

# ASBESTOS AND TELSTRA COMMUNICATION PITS: ADVICE FOR NSW COUNCILS

The following advice for councils has been prepared by Local Government NSW in consultation with the NSW Asbestos Coordination Committee Working Group in response to inquiries regarding asbestos containing material in Telstra communication pits.

## **1** Responsibilities for Telstra communication pits

- 1.1** Telstra has responsibility for the Telstra communication pits.
- 1.2** Remediation of the communication pits is under the control of Telstra. Telstra is responsible for the safe operating procedures, the engagement of subcontractors and ensuring subcontractors have adequate training, supervision and systems in place.
- 1.3** Telstra is regulated by Comcare, the Commonwealth work health and safety regulator and the pits are designated as federal workplaces.
- 1.4** The principal contractor and subcontractors working on the pits are ordinarily regulated by SafeWork NSW, however the WHS duties of Telstra extend to the contractors while working on communication pits.
- 1.5** This could result in both regulators having jurisdiction at these worksites and SafeWork NSW can take some enforcement action against subcontractors under the *NSW Work Health and Safety Act 2011*.

## **2** Asbestos containing material

- 2.1** In some instances the Telstra pits will be asbestos containing material. Asbestos containing pits that are intact and undisturbed in the ground pose minimal health risk.
- 2.2** If the pits are removed by adequate procedures there is minimal health risk. (The pits need to be broken slightly around the conduit entry points to get the pits out but if this is done properly, by wetting down, this does not pose an added risk).
- 2.3** Where the pits contain less than 10m<sup>2</sup> of non-friable (bonded) asbestos (presently the case for most pits) work does not require a licensed removalist or SafeWork NSW notification, however workers are still required to follow safe work method statements and to have been properly trained.
- 2.4** All asbestos containing materials must be transported in accordance with the Waste Regulations and disposed of at a landfill that can accept these materials.

### 3 Action by councils

**3.1** If council deems there is a need to protect the public or staff from potential risks associated with a Telstra pit, council should contact Telstra to request that Telstra address the risk. For example, if council notices that a pit that is likely to contain asbestos is being worked on and is not barricaded off, or any asbestos debris is left on site or there is site contamination, council should contact Telstra. Council may also consider requesting an asbestos clearance certificate for where asbestos has been removed or disturbed on council owned or managed land.

**3.2** If council considers there is a potential public health risk, council may opt to erect a temporary barricade and signage on council managed land around a pit (using appropriate personal protective equipment) until the site has been assessed and work at the site should cease until the site has been assessed. This may include considering the provision of air monitoring in consultation with a licensed asbestos assessor.

**3.3** Council may notify council staff not to conduct work within close proximity to a site that may present a health risk, particularly if the work by council staff would have the potential to inadvertently disturb asbestos containing materials.

### 4 Further information and complaints

**4.1** To contact Telstra with asbestos related inquiries, please phone **1800 067 225**.

**4.2** To lodge Workplace Health and Safety related concerns or complaints about Telstra work within the federal jurisdiction, please contact the Comcare Call Centre on **1300 366 979** between 8.30am and 5.00pm (AEST) Monday to Friday, complete the online enquiry form or email general enquires.

**4.3** If you have any problems obtaining advice or initiating action, please contact SafeWork NSW on **13 10 50**.

**4.4** Definitions and links to further information can be found in the *Model Asbestos Policy for NSW Councils* available from the Local Government NSW website: [www.lgnsw.org.au](http://www.lgnsw.org.au).

\* Endorsed by the NSW Asbestos Coordination Committee Working Group November 2021.