

IN CONFIDENCE

**Asbestos Regulators Forum**

**Meeting 5      7 June 2013**

**Item 2      NBN – Continued Rollout**

**Recommendation**

That member's note the contents of this paper and discuss.

**Key points for discussion**

How does the ARF monitor future risks posed by the continued roll out of the NBN?

The Commonwealth Government has introduced a bill which will allow Australians who believe they have been exposed to asbestos will be able to be placed on a national register?

Comcare has indicated a willingness to work more closely with the ACT on cross jurisdictional matters. Should they be invited to emergency ARF meetings which relate to cross jurisdictional issues?

**Background**

Members met on 5 June to discuss suspected asbestos contamination in two telecommunication pits at Nicholls. These pits are subject to Comcare notices.

Subsequent to this meeting the ARF has been advised of similar issues with telecommunication pits in Curtin and Deakin.



## Asbestos Regulators Forum

Meeting 05 June 2013

### Minutes

Attendees; Mark McCabe (MM), David Joyce (DJ), John Rees (JR), Hamish McNulty (HM) Craig Simmons (CS), John Woollard (JW), Chris Ware (CW), Denis Wilson (DWi).

Apologies: N/A

#### Item 1 – NBN Rollout

Late on 3 June 2013, Comcare advised the ACT Work Safety Commissioner that two telecommunications pits in the suburb of Nicholls were subject to Comcare stop work notices. These pits were suspected of being contaminated with asbestos.

#### Background

As part of the NBN rollout Telstra is managing issues associated with 'pits' which were often put in place by the then Post Master General (PMG) and which quite often contain bonded asbestos. Telstra pits provide access to underground cables and are generally located on the footpaths at certain points within suburbs.

Telstra, as a business, is a licensee under the *Safety, Rehabilitation and Compensation Act 1988* and is regulated by Comcare in respect of its health and safety obligations under Commonwealth law.

The status of sub-contractors engaged by Telstra, Comcare or the NBN is less clear. In some cases there are other subcontractors involved who are regulated by State/Territory regulators such as WorkSafe ACT. In such cases Comcare regulates the activity through the principal contractor, Telstra and WorkSafe ACT regulates the activity through the subcontractor.

Comcare is working with Telstra as the principal contractor to address the concerns and ensure that the ongoing management of this issue is in accordance with work, health and safety laws.

#### Issues

There was general concern expressed by members at the cumbersome response to the issue by both Telstra and particularly Comcare.

MMc indicated that he was working with Comcare and understood that work had temporarily ceased on Telstra pits associated the NBN.

MMc further indicated that arrangements were now in place between Comcare and all relevant state/territory jurisdictions, including the ACT, for Comcare and the relevant state authorities to work hand in hand on this issue. Comcare will, in many cases, have the lead since they are responsible for the principal contractor. However there may be joint inspections when work site inspections are deemed necessary and a state or territory subcontractor is involved.



MMc indicated that where enforcement action, such as stop work notices, is deemed necessary, Comcare will generally impose these on Telstra as the principal contractor. A decision will be made on a case-by-case basis whether similar action is required in relation to the subcontractor by WorkSafe ACT.

CS indicated that given the age of Nicholls it was unlikely that the pits would contain ACMs. There was general consensus amongst members that this would be the case.

There was general agreement that the ACT should be proactive in the handling of this issue. The consensus view was that the primary risk associated with the NBN rollout would be with workers who failed to take safety precautions. JW indicated that the risk to public health was considered to be low.

#### Outcomes

It was agreed that ACT Work Safe and ACT Health lead on the issues associated with the telecommunications pits.

It was agreed that the asbestos management coordinator would be responsible for keeping all ARF members updated.

The ARF will discuss issues associated with the continued rollout of the NBN at its scheduled meeting on 7 June 2013.

#### Meeting Closed

10.45



**Robinson, Heidi**

---

**From:** Robinson, Heidi  
**Sent:** Friday, 7 June 2013 8:52 AM  
**To:** Smith, Bill  
**Subject:** FW: ARF meeting tomorrow 9.30 to 11.00.  
**Attachments:** Minutes 03-05-13.docx; ARF 07-06-13 - Agenda.doc; ARF 7-6-13 - Item 2.doc; ARF 7-6-13 - Item 3.doc; ARF 7-6-13 - Item 4.doc; Australian Qualifications Framework.pdf; ARF - Objectives.doc

---

**From:** Joyce, David  
**Sent:** Thursday, 6 June 2013 4:15 PM  
**To:** McCabe, Mark; Robinson, Heidi; Simmons, Craig; McNulty, Hamish; Walters, Daniel; Barker, Lee; Lasek, Jeremy; Brown, David; Wilson, Denis; Perram, Phillip; Ware, Chris; Brookes, Clare; Rees, John; Langhorne, Melissa; Shaw, Tania; Barr, Conrad  
**Subject:** ARF meeting tomorrow 9.30 to 11.00.

All

Please find attached relevant documents for the ARF meeting tomorrow.

1. Minutes from meeting on 03-05-13
2. Agenda for 07-06-13
3. Agenda Item 2
4. Agenda Item 3
5. Agenda Item 4
6. Australian Qualifications Framework (Item 2 from 03-05-13)
7. Updated ARF Objectives document.

David



IN CONFIDENCE

**Asbestos Regulators Forum**

**Meeting 5 7 June 2013**

**Item 2 NBN – Continued Rollout**

**Recommendation**

That member's note the contents of this paper and discuss.

**Key points for discussion**

How does the ARF monitor future risks posed by the continued roll out of the NBN?

The Commonwealth Government has introduced a bill which will allow Australians who believe they have been exposed to asbestos will be able to be placed on a national register?

Comcare has indicated a willingness to work more closely with the ACT on cross jurisdictional matters. Should they be invited to emergency ARF meetings which relate to cross jurisdictional issues?

**Background**

Members met on 5 June to discuss suspected asbestos contamination in two telecommunication pits at Nicholls. These pits are subject to Comcare notices.

Subsequent to this meeting the ARF has been advised of similar issues with telecommunication pits in Curtin and Deakin.



Joyce, David

---

**From:** McCabe, Mark  
**Sent:** Saturday, 8 June 2013 10:09 AM  
**To:** Woollard, John  
**Cc:** Joyce, David  
**Subject:** NBN Media Release  
**Attachments:** NBN Media Document MM.doc

**Importance:** High

I think this is getting closer to a final version.

Of course, there are a few things said here which I will need to double-check with Comcare before this can go out.

Comments please.



Joyce, David

---

**From:** Woollard, John  
**Sent:** Tuesday, 11 June 2013 10:05 AM  
**To:** Joyce, David; McCabe, Mark  
**Subject:** NBN Media Document MM  
**Attachments:** NBN Media Document MM.doc

David and Mark. I have suggested some edits. I am working from home (sick) so would appreciate a text message when we have the next draft

Cheers

john

The ACT has been working with Comcare and Telstra in relation to health and safety issues associated with the NBN rollout Australia wide and, in particular, the issues associated with work involving Telstra 'pits'.

~~The ACT's Asbestos Regulators Forum met at a specially convened meeting on 5 June 2013 to discuss and formulate a whole of government response to a range of broader issues associated with the NBN rollout. The Work Safety Commissioner and the Chief Health Officer are working together to ensure that neither public or worker safety are compromised these issues are addressed in an appropriate manner.~~

Comment [jw1]: This paragraph is essentially the same as the first. In addition the reference to the ARF will not mean anything to the public. Suggest that it be deleted

~~WorkSafe ACT is working closely with Comcare and Telstra in relation to this issue to ensure that the ongoing management of the NBN rollout is in accordance with ACT legislative and regulatory requirements.~~

All NBN work involving Telstra pits has ceased in the ACT until a thorough management strategy has been reviewed and implemented.

Comment [jw2]: Again we are being a bit repetitive I think???

Arrangements are now in place for Comcare and the ACT to work in a collaborative manner on this issue. Although Telstra, as the principle contractor for this work, is regulated by the Commonwealth work health and safety regulator, both Comcare and WorkSafe ACT may on occasion collaborate to conduct joint inspections when that is deemed necessary.

~~Generally a~~Any asbestos containing materials in Telstra pits will almost certainly be in a bonded form. The risk to the wider community of exposure to asbestos fibres because of poor removal practices is therefore considered to be very low. The primary risks associated with ~~such~~the asbestos removal will be occupational.

Comcare has established a hot line to provide advice and answer queries from the public with respect to...... The hotline number is 1300 366 979.

It is important to remind the community that asbestos containing materials have were used extensively within the ACT ~~in the last century until the mid 1980's. The and it is to be expected that~~ issues surrounding the use of asbestos, and its removal will exist for decades to come. The important control for the risks associated with this is to ensure that when asbestos containing products are encountered they are properly managed and handled.

FOLIO  
81

**Rees, John**

---

**From:** McCabe, Mark  
**Sent:** Thursday, 13 June 2013 8:57 AM  
**To:** Woollard, John; Kelly, Paul  
**Cc:** Joyce, David; Rees, John; Robinson, Heidi  
**Subject:** FW: MEDIA RELEASE FROM THE A.C.T. WORK SAFETY COMMISSIONER  
**Attachments:** Media Release - NBN rollout in the ACT.PDF

**Importance:** High

MR attached

Doing a phone interview on ABC666 at 9.10am

---

**From:** Mitchell, Julie  
**Sent:** Thursday 13 June 2013 08:29  
**To:** McCabe, Mark; Sibree, Amanda  
**Subject:** FW: MEDIA RELEASE FROM THE A.C.T. WORK SAFETY COMMISSIONER

Both

I sent the MR and made an Executive decision to include mention of your unavailability this afternoon.

Concentrate on your exam this afternoon and not on what's happening in the office!

FYI

Julie

---

**From:** Mitchell, Julie  
**Sent:** Thursday, 13 June 2013 8:25 AM  
**Subject:** MEDIA RELEASE FROM THE A.C.T. WORK SAFETY COMMISSIONER

Good morning

Please find attached a Media Release from the Mark McCabe, the ACT Work Safety Commissioner, in relation to the NBN rollout in the ACT.

Please note: Mr McCabe is available for comment this morning but will be unavailable this afternoon.

Regards

**Julie Mitchell** | Manager | Community Relations

---

Office of Regulatory Services | Justice and Community Safety Directorate  
Callam Offices, Woden | Phone 02 6205 3780 | Fax 02 6207 0538



ACT Office of Regulatory Services



@ORS\_ACT



**ACT**  
Government  
Justice and Community Safety



**ACT**  
Government

Justice and Community Safety

**WORKSAFE ACT**



## MEDIA RELEASE

13 June 2013

### NBN rollout in the ACT

The ACT has been working with Comcare and Telstra in relation to health and safety issues associated with the National Broadband Network (NBN) rollout Australia wide and, in particular, the issues associated with work involving Telstra 'pits'. Work has ceased in the ACT until a thorough management strategy has been reviewed and implemented.

The ACT Work Safety Commissioner and the Chief Health Officer are working together to ensure that community safety is not compromised.

Arrangements are in place for Comcare and the ACT to work in a collaborative manner on this issue. Although Telstra, as the principle contractor for this work, is regulated by the Commonwealth work health and safety regulator, both Comcare and WorkSafe ACT may on occasion collaborate to conduct joint inspections when that is deemed necessary.

Any asbestos containing materials in Telstra pits will almost certainly be in a bonded form. The risk to the wider community of exposure to asbestos fibres because of poor removal practices is therefore considered to be very low. The primary risks associated with such asbestos removal will be occupational.

Comcare has established a hot line to provide advice and answer queries from the public. The hotline number is 1300 366 979.

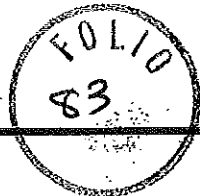
It is important to remind the community that asbestos containing materials were used extensively within the ACT up until the mid 1980's. The issues surrounding the use of asbestos and its removal will exist for decades to come. The important control for the risks associated with this is to ensure that when asbestos containing products are encountered they are properly managed and handled.

Work Safety  
Commissioner:  
Mark McCabe

Ph: 6205 0349

Mobile: 0400 778 645

[worksafe@act.gov.au](mailto:worksafe@act.gov.au)

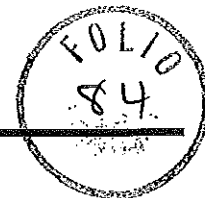


**Rees, John**

---

**From:** Nadesan, Thilaga  
**Sent:** Thursday, 13 June 2013 10:28 AM  
**To:** Joyce, David; Rees, John; Robinson, Heidi; Carmody, Jane; Smith, Bill; Jones, Katherine (CMCD)  
**Subject:** NBN | National Broadband Network | asbestos | Canberra | Telstra

<http://www.canberratimes.com.au/it-pro/nbn-rollout-stopped-amid-asbestos-fears-20130613-2o5g3.html>



**Rees, John**

---

**From:** Kelly, Paul  
**Sent:** Thursday, 13 June 2013 11:37 AM  
**To:** McCabe, Mark; Woollard, John  
**Cc:** Joyce, David; Rees, John; Robinson, Heidi  
**Subject:** RE: MEDIA RELEASE FROM THE A.C.T. WORK SAFETY COMMISSIONER

Thanks Mark,

I hope the interview went well.

I note the Canberra Times is reporting on another asbestos exposure in Kambah, and the claim that the residents are going to have "annual health checkups for life". This would not be something that we would recommend and there is little to be gained from such an approach other than continuing to raise anxiety and, if the checkups for the young children in particular included annual Xrays, an increased cancer risk (from the radiation not the asbestos).

Do you know where this might have come from? Is this an undertaking from ACT Government or a private arrangement through general practice?

Paul

Dr Paul M Kelly,  
Chief Health Officer,  
Population Health Division,  
ACT Government Health Directorate,  
Canberra,  
Australian Capital Territory,  
Australia.  
Office +61 2 6205 0883  
Email: [paul.kelly@act.gov.au](mailto:paul.kelly@act.gov.au)

---

**From:** McCabe, Mark  
**Sent:** Thursday, 13 June 2013 8:57 AM  
**To:** Woollard, John; Kelly, Paul  
**Cc:** Joyce, David; Rees, John; Robinson, Heidi  
**Subject:** FW: MEDIA RELEASE FROM THE A.C.T. WORK SAFETY COMMISSIONER  
**Importance:** High

MR attached

Doing a phone interview on ABC666 at 9.10am

---

**From:** Mitchell, Julie  
**Sent:** Thursday 13 June 2013 08:29  
**To:** McCabe, Mark; Sibree, Amanda  
**Subject:** FW: MEDIA RELEASE FROM THE A.C.T. WORK SAFETY COMMISSIONER

Both

I sent the MR and made an Executive decision to include mention of your unavailability this afternoon.

Concentrate on your exam this afternoon and not on what's happening in the office!

FYI

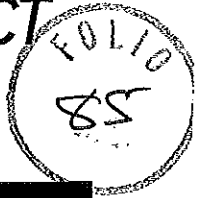
Julie



**ACT**  
Government

Justice and Community Safety

**WORKSAFE ACT**



## **MEDIA RELEASE**

11 June 2013

### **NBN rollout in the ACT**

The ACT has been working with Comcare and Telstra in relation to health and safety issues associated with the NBN rollout Australia wide and, in particular, the issues associated with work involving Telstra 'pits'. Work has ceased in the ACT until a thorough management strategy has been reviewed and implemented.

The Work Safety Commissioner and the Chief Health Officer are working together to ensure that community safety is not compromised.

Arrangements are in place for Comcare and the ACT to work in a collaborative manner on this issue. Although Telstra, as the principle contractor for this work, is regulated by the Commonwealth work health and safety regulator, both Comcare and WorkSafe ACT may on occasion collaborate to conduct joint inspections when that is deemed necessary.

Any asbestos containing materials in Telstra pits will almost certainly be in a bonded form. The risk to the wider community of exposure to asbestos fibres because of poor removal practices is therefore considered to be very low. The primary risks associated with such asbestos removal will be occupational.

Comcare has established a hot line to provide advice and answer queries from the public. The hotline number is 1300 366 979.

It is important to remind the community that asbestos containing materials were used extensively within the ACT up until the mid 1980's. The issues surrounding the use of asbestos and its removal will exist for decades to come. The important control for the risks associated with this is to ensure that when asbestos containing products are encountered they are properly managed and handled.

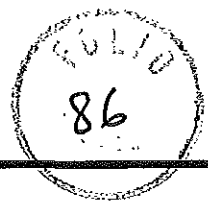
Work Safety  
Commissioner:

Mark McCabe

Ph: 6205 0349

Mobile: 0400 778 645

[worksafe@act.gov.au](mailto:worksafe@act.gov.au)



**Robinson, Heidi**

---

**From:** Readshaw, Sally  
**Sent:** Wednesday, 5 June 2013 10:38 AM  
**To:** CMCD DLO  
**Cc:** Davoren, Pam; Brighton, Meg; Robinson, Heidi  
**Subject:** Potential Asbestos in Nicholls NBN Telstra Pits  
**Attachments:** 20130605113649979.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi  
Please find attached a scanned brief re potential asbestos in Telstra pits (NBN) in Nicholls for the CM's info.  
The brief indicates there is a meeting relating to this today -follow up info will be provided.

Original to be delivered internal mail.  
Regards Sally

Sally Readshaw | Executive Officer  
Ph: +61 2 6205 0465 | Fax: +61 2 6205 5450 | Email: [sally.readshaw@act.gov.au](mailto:sally.readshaw@act.gov.au) Director-General's Office | Chief Minister and Treasury Directorate | ACT Government Level 5  
Canberra Nara Centre | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)

-----Original Message-----

**From:** sally readshaw [<mailto:sally.readshaw@act.gov.au>]  
**Sent:** Wednesday, 5 June 2013 1:37 PM  
**To:** Readshaw, Sally  
**Subject:**

This E-mail was sent from "NARAHSB01L05P05" (Aficio MP C2800).

Scan Date: 05.06.2013 11:36:49 (+0800)  
Queries to: [NARAHSB01L05P05@act.gov.au](mailto:NARAHSB01L05P05@act.gov.au)



# URGENT

Date 4 June 2013To Chief Minister

- Director-General *Copy provided S. Rendell. Scanned to DLO 516113*
- Acting Deputy Director-General Workforce Capability and Governance *4/6/13 MB*

From Acting Director Office of Industrial RelationsSubject Asbestos in Telstra Pits

### Critical date and reason

**As soon as possible.** This matter may be raised in the Assembly

### Purpose

To brief you on matters relating to the discovery and disturbance of asbestos during the roll-out of the National Broadband Network.

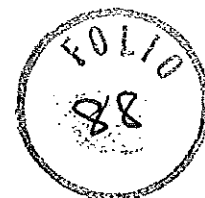
### Background

As part of the NBN rollout Telstra is managing issues associated with 'pits' which were often put in place by the then Post Master General (PMG) and which quite often contain bonded asbestos. Telstra pits provide access to underground cables and are generally located on the footpaths at certain points within suburbs.

Telstra, as a business, is regulated by Comcare in respect of its health and safety obligations under Commonwealth law. Vision-Stream, one of the subcontractors involved in the rollout is also regulated by Comcare.

In some cases there are other subcontractors involved who are regulated by State/Territory regulators such as WorkSafe ACT. In such cases Comcare regulates the activity through the principle contractor, Telstra, and WorkSafe ACT regulates the activity through the subcontractor.

It has recently come to the attention of authorities that the handling of this material by Telstra subcontractors has been inadequate from a health and safety perspective. Comcare is working with Telstra as the principal contractor to address the concerns and insure that the ongoing management of this issue is in accordance with work, health and safety laws. Telstra have publicly accepted responsibility for addressing this matter.



## **Issues**

Arrangements are now in place between Comcare and all relevant state/territory jurisdictions, including the ACT, for Comcare and the relevant state authority to work hand in hand on this issue. Comcare will, in many cases, have the lead since they are responsible for the principle contractor. However there may be joint inspections when work site inspections are deemed necessary and a state or territory subcontractor is involved.

Where enforcement action, such as stop work notices, is deemed necessary, Comcare will generally impose these on Telstra as the principle contractor. A decision will be made on a case-by-case basis whether similar action is required in relation to the subcontractor by WorkSafe ACT.

Late on Monday 3 June 2013, Comcare advised WorkSafe ACT of two pits in the Nicholls area where Comcare issued stop work notices last week because they may be of concern. WorkSafe is seeking clarification of the exact nature of the concern in these instances as one of the sites is close to a primary school. On the other hand, Nicholls is a relatively new suburb and it is not clear how many pits there could contain asbestos. At this point, it is important to note that testing has not been undertaken, and the presence of asbestos cannot be confirmed.

WorkSafe is now working hand in hand with Comcare to ensure that both territory and Commonwealth law requirements are met.

Reporting arrangements are now in place to ensure that both Comcare and WorkSafe ACT share any information regarding this and any future issues which may arise.

The ACT's Asbestos Regulators Forum will be convened on 5 June 2013.

## **Consultation**

WorkSafe ACT is keeping the asbestos coordinator at CMTD and ESDD updated on any developments in relation to this matter. The Work Safety Commissioner has also been in contact with Paul Kelly and John Woollard from ACT Health.

## **Financial**

NII

## **Media**

When the public is made aware of the location of areas of potential concern in the ACT, there may be a significant amount of media interest.



**Recommendation**

That you note the contents of this brief, and note that we will update you on further developments.

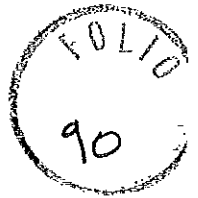
  
Heidi Robinson

Contact Officer: David Joyce / John Rees  
Phone: 62050709 / 62051398

**Katy Gallagher MLA .....** / /

**NOTED /PLEASE DISCUSS**

# CHIEF MINISTER AND TREASURY DIRECTORATE



## QUESTION TIME BRIEF

Minister: Workplace Safety and Industrial Relations  
Correct and accurate as at: 7 June 2013

### ISSUE: Discovery of asbestos fragments on the Stromlo Observatory Site.

---

#### Context

As part of the NBN rollout Telstra and its subcontractors need to access telecommunications pits. Some of these pits contain bonded asbestos.

#### Talking Points

- I am aware that some Telstra communications pits may contain asbestos, and that these pits are being accessed as part of the NBN rollout.
  - ACT Health has advised that the risk to the public is low. The primary risk is to those workers working directly on these pits.
  - ACT WorkSafe is working closely with Comcare and Telstra in relation to this issue.
  - All work associated with the NBN has ceased in the ACT until a thorough management strategy has been implemented.
  - Comcare has established a hot line to provide advice and answer queries from the public. The hotline number is 1300 366 979.
  - Asbestos containing materials were used extensively within the ACT for decades and issues surrounding the use of asbestos will exist for decades to come. Education and awareness are central to minimising the risks associated with asbestos use in the Territory.
- 

#### Background

- Late on 3 June 2013, Comcare advised the ACT Work Safety Commissioner that two telecommunications pits in the suburb of Nicholls were the subject of Comcare stop work notices. These pits were suspected of being contaminated with asbestos.
- The Asbestos Regulators Forum met at a specially convened meeting on 5 June 2013 to discuss Nicholls and formulate a whole of government response to a range of broader issues associated with the NBN rollout.
- It was agreed that ACT Work Safe and ACT Health would lead on this matter on behalf of the Territory.
- Arrangements are now in place between Comcare and all relevant state/territory jurisdictions, including the ACT, for Comcare and the relevant state authorities to work hand in hand on this issue. Comcare will, in many cases, have the lead since they are responsible for the principal contractor. However there may be joint inspections when work site inspections are deemed necessary and a state or territory subcontractor is involved.
- Where enforcement action, such as stop work notices, is deemed necessary, Comcare will generally impose these on Telstra as the principal contractor. A decision will be made on a case-by-case basis whether similar action is required in relation to the subcontractor by WorkSafe ACT.



*The pits*

- One of the Nicholls pits has been determined to be free of asbestos. We are awaiting results on the second (although it is considered unlikely that asbestos will be found).
- A second notification was made about a pit in Curtin. This pit was not associated with the NBN rollout but was reported as damaged. Material in the pit has since been identified as bonded asbestos. The risk to the public is considered very low, and appropriate measures will be implemented to minimise any risk to workers.
- A third pit in Deakin did not contain asbestos.

---

Cleared as accurate and complete as at 7 June 2013

By: Heidi Robinson, Acting Director Office of Industrial Relations

Ext: 76003

Action officer: David Joyce, Asbestos Coordinator

Ext: 50709



**ACT**

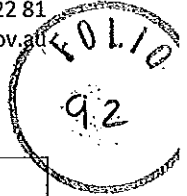
Government

Chief Minister and Treasury

MINUTE

GPO Box 158 Canberra ACT 2601 | phone: 13 22 81

www.act.gov.au



UNCLASSIFIED

TRIM No.:2013/1752

Date Rec'd Minister's Office .../.../...

**To:** Minister for Workplace Safety and Industrial Relations.

**From:** A/g Director, Office of Industrial Relations

**Subject:** National Broadband Network (NBN) Rollout – Asbestos

**Critical Date:** For Noting only.

- DG (JACS) .../.../... **COPY PROVIDED 6/6**
- DDG **6/6/13 MS**

**Recommendation**

1. That you:
  - a. Note the information contained within this brief.

**NOTED/PLEASE DISCUSS**

**Purpose**

2. To brief you on stop work notices placed on two telecommunication pits in Nicholls by Comcare.

**Background**

3. As part of the NBN rollout Telstra is managing issues associated with 'pits' which were often put in place by the then Post Master General (PMG) and which quite often contain bonded asbestos. Telstra pits provide access to underground cables and are generally located on the footpaths at certain points within suburbs.
4. Telstra, as a business, is a licensee under the *Safety, Rehabilitation and Compensation Act 1988* and is regulated by Comcare in respect of its health and safety obligations under Commonwealth law.
5. The status of sub-contractors engaged by Telstra, Comcare or the NBN is less clear. In some cases there are other subcontractors involved who are regulated by State/Territory regulators such as WorkSafe ACT. In such cases Comcare regulates the activity through the principal contractor, Telstra and WorkSafe ACT regulates the activity through the subcontractor.
6. As you will be aware the management and handling of this material associated with the NBN has been the focus of negative public scrutiny on a national level.
7. Comcare is working with Telstra as the principal contractor to address the concerns and ensure that the ongoing management of this issue is in accordance with work, health and safety laws.

**Issues**

8. Late on 3 June 2013, Comcare advised the ACT Work Safety Commissioner that two telecommunications pits in the suburb of Nicholls were subject to Comcare stop work notices. These pits were suspected of being contaminated with asbestos.
9. The Asbestos Regulators Forum met at a specially convened meeting on 5 June 2013, to discuss Nicholls and formulate a whole of government response to a range of broader issues associated with the NBN rollout.
10. It was agreed that ACT Work Safe and ACT Health lead on the issues associated with the telecommunications pits.

UNCLASSIFIED



- 11. Subsequent to this meeting the ARF has been advised of similar issues with telecommunication pits in Curtin and Deakin
- 12. Samples of material taken from these sites have been sent for analysis. One of these samples has been confirmed as containing asbestos.
- 13. Health have provided the attached talking points should the media seek comment from the Minister. As is indicated by these talking points, Health believe that the risk to public health is low.
- 14. Both the Chief Health Officer and the Work Safety Commissioner are available to speak with the media and address their relevant areas of concern.
- 15. It should be noted that Comcare has established a hot line to provide advice and answer queries from the public. The hotline number is 1300 366 979.
- 16. Arrangements are now in place between Comcare and all relevant state/territory jurisdictions, including the ACT, for Comcare and the relevant state authorities to work hand in hand on this issue. Comcare will, in many cases, have the lead since they are responsible for the principal contractor. However there may be joint inspections when work site inspections are deemed necessary and a state or territory subcontractor is involved.
- 17. Where enforcement action, such as stop work notices, is deemed necessary, Comcare will generally impose these on Telstra as the principal contractor. A decision will be made on a case-by-case basis whether similar action is required in relation to the subcontractor by WorkSafe ACT.
- 18. The ARF will discuss issues associated with the continued rollout of the NBN at its scheduled meeting on 7 June 2013.

**Financial Implications**

19. Nil

**Internal Consultation**

20. The ARF has been consulted and the asbestos management coordinator is responsible for coordinating the communication of information to all Directorates.

**Benefits/Sensitivities**

21. When the public has been made aware of the location of areas of potential concern in other jurisdictions, there has been a high degree of media interest which at times has been significantly in excess of the real issues.

**Media Implications**

22. When the public is made aware of the location of areas of potential concern in the ACT, there may be a significant amount of media interest. As a proactive measure and as a demonstration of government transparency the Chief Health Officer and the Work Safety Commissioner will brief the media on the results of analysis from the Nicholls pits.

*Heidi Robinson*  
 Heidi Robinson  
 6207 6003  
 June 2013

Action Officer: David Joyce Phone: 6205 0709  
 AGREED/NOT AGREED/NOTED/DISCUSS  
 Simon Corbell MLA ...../.../....  
 20.6.13

Performance Assessment

- Satisfactory
- Unsatisfactory

## Asbestos and NBN rollout issues in the ACT

### Issue

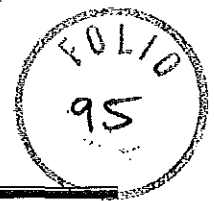
- Late on Monday 3 June 2013, Comcare advised WorkSafe ACT of two pits in the Nichols area where Comcare issued stop work notices last week because they may be of concern. It is understood that one of the sites is close to a primary school.
- The stop work notice is understood to have been issued by Comcare on 29 May 2013
- Bearing in mind that Nichols is a relatively new suburb it would be unlikely that any pits in the suburb would contain asbestos. Therefore the risks of exposure to asbestos would be low.
- Comcare, Worksafe ACT, ACT Health and other involved agencies are working together to ensure that any potential risks to the public are minimised.

### Background/Talking Points

- As part of the NBN rollout Telstra is managing issues associated with 'pits' which quite often contain bonded asbestos. 'Pits' provide access to underground cables and are generally located on the footpaths at certain points within suburbs.
- It has recently been reported that the handling of asbestos containing material found in some pits by Telstra subcontractors has been inadequate from a health and safety perspective.
- Comcare and all relevant agencies from state/territory jurisdictions, including the ACT, work jointly on this issue.
- Asbestos is a naturally occurring mineral fibre which was used in buildings in the past for its insulating properties and resistance to fire. Damaged material containing asbestos can release fibres into the air that may cause lung disease when inhaled.
- Although there is no completely safe level of exposure to asbestos, the majority of people who have developed illness have had years of exposure to fibres through their work, for example, asbestos miners or builders.
- WorkSafe ACT is the lead agency for matters relating to asbestos in the ACT. They put restrictions on sites where asbestos is found and order works to be done to safely remove the asbestos hazard.
- ACT Health provides support in a variety of ways, including:
  - providing advice on the level of risk; and
  - assessing results of air monitoring and advising on the potential risks of exposure.

# Chief Ministers Talkback Brief

## ISSUE: NBN Rollout



Updated: 31 May 2013

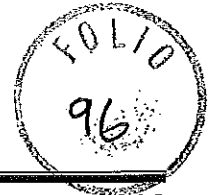
Minister responsible:	Directorate:	Contact Officer:
Economic Development	Economic Development	Ian Cox x72004

### KEY POINTS

- More than 4,000 homes and businesses around the Gungahlin Town Centre can now connect to the NBN. Senator Conroy, Minister for Broadband, Communications and the Digital Economy announced on 9 April 2013 that more than one third of homes and businesses in Gungahlin had signed up for the NBN with retail service providers such as Telstra, Optus, iiNet (Transact) etc. – one of the highest take up rates in the country.
- The NBN rollout is extending across Gungahlin, into Civic, Belconnen and Queanbeyan over the next 12 months.
- According to NBN Co's three year rollout plan 180,300 homes and businesses in Canberra will be connected by mid-2016. Canberra will be the first metropolitan centre in Australia to be fully connected to the NBN providing a significant competitive advantage over the rest of the country.
- ACT residents and the business community are already taking advantage of the opportunities presented by high-speed broadband.
- The Digital Hub based at the Gungahlin Library is providing free community workshops and training to improve digital literacy and knowledge of NBN functionality.
- The Digital Hub, in its first month of operation in February, provided 26 free community group training sessions and 20 individual sessions to improve digital literacy and knowledge of NBN functionality. Community interest is growing.
- The Digital Enterprise Centre, managed by Canberra Business Council, is now providing free workshops and training for the business community.
- The activities of the ACT Digital Hub and ACT Digital Enterprise Centre, which have been operating at the Gungahlin Library since 1 February 2013, have made a substantial contribution to raising awareness of the benefits of the NBN in the Gungahlin community.

# Chief Ministers Talkback Brief

## ISSUE: NBN Rollout



Updated: 31 May 2013

- The first Canberra National Broadband Network (NBN) Business Forum was hosted by the ACT Government and Canberra Business Council in partnership with the Australian Government and NBN Co in March 2013. The Business Forum provided information about the business opportunities provided by high speed broadband. The Business Forum attracted more than 100 participants which demonstrated the high level of interest from the business community in the introduction of high speed broadband.
- The ACT Government is working cooperatively with NBN Co and its contractors to implement the timely rollout of the NBN across Canberra. Economic Development Directorate is coordinating this work on behalf of the ACT Government.
- There have been issues in some states with the proper handling and management of asbestos by Telstra and its sub-contractors. As is happening in other states and territories, our local work health and safety regulator, WorkSafe ACT, is working with Comcare and Telstra to ensure that any problem which are identified are responded to promptly and thoroughly and that no further issues of this nature arise in future work.

### BACKGROUND INFORMATION

- NBN Co and its contractor Silcar have responsibility for laying the fibre but the retail service providers (Telstra, Optus, iiNet [owner of Transact] etc) have responsibility for providing the services to the home. iiNet is currently negotiating with NBN Co on the future of its Transact fibre network.
- NBN has a 12 month schedule of works that is updated on a quarterly basis to include additional locations. Construction will continue progressively across Gungahlin, into the city and Belconnen and out to the airport within 12 months.
- There are around 14 contractors with 84 employees working on the Canberra rollout.
- The ACT Government established a Taskforce comprising relevant Directorates and functional areas within Government who could assist with rollout logistics. The Taskforce has met with NBN representatives and its contractors a number of times and Directorates are assisting NBN Co and its rollout contractor Silcar on an issue by issue basis.

# Chief Ministers Talkback Brief

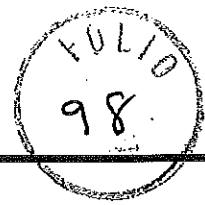
## ISSUE: NBN Rollout

---



Updated: 31 May 2013

- NBN Co has been engaged by the Village Building Company to provide telecommunication services to its new developments at Watson and West Macgregor. The Watson build was the first NBN implementation in Canberra.
  - There were some complaints about the slow rollout by NBN Co in Watson and West Macgregor which appears to be common in new developments waiting for NBN connections. These complaints are being resolved by NBN Co.
  - The Digital Hub at the Gungahlin Library and the Digital Enterprise Centre are funded by Commonwealth Government grants of more than \$800,000.
  - The ACT Government is working cooperatively with NBN Co and its contractors to implement the timely rollout of the NBN across Canberra.
-



**Rees, John**

---

**From:** Barbaro, Fiona  
**Sent:** Friday, 7 October 2011 12:11 PM  
**To:** Hudson, Catherine  
**Cc:** Joyce, David; Rees, John; Jones, Katherine (CMCD)  
**Subject:** NBN and asebstos

Hi Cathy – I saw this in your weekly brf:

**Business Development**

**National Broadband Network**

- On 4 October, ACT Government representatives met with representatives of NBN Co and the Department of Education, Employment and Workplace Relations. The purpose of the meeting was to discuss the workforce planning and training needs that will be required over the rollout timeframe of the National Broadband Network. The meeting agreed that further discussions will be undertaken once NBN Co announces its rollout strategy and a clearer picture emerges of local workforce requirements. The rollout strategy for the next 12 months is expected to be released this month.

We also noticed an article in OHS alert re the NBN being delayed due to asbestos concerns. Can you let us know the EDD contact for this work so we can be kept informed of anything relevant and assist in ensuring appropriate work safety practices are covered off (would also be useful engaging worksafe on this if you haven't already) bearing in mind post-OHS harmonisation the ACTs asbestos regulations will be slightly different to the rest of the country (as we are maintaining our best practice regime).

Thanks

Fiona

**Fiona Barbaro** | Acting Director, Office of Industrial Relations  
Phone: +61 2 6207 6003 | Fax: +61 2 6207 6775 | Mobile: 0411448912 | Email: [fiona.barbaro@act.gov.au](mailto:fiona.barbaro@act.gov.au)  
Workforce Capability and Governance Division | Chief Minister and Cabinet | ACT Government  
Level 5 Canberra Nara Centre | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)