder or employee of the exemption holder confirms no visible asbestos waste or debris associated with the structure being moved. The surface of the ground is to be raked to ensure asbestos waste or debris has not been covered over. The exemption holder must keep a record of this assessment for inspection under the *Work Health and Safety Act 2011*.

Examples of condition 10:

The competent person who identifies and records the location of asbestos containing material (ACM) or presumed ACM (including inaccessible asbestos) in the structure in accordance with condition 1, places a warning sticker on the ACM that is in keeping with Appendix B of the *How to manage and control asbestos in the workplace Code of Practice 2011*.

Examples of condition 11:

Notifying WHSQ of an impending house transport to allow an inspection prior to transport when requested.

Notes:

1. A decision to impose a condition is a reviewable decision (s.683 of the WHS Regulation).
2. All other requirements in the Regulation continue to apply to the exemption holder in carrying out the work to which this exemption applies. Further guidance on work involving asbestos can be found in the [How to safely remove asbestos Code of Practice 2011](#) and the [How to manage and control asbestos in the workplace Code of Practice 2011](#).



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