Enclosures

Performance Improvement Order (PIO) - Compliance Reporting to the Minister for Local Government (enclosure 1)

Meeting: 26 June, 2018
Performance Improvement Order
Compliance Report 6A

PROGRESS ACHIEVED AGAINST
CONSOLIDATED ASBESTOS INVESTIGATION
IMPROVEMENT PLAN

June 2018
1. Overall Rating and Summary of Action Status

**Action Recommendation Status**

- **COMPLETE**: Tasks Completed. No additional or ongoing action required.
- **ON TRACK**: Tasks aligned to the recommendation are in the process of being implemented are on track for completion within the allocated completion timeframe. No additional action required.
- **AT RISK**: Tasks aligned to the recommendation are in the process of being implemented, but may not be finalised within the allocated completion timeframe. Actions and resource allocation to be reviewed.
- **BEHIND SCHEDULE**: Tasks aligned to the recommendation must undergo review and determination of resource allocation and enhanced priority.

**Investigation Recommendations - Status of Actions**

<table>
<thead>
<tr>
<th>Status</th>
<th>RED</th>
<th>AMBER</th>
<th>GREEN</th>
<th>BLUE</th>
<th>Total</th>
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<tbody>
<tr>
<td>Actions</td>
<td>0</td>
<td>0</td>
<td>73</td>
<td>8</td>
<td>81</td>
</tr>
<tr>
<td>% of total</td>
<td>0%</td>
<td>0%</td>
<td>89%</td>
<td>10%</td>
<td>100%</td>
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</table>

Where an action is complete but marked ongoing it remains green

**Report Summary**

The scope of this report covers all recommendations contained within the series of Investigation Reports authored by Clyde & Co and tabled to the Blue Mountains City Council in March 2018.

The intent of this report is to provide the Office of Local Government the Elected Council and the Blue Mountains City Council Senior Management Team with a regular update on the implementation status of each recommendation accepted by the Council.

The report provides details of 81 action tasks, designated to meet the intent of the recommendations.

**Investigation Recommendations Actions Status Summary: June 2018**

- No actions with red status.
- No actions with amber status.
- 72 actions with green status.
- 8 actions completed.

Refer to the comments below.
Overview

Background

This Draft Improvement Plan Status Report responds to the recommendations of the Clyde & Co Blue Mountains City Council Asbestos Investigation Interim Reports 1, 2, 3 and Final Report.

This is a DRAFT Improvement Plan given that the report it is responding to is an 'interim' report. Input on this Draft Plan is being sought from key agencies including SafeWork NSW, the Environmental Protection Authority and the Office of Local Government as well as from the BMCC staff.

Once the Final Asbestos Investigation Report is received from Clyde & Co, its recommendations will be considered by the Council for adoption. Following this, a final Improvement Plan will then be completed for Council adoption, taking into account the adopted recommendations and input received from agencies and staff.

Scope of Asbestos investigation

Clyde & Co was engaged by McPhee Kelshaw on behalf of the Blue Mountains City Council (Council) to conduct an independent investigation into a number of matters relating to asbestos management at the Council (Asbestos Investigation). The Asbestos Investigation uncovered a number of deficiencies in relation to the approach and management of asbestos at the Council and a number of recommendations for improvement have been made.

Key Information on Interim Reports

Interim Report 1 - Asbestos Management at Lawson Carpark, Lawson Mechanics Institute and Lawson Depot, delivered to McPhee Kelshaw on 16 February 2018 (Interim Report 1)

Interim Report 2 - Identification of ACM at the former Blackheath Tip site and access to that site once asbestos was known, delivered to McPhee Kelshaw on 28 February 2018 (Interim Report 2)


Final Report -
2. Recommendations

3.1 Recommendations of Clyde & Co

RECOMMENDATIONS DETAILED WITHIN BMCC ASBESTOS INVESTIGATION INTERIM REPORT ONE AND TWO

INTERIM REPORT ONE

- **RECOMMENDATION 1**: Council develop and implement a policy to ensure that Council controlled contaminated sites are remediated as soon as reasonably practicable and immediate steps taken to isolate contaminated sites until such remediation takes place.

- **RECOMMENDATION 2**: Council conducts a risk assessment upon the acquisition of any property (whether as a lease or ownership).

- **RECOMMENDATION 3**: Council review the roles, responsibilities and accountabilities in position descriptions of all staff in City & Community Outcomes to ensure they adequately cover Council’s obligations in relation to dealing with asbestos contamination in land.

- **RECOMMENDATION 4**: Council undertakes a training needs analysis and delivers training to all staff in relation to asbestos management.

- **RECOMMENDATION 5**: Council develop a staff programme designed to empower staff to stop work for health and safety concerns and encourage staff to report matters directly to the elected Council if necessary.

- **RECOMMENDATION 6**: Council undertakes a review and assessment of middle management capability to provide adequate supervision to ensure health and safety.

- **RECOMMENDATION 7**: Council implements a safety culture program to improve ownership of safety issues, reporting and learning from incidents.

- **RECOMMENDATION 8**: Council implement a safety leadership program which includes processes for ensuring due diligence by Council senior officers through:
  a. Training and awareness of relevant legal obligations in relation to asbestos
  b. Reporting and first hand verification of the implementation of systems and processes
  c. Assessment and reporting to Council’s elected members on the adequacy of resources for discharging safety legal duties regarding asbestos

- **RECOMMENDATION 9**: Council implements a product stewardship approach to stockpile management.

- **RECOMMENDATION 10**: Council develops an audit program to verify that the above recommendations have been implemented.
RECOMMENDATION 1: Council consider implementing the recommendations made by previous consultants to ensure that the Blackheath Tip Site is fenced to prevent future unlawful dumping of waste (including asbestos) at the site.

RECOMMENDATION 2: Council considers implementing the following at the Former Blackheath Tip:
   a. Security cameras to monitor illegal dumping. Locations for those cameras could rotate based on information obtained through intelligence gathering to determine popular locations for illegal dumping;
   b. Warning signs to identify that dumping of material in the area is illegal, that security measures are in place to monitor activities in the location and enforcement action will be taken when illegal dumping occurs. That signage could also direct members of the public to the Council’s operating waste disposal facilities; and
   c. An inspection program for monitoring activities at the site and identifying high risk locations.

RECOMMENDATION 3: Council reviews its contractor health and safety management processes and procedures to ensure that there is effective management of, and consultation and co-ordination with contractors. Council adopts a whole-of-lifecycle approach to the management of contractors that provides for health and safety considerations in scoping, procurement and contractor selection, planning of work, on boarding of contractors, monitoring operations during the performance of work, responding to and reporting on health and safety issues raised during the performance of work, review of contractors’ performance, completion and hand over as well as the conduct of project completion briefs for learning and continuous improvement for future projects.

RECOMMENDATION 4: Following the implementation of Recommendation 3 above, Council undertakes a training needs analysis and delivers training to all staff required to engage contractors and monitor their activities.

RECOMMENDATION 5: As part of the review and assessment undertaken to meet Recommendation 6 in Interim Report 1, Council specifically consider middle management capability to provide adequate supervision of contractors’ health and safety.

RECOMMENDATION 6: That the Council continue its advocacy for the removal of financial disincentives at the State level for the lawful disposal of asbestos by members of the public.

RECOMMENDATION 7: That the Council may wish to consider whether there is a benefit in becoming involved in one of the Regional Illegal Dumping (RID)
• RECOMMENDATION 1: Council needs to develop a long term program for the elimination of asbestos from all Council owned and managed properties (including both buildings and land) (Asbestos Elimination Program). In making that recommendation we accept that the availability of resources will require the Asbestos Elimination Program to have a sufficient timeframe to allow that elimination to occur in a reasonably practicable manner and may require multiple budgetary cycles. Council should determine the appropriate timeframe for that given its resource constraints. The Asbestos Elimination program must be accompanied by accountabilities and reporting framework for the program that includes reporting to elected Councilors’ on the implementation of the Asbestos Elimination Program.

• RECOMMENDATION 2: In relation to every Council owned or managed property where asbestos has not already been eliminated:
  a. review or prepare an asbestos register for each Council workplace where ACM has been identified or is likely to be present at the workplace from time to time. Ensure that the asbestos register is kept at each workplace. Ensure that the asbestos register for each workplace records the asbestos or ACM identified at the workplace including the date on which it was identified, its location, type and condition. Where an asbestos register is reviewed, ensure that it is revised if further asbestos or ACM is identified at the specific workplace or if asbestos is removed from, disturbed, sealed or enclosed at the workplace.
  b. review and maintain or prepare a documented Asbestos Management Plan for each Council workplace where asbestos or ACM has been identified or is likely to be present at the workplace from time to time. That workplace-specific Asbestos Management Plan must include information about the identification of asbestos or ACM (including links to the relevant asbestos register at the workplace and sign age and labelling), decisions and reasons for decisions about the management of asbestos at the workplace (including information about the safe operating procedures and control measures to implement, provide procedures for incident and emergency management relating to asbestos or ACM at that workplace and information regarding consultation, roles, responsibilities, information and training for workers carrying out work involving asbestos. Ensure that the Asbestos Management Plan for the workplace is readily accessible to all workers who may carry out work at the workplace (including contractors), Health and Safety Representatives and WHS Committee members.
  c. where occupational hygienists have recommended labelling of asbestos and the labelling of the specific locations has not yet occurred, Council must adopt one of the following courses of action:
    i. engage a licensed asbestos removalist to remove the ACM; or
    ii. attend to labelling the relevant locations; or
    iii. where it is not possible to affix the label to the specific location itself, place a prominent warning sign in its immediate vicinity.

It would be prudent for the Council to undertake a high level risk assessment and cost benefit analysis to determine which strategy to adopt for each of those locations with particular regard to high use locations and leased premises with unpredictable usage (such as childcare centers or community halls where the predominant usage involves activities for Children), particularly in light of Recommendation 1 above.

• RECOMMENDATION 3: Raise community awareness with respect to effective management of asbestos to enhance the Council’s approach to prevention in addressing illegally dumped asbestos, particularly in relation to home renovations. The community awareness campaign needs to include content on what asbestos looks like and how to identify it as well as providing education and awareness on the health impacts of asbestos. We note that this recommendation broadly aligns with plans under Theme 3: Community Education of the Appendix B Strategic Action Plan within the Council’s Illegal Dumping Strategy but the recommended focus on health impacts may include material beyond the current plans.
FINAL Clyde & Co. REPORT

- **RECOMMENDATION 1:** Review Councils framework for managing asbestos in Council owned or managed proprieties (land and buildings) including:
  - The asbestos policy
  - Asbestos registers for each property
  - Asbestos management plans for each property
  - Legally compliant labelling of ACM in properties
  - Training to staff in relation to asbestos management
  - Reporting procedures for reporting asbestos related incidents at properties
  - Appropriate processes for health monitoring of workers and others exposed to asbestos through Councils undertaking at properties and
  - Processes for identifying and accessing relevant asbestos related expertise (such as industrial hygienists, asbestos removal contractors and occupational physicians).

- **RECOMMENDATION 2:** Review the accountabilities and responsibilities of all council staff in relation to asbestos management and create a change management process for ensuring that any such accountabilities and responsibilities remain appropriate in the event of a material change (such as a change in roles, organisational structure or reporting lines).

- **RECOMMENDATION 3:** Develop and implement a stakeholder (community & workers) awareness and engagement program in relation to the identification of asbestos, the management of risks arising from asbestos, the management of risks arising from asbestos and the health effects of asbestos exposure. In relation to health effects such information must be prepared and provided by a person with appropriate expertise such as an occupational physician.

- **RECOMMENDATION 4:** Review the communication and consultation channels between the directorates to ensure effective cooperation and coordination of asbestos management.

- **RECOMMENDATION 5:** Develop and implement a long term Asbestos Eradication Program which is adequately resourced with clear reporting and accountability.

- **RECOMMENDATION 6:** Develop and implement a Safety Culture Program for managing risks of asbestos.

- **RECOMMENDATION 7:** Review existing ‘Whistleblower’ protections to ensure that they extend to safety related exposure particularly in the context of asbestos related compliance.

- **RECOMMENDATION 8:** Develop and implement a Safety Leadership Program for managing risks of asbestos.

- **RECOMMENDATION 9:** Develop and implement a due diligence program at the Elected Council and senior management level for managing risks of asbestos.

- **RECOMMENDATION 10:** Develop a program for review, assessment and reporting to the elected Council for the implementation of the recommendations in the Final Report and the Interim Reports.
### 3.2 Investigation findings, recommendations and management actions - Interim Report One

<table>
<thead>
<tr>
<th>Action No</th>
<th>Action</th>
<th>Responsibility</th>
<th>Status Rating</th>
<th>Duration (days)</th>
<th>Start</th>
<th>Finish</th>
<th>Current date</th>
<th>Days left to complete action</th>
<th>% Complete</th>
<th>Comment</th>
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</thead>
<tbody>
<tr>
<td>1.1a</td>
<td>Identify and review all known potentially contaminated sites within Council ownership or care, control and management (including Council, community and/or commercial sites/properties).</td>
<td>City &amp; Community Outcomes</td>
<td>Green</td>
<td>180</td>
<td>1/07/2018</td>
<td>31/12/2018</td>
<td>13/06/2018</td>
<td>201</td>
<td>25%</td>
<td>Action not due to commence. However, an initial review of the Contaminated Lands Database is currently underway in relation to known sites. This review is anticipated to be completed ahead of schedule (prior to the end of August 2018.) The Council is converting its Corporate Asbestos Register for Council owned assets with asbestos into the Council's Land Information System (LIS) (scheduled completion prior to the end of July 2018). This will identify and document all known as risk sites managed by the Council. An example/extract of the Register is provided at TRIM 18/128450.</td>
</tr>
<tr>
<td>1.1b</td>
<td>Ensure appropriate steps have been taken as soon as possible to isolate contaminated sites until required remediation has been completed – including installation of appropriate access barriers, warning signage and site monitoring.</td>
<td>City &amp; Community Outcomes</td>
<td>Completed</td>
<td>180</td>
<td>1/07/2018</td>
<td>31/12/2018</td>
<td>13/06/2018</td>
<td>201</td>
<td>100%</td>
<td>The Council has taken the appropriate steps of isolating asbestos contaminated sites by adopting an Asbestos Management Plan on 20 October (TRIM 17/265194), which is supported by Asbestos Standard Operational Procedures (SOPs) adopted by the Executive Leadership Team on 20 October 2017 (TRIM 18/114131). SOP 2 (Accidental disturbance of Asbestos), SOP 3 (Orphaned Asbestos), SOP 5 (Asbestos-related work requirements) and SOP 18 (Contaminated Land/Soils) specifically require action by the Council to isolate sites until remediation is completed. SafeWork NSW have reviewed this policy and SOPs. As part of the SafeWork re-inspection program, SafeWork have inspected and cleared in the order of 30 sites, thus confirming appropriate isolation pending remediation of sites (TRIM 18/123833)</td>
</tr>
<tr>
<td>1.1ba</td>
<td>Develop policy and procedures to ensure Council engages the services of Licensed Asbestos Analysts and Licensed Asbestos Removalists by providing detailed and documented scopes of works to implement and oversee required remediation works in strict accordance with legislative and regulatory provision requirements.</td>
<td>Chief Safety Officer</td>
<td>Green</td>
<td>60</td>
<td>1/07/2018</td>
<td>31/08/2018</td>
<td>13/06/2018</td>
<td>79</td>
<td>0%</td>
<td>Action not due to commence.</td>
</tr>
<tr>
<td>1.1c</td>
<td>Develop and implement a Policy that supports a program of remediation works for sites contaminated with asbestos using a risk management approach, in strict accordance with legislative and regulatory requirements.</td>
<td>City &amp; Community Outcomes</td>
<td>Green</td>
<td>180</td>
<td>1/07/2018</td>
<td>31/12/2018</td>
<td>13/06/2018</td>
<td>201</td>
<td>0%</td>
<td>Action not due to commence.</td>
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<tr>
<td>1.1d</td>
<td>Engage the services of Licensed Asbestos Analysts and Licensed Asbestos Removalists to implement and oversee required remediation works in strict accordance with legislative and regulatory provision requirements.</td>
<td>City &amp; Community Outcomes</td>
<td>Green</td>
<td>180</td>
<td>1/07/2018</td>
<td>31/12/2018</td>
<td>13/06/2018</td>
<td>201</td>
<td>0%</td>
<td>Action not due to commence.</td>
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<tr>
<td>1.1e</td>
<td>Council will review its asset management to improve short, medium and long term approach to asset maintenance and incorporate a preventative maintenance program that facilitates identification and ongoing regular assessment of all in situ ACM.</td>
<td>City &amp; Community Outcomes</td>
<td>Green</td>
<td>300</td>
<td>1/09/2018</td>
<td>30/04/2019</td>
<td>13/06/2018</td>
<td>321</td>
<td>0%</td>
<td>Action not due to commence.</td>
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3.2 Investigation findings, recommendations and management actions - Interim Report One
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<th>Days left to complete action</th>
<th>% Complete</th>
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<tbody>
<tr>
<td>1.1f</td>
<td>In respect to this recommendation and all ensuing actions against all recommendations in the Safety Improvement Plan council to develop and implement consultative mechanisms which facilitate the active involvement of all BMCC personnel.</td>
<td>People &amp; Systems</td>
<td>Green</td>
<td>Ongoing</td>
<td>Ongoing</td>
<td>Ongoing</td>
<td>Ongoing</td>
<td>13/06/2018</td>
<td>25%</td>
<td>Safety team has commenced work on updating BMCC Staff Training Register systems, commencing with Asbestos Training completed by a significant majority of BMCC staff. All training being tracked in the Council’s e-learning system (LEARN) TRIM 18/116610 &amp; 18/116615</td>
</tr>
<tr>
<td>2.1.</td>
<td>Develop a Council Policy and Procedures to ensure risk assessment is implemented upon the acquisition of any property (whether as lease or ownership).</td>
<td>City &amp; Community Outcomes</td>
<td>Green</td>
<td>90</td>
<td>1/04/2018</td>
<td>30/06/2018</td>
<td>13/06/2018</td>
<td>75%</td>
<td>17</td>
<td>Commercial Property Policy currently being developed and to be finalised by 30 June 2018. See TRIM 18/118320 for an advanced draft, to be presented for adoption at the 26 June Council meeting. See TRIM 18/105466 confirming risk assessment to be included in Policy. The supporting Commercial Property Policy Manual (TRIM ref 18/118700) includes details of Risk &amp; Benefit Analysis required to be conducted on the acquisition of any property.</td>
</tr>
<tr>
<td>2.2.</td>
<td>As part of risk assessment policy and procedures: ensure mechanisms are in place for obtaining advice from external bodies on management of risk matters if required; and requirement for the findings of property acquisition risk assessments to be reported to the Executive Leadership Team and the Elected Council for their consideration.</td>
<td>City &amp; Community Outcomes</td>
<td>Green</td>
<td>90</td>
<td>1/04/2018</td>
<td>30/06/2018</td>
<td>13/06/2018</td>
<td>75%</td>
<td>17</td>
<td>The Commercial Property Terms of Reference (TRIM ref 18/88997) provide a mechanism for obtaining advice from external bodies on risk management matters, if required. The Commercial Property Policy (18/118320) stipulates that the Property Investment Panel are able to refer matters to the Executive Leadership Team and the elected body for their consideration, if required.</td>
</tr>
<tr>
<td>2.3.</td>
<td>Ensure risk assessment is undertaken in accordance with methodologies and systems detailed within ISO 31000: Risk Management.</td>
<td>People &amp; Systems</td>
<td>Green</td>
<td>Ongoing</td>
<td>Ongoing</td>
<td>Ongoing</td>
<td>Ongoing</td>
<td>50%</td>
<td>50%</td>
<td>All risk assessments currently align to ISO 31000. Council has initiated the Enterprise Risk Management (ERM) Project to be conducted between now and 30 June 2018 to confirm and imbed these requirements. ERM Policy approved by ELT – TRIM 18/106011.</td>
</tr>
<tr>
<td>2.4.</td>
<td>As part of risk assessment policy and procedures – ensure documentation and recording of risk management actions and that such actions are subject to review and audit.</td>
<td>People &amp; Systems</td>
<td>Green</td>
<td>Ongoing</td>
<td>Ongoing</td>
<td>Ongoing</td>
<td>Ongoing</td>
<td>100% and ongoing</td>
<td>100% and ongoing</td>
<td>This is a key deliverable of Council’s Enterprise Risk Management (ERM) Project, phase one of which will be completed by 30 June 2018. The ERM Project will also deliver a range of tools and documentation for risk management by 30 June 2018. The implementation of these tools and documents is a key deliverable of Phase Two of this project. ERM Policy - TRIM 18/106011. Policy endorsed by ELT 30 May 2018 as TRIM 18/116911</td>
</tr>
<tr>
<td>3.1.</td>
<td>Clarify and reconfirm Council obligations in relation to dealing with land where asbestos may be present.</td>
<td>People &amp; Systems / All Directorates &amp; Groups</td>
<td>Green</td>
<td>90</td>
<td>1/06/2018</td>
<td>31/08/2018</td>
<td>13/06/2018</td>
<td>25%</td>
<td>Scoping meeting arranged with key stakeholders 17 May 2018 to confirm obligations and requirements. TRIM 18/109061 and 18/122204</td>
<td></td>
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<tr>
<td>3.2.</td>
<td>Develop brief and implement review of required roles, responsibilities and accountabilities of staff within the City &amp; Community Outcomes Directorate (and in other Directorates &amp; Groups as identified as being required) related to meeting Council’s obligations in relation to dealing with asbestos contamination in land.</td>
<td>People &amp; Systems</td>
<td>Green</td>
<td>90</td>
<td>1/06/2018</td>
<td>31/08/2018</td>
<td>13/06/2018</td>
<td>25%</td>
<td>Agenda for meeting to discuss and determine approach for recommendation 3 - TRIM - 18/109061 Minutes of meeting TRIM 18/122204</td>
<td></td>
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<tr>
<td>3.3.</td>
<td>Complete a review of existing position descriptions of staff in City &amp; Community Outcomes (and in other Directorates &amp; Groups as identified as being required) to ensure required roles, responsibilities and accountabilities relative to dealing with asbestos contamination in land have been incorporated adequately and appropriately (as per outcomes of 3.1 above)</td>
<td>People &amp; Systems</td>
<td>Green</td>
<td>90</td>
<td>1/06/2018</td>
<td>31/08/2018</td>
<td>13/06/2018</td>
<td>0%</td>
<td>Action not due to commence</td>
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Performance Improvement Order - PCG

TRIM 18/76348
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<td>1.3d.</td>
<td>People &amp; Systems / All Directorates &amp; Groups</td>
<td>Green</td>
<td>90</td>
<td>1/06/2018</td>
<td>31/08/2018</td>
<td>13/06/2018</td>
<td>79</td>
<td>0%</td>
<td>Action not due to commence</td>
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<tr>
<td>1.3e.</td>
<td>People &amp; Systems</td>
<td>Green</td>
<td>180</td>
<td>1/05/2018</td>
<td>1/11/2018</td>
<td>13/06/2018</td>
<td>141</td>
<td>75%</td>
<td>Realignment of structure to support asset maintenance in respect of lessons learnt from asbestos management realigned reporting of City Presentation Branch into C&amp;O Directorate to ensure seamless strategy and delivery of services and improve communication. Structure realignment pending final approval. TRIM 18/105198 &amp; 18/105200</td>
</tr>
<tr>
<td>1.4a.</td>
<td>Chief Safety Officer / People &amp; Systems</td>
<td>Green</td>
<td>15</td>
<td>1/06/2018</td>
<td>16/06/2018</td>
<td>13/06/2018</td>
<td>3</td>
<td>75%</td>
<td>Work has commenced on briefing documentation and collation in respect to undertaking a Training Needs Analysis to assess and implement required training required for staff in relation to asbestos. Briefing document to be tabled to Council Executive Leadership Team Wednesday 16th May 2018. TRIM 18/108536, 18/108535, 18/108533</td>
</tr>
<tr>
<td>1.4b.</td>
<td>Chief Safety Officer / People &amp; Systems</td>
<td>Green</td>
<td>30</td>
<td>16/06/2018</td>
<td>16/07/2018</td>
<td>13/06/2018</td>
<td>33</td>
<td>75%</td>
<td>Training Needs Analysis has been developed by the Chief Safety Officer. It will be tabled for approval by the Executive Leadership Team at their meeting scheduled for 6 June 2018.</td>
</tr>
<tr>
<td>1.4c.</td>
<td>Chief Safety Officer / People &amp; Systems</td>
<td>Green</td>
<td>90</td>
<td>17/07/2018</td>
<td>18/10/2018</td>
<td>13/06/2018</td>
<td>127</td>
<td>75%</td>
<td>Training Needs Analysis has been developed with ELT for consideration for further training in Council. TRIM 18/128429. Council will continue to conduct training depending on needs including new starters. Template working draft for WHS Training Needs Analysis (TRIM 18/108536) Asbestos Training &amp; Awareness Report (TRIM 18/108535) Asbestos Training Register (TRIM 18/108533) EPA Training (TRIM 18/128434) Elected Life training for councillors (due diligence) (TRIM 18/128446) WHS Training Councillors (TRIM 18/128429)</td>
</tr>
<tr>
<td>1.4d.</td>
<td>People &amp; Systems</td>
<td>Green</td>
<td>Ongoing as Required</td>
<td>Ongoing</td>
<td>Ongoing</td>
<td>13/06/2018</td>
<td>Ongoing</td>
<td>100% and ongoing</td>
<td>Safety team has commenced work on updating BMCC Staff Training Register systems, commencing with Asbestos Training completed by a significant majority of BMCC staff. All training being tracked in the Council’s e-learning system LEARN. TRIM 18/118610 &amp; 18/118615</td>
</tr>
</tbody>
</table>

4. Council undertake a training needs analysis and deliver training to all staff in relation to asbestos management.

4.1a. Develop brief to undertake a Training Needs Analysis to assess the required training for all staff in relation to asbestos management (review and build on the 4-tier training identification system and training register developed in mid-2017 to track staff training in asbestos management).
   - Chief Safety Officer / People & Systems
   - Green
   - 15 days
   - 1/06/2018 to 16/06/2018
   - 13/06/2018
   - 3
   - 75%
   - Work has commenced on briefing documentation and collation in respect to undertaking a Training Needs Analysis to assess and implement required training required for staff in relation to asbestos. Briefing document to be tabled to Council Executive Leadership Team Wednesday 16th May 2018. TRIM 18/108536, 18/108535, 18/108533.

4.1b. Engage external or internal provider to deliver brief and undertake Training Needs Analysis
   - Chief Safety Officer / People & Systems
   - Green
   - 30 days
   - 16/06/2018 to 16/07/2018
   - 13/06/2018
   - 33
   - 75%
   - Training Needs Analysis has been developed by the Chief Safety Officer. It will be tabled for approval by the Executive Leadership Team at their meeting scheduled for 6 June 2018.

4.1c. Implement training Needs Analysis in relation to Asbestos Management - document identified training requirements and gaps needing to be addressed – develop training plan / program for implementation.
   - Chief Safety Officer / People & Systems
   - Green
   - 90 days
   - 17/07/2018 to 18/10/2018
   - 13/06/2018
   - 127
   - 75%
   - Training Needs Analysis has been developed with ELT for consideration for further training in Council. TRIM 18/128429. Council will continue to conduct training depending on needs including new starters. Template working draft for WHS Training Needs Analysis (TRIM 18/108536) Asbestos Training & Awareness Report (TRIM 18/108535) Asbestos Training Register (TRIM 18/108533) EPA Training (TRIM 18/128434) Elected Life training for councillors (due diligence) (TRIM 18/128446) WHS Training Councillors (TRIM 18/128429).

4.1d. Update Council’s Training Register as training is implemented.
   - People & Systems
   - Green
   - Ongoing as Required
   - Ongoing
   - 13/06/2018
   - Ongoing
   - 100% and ongoing
   - Safety team has commenced work on updating BMCC Staff Training Register systems, commencing with Asbestos Training completed by a significant majority of BMCC staff. All training being tracked in the Council’s e-learning system LEARN. TRIM 18/118610 & 18/118615.

5. Council undertake a training needs analysis and deliver training to all staff in relation to asbestos management.

5.1a. In accordance with the NSW Work Health & Safety Act 2011, Division 6: Right to Cease or Direct Cessation of Unsafe Work, Council will develop a staff program to ensure all personnel are fully aware of this provision and empowered to stop work in response to health and safety concerns.
   - Chief Safety Officer / People & Systems
   - Green
   - 60 days
   - 1/07/2018 to 31/08/2018
   - 13/06/2018
   - 79
   - 0%
   - Action not due to commence.
<table>
<thead>
<tr>
<th>Action No</th>
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<th>% Complete</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.5b.</td>
<td>Develop and implement a system to facilitate escalation of any Work Health and Safety issue as required through line management and if necessary to the to the General Manager and if necessary ultimately to the Elected Council - should a raised issue not be resolved satisfactorily (Note: Council to check that escalation by staff to the Elected Council is in accord with local government legislation, regulations and Code of Conduct).</td>
<td>Chief Safety Officer / People &amp; Systems</td>
<td>Green</td>
<td>60</td>
<td>1/07/2018</td>
<td>31/08/2018</td>
<td>13/06/2018</td>
<td>79</td>
<td>0%</td>
<td>Action not due to commence.</td>
</tr>
<tr>
<td>1.5c</td>
<td>Ensure the escalation system developed is regularly audited and incorporates key performance measures to assess performance relative to issue resolution and requirement for escalation.</td>
<td>Chief Safety Officer / People &amp; Systems</td>
<td>Green</td>
<td>60</td>
<td>1/07/2018</td>
<td>31/08/2018</td>
<td>13/06/2018</td>
<td>79</td>
<td>0%</td>
<td>Action not due to commence.</td>
</tr>
<tr>
<td>1.6a</td>
<td>Develop brief to review and assess current and required middle management capability (including frontline management and supervisory staff) to provide adequate supervision to ensure health and safety.</td>
<td>Chief Safety Officer / People &amp; Systems</td>
<td>Green</td>
<td>15</td>
<td>1/09/2018</td>
<td>16/09/2018</td>
<td>13/06/2018</td>
<td>95</td>
<td>75%</td>
<td>Frontline Management and supervisory staff have been captured as part of the Training Needs Analysis. See 1.4b above.</td>
</tr>
<tr>
<td>1.6b</td>
<td>Engage expert consultant or internal provider to deliver brief and implement the review including identification of gaps in skills and capabilities.</td>
<td>Chief Safety Officer / People &amp; Systems</td>
<td>Green</td>
<td>30</td>
<td>17/09/2018</td>
<td>18/10/2018</td>
<td>13/06/2018</td>
<td>127</td>
<td>100% and ongoing</td>
<td>TNA has captured all WHS needs and gaps. Training has been delivered for all identified staff and will continue to be delivered as identified. See Recommendation 4.</td>
</tr>
<tr>
<td>1.6c</td>
<td>Implement targeted internal and/or external training program and coaching for identified managers / supervisors to ensure they have the required supervisory skills and capabilities to ensure health and safety of staff and contractors they are overseeing</td>
<td>Chief Safety Officer / People &amp; Systems</td>
<td>Green</td>
<td>90</td>
<td>1/09/2018</td>
<td>30/11/2018</td>
<td>13/06/2018</td>
<td>170</td>
<td>100% and ongoing</td>
<td>Targeting training has been delivered to internal staff, including Managers, ELT members, elected Council body. See Recommendation 4.</td>
</tr>
<tr>
<td>1.7a</td>
<td>Develop brief for implementation of a safety culture program to improve ownership of safety issues, reporting and learning from incidents.</td>
<td>Chief Safety Officer / People &amp; Systems</td>
<td>Green</td>
<td>15</td>
<td>1/07/2018</td>
<td>16/07/2018</td>
<td>13/06/2018</td>
<td>33</td>
<td>0%</td>
<td>Action not due to commence.</td>
</tr>
<tr>
<td>1.7b</td>
<td>Engage external or internal expert provider to deliver brief and implement the safety culture program across the organisation</td>
<td>Chief Safety Officer / People &amp; Systems</td>
<td>Green</td>
<td>30</td>
<td>17/07/2018</td>
<td>18/08/2019</td>
<td>13/06/2018</td>
<td>431</td>
<td>0%</td>
<td>Action not due to commence.</td>
</tr>
<tr>
<td>1.7c</td>
<td>Implement the Safety Culture program as detailed in 7.b across the organisation. Systems implemented to incorporate ‘closed loop’ reporting mechanisms including defined reporting feedback timeframe KPIs, to ensure there is a structured approach to consultation and information is communicated and feedback is facilitated.</td>
<td>Chief Safety Officer / People &amp; Systems</td>
<td>Green</td>
<td>120</td>
<td>19/08/2018</td>
<td>20/11/2018</td>
<td>13/06/2018</td>
<td>160</td>
<td>0%</td>
<td>Action not due to commence.</td>
</tr>
</tbody>
</table>

6. Council undertake a review and assessment of middle management capability to provide adequate supervision to ensure health and safety.

7. Council implement a safety culture program to improve ownership of safety issues, reporting and learning from incidents.

8. Council implement a safety leadership program which includes processes for ensuring due diligence by Council senior officers through:
   a. Training and awareness of relevant legal obligations in relation to asbestos
   b. Reporting and first hand verification of the implementation of systems and processes
   c. Assessment and reporting to Council’s elected members on the adequacy of resources for discharging safety legal duties regarding asbestos.
<table>
<thead>
<tr>
<th>Action No*</th>
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</tr>
</thead>
<tbody>
<tr>
<td>1.8a</td>
<td>Develop a safety leadership program for senior officers of the Council that includes addressing Recommendation 8 requirements detailed in (a), (b) and (c) above, including training and awareness on consultative processes.</td>
<td>Chief Safety Officer / People &amp; Systems</td>
<td>Green</td>
<td>90</td>
<td>1/04/2018</td>
<td>1/05/2018</td>
<td>13/06/2018</td>
<td>Completed</td>
<td>75%</td>
<td>Finish date has been revised to July 2018 as per TRIM 18/129525. Council has developed a Safety Leadership Program TRIM 18/108452. Training has been undertaken by Officers of the Corporation and Senior Managers of Council and ongoing training will be delivered depending on needs and identification. TRIM 18/108452.</td>
</tr>
<tr>
<td>1.8b</td>
<td>Implement Senior Officers Safety Leadership Program. Program to incorporate KPI's, training and audit mechanisms to facilitate a transparent approach to asbestos management.</td>
<td>Chief Safety Officer / People &amp; Systems</td>
<td>Green</td>
<td>90</td>
<td>1/05/2018</td>
<td>1/08/2018</td>
<td>13/06/2018</td>
<td>49</td>
<td>50%</td>
<td>Currently on track for the program to be implemented in Q3 2018. This action is aligned with Recommendation 4 and actions 4.4a to 4.4d. Draft training package is in development for the senior leadership program.</td>
</tr>
<tr>
<td>1.9a</td>
<td>Complete an audit of all Council stockpiles to identify permissibility and how potential contamination is safely managed.</td>
<td>City &amp; Community Outcomes</td>
<td>Green</td>
<td>90</td>
<td>1/08/2018</td>
<td>1/11/2018</td>
<td>13/06/2018</td>
<td>141</td>
<td>75%</td>
<td>Preparatory work currently being done on developing a corporate approach to auditing existing stockpiles to ensure that all such sites and materials transported to them are approved for use as such. Ahead of schedule, advance draft prepared. See TRIM 18/108205 for &quot;DRAFT Temporary Stockpile and Layover Establishment and Management procedure&quot;. Refer to 1.9b in terms of interim arrangement.</td>
</tr>
<tr>
<td>1.9b</td>
<td>Develop an appropriate and safe Council stockpile management policy and associated procedures and protocols to ensure an approval process to prevent contamination is in place.</td>
<td>City &amp; Community Outcomes</td>
<td>Green</td>
<td>90</td>
<td>1/08/2018</td>
<td>1/11/2018</td>
<td>13/06/2018</td>
<td>141</td>
<td>75%</td>
<td>As per 1.9a. As an interim measure, the Director of C&amp;CO issued a stockpile management directive on 18 January 2018 in relation to ensuring asbestos contamination is appropriately managed (TRIM 18/85159, 18/18833, 18/18864).</td>
</tr>
<tr>
<td>1.9c</td>
<td>Ensure all materials identified for use in any Council approved project will be included only after being certified as not contaminated and ensure they are suitable for their intended purposes.</td>
<td>City &amp; Community Outcomes</td>
<td>Green</td>
<td>Ongoing</td>
<td>Ongoing</td>
<td>Ongoing</td>
<td>13/06/2018</td>
<td>Ongoing</td>
<td>75%</td>
<td>Interim procedures in place (TRIM 18/85159, 18/18833, 18/18864). These will be superseded by a detailed procedure being developed in response to action 9a and 9b.</td>
</tr>
<tr>
<td>1.9d</td>
<td>To ensure that all waste materials are correctly classified and either re-used or disposed of to a place that can lawfully receive that waste Council shall draft and implement a similar management structure to the stockpile management system, but referencing waste, being material classified in accordance with the NSW EPA’s Waste Classification Guidelines.</td>
<td>Service Delivery</td>
<td>Completed</td>
<td>30</td>
<td>1/05/2018</td>
<td>30/05/2018</td>
<td>13/06/2018</td>
<td>Completed</td>
<td>100%</td>
<td>Literature review has been completed and all Council waste generating site/facility types within the LGA have been identified for classification at TRIM 18/117756. Waste streams have been identified for all Council operations (TRIM 18/117755) and a Waste Classification procedure and appendices has been developed at TRIM 18/118454.</td>
</tr>
<tr>
<td>1.9e</td>
<td>Council shall develop and implement a robust waste management system to track and record the source, classification, transport, storage, use and disposal of waste within the Blue Mountains City Council. The Waste Management System shall be auditable to ensure that waste and waste products are classified, transported, used and disposed of in accordance with the relevant legislation and requirements of any resource recovery order and exemption.</td>
<td>Service Delivery</td>
<td>Green</td>
<td>270</td>
<td>1/05/2018</td>
<td>25/02/2019</td>
<td>13/06/2018</td>
<td>257</td>
<td>0%</td>
<td>Dependent on completion of 1.9d.</td>
</tr>
</tbody>
</table>

9. Council implement a product stewardship approach to stockpile management.

10. Council develops an audit program to verify that the above recommendations have been implemented.
<table>
<thead>
<tr>
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<tr>
<td>1.10a</td>
<td>Develop Audit Program to verify implementation of this Improvement Plan recommendations and its associated actions.</td>
<td>Governance &amp; Risk</td>
<td>Completed</td>
<td>30</td>
<td>20/03/2018</td>
<td>20/04/2018</td>
<td>13/06/2018</td>
<td>Completed</td>
<td>100%</td>
<td>A Project Control Group has been established to oversee the implementation of the PIO. Terms of Reference adopted by Executive Leadership Team on 12 April 2018 (TRIM 18/78730). The compliance and oversight of implementation of the PIO has been incorporated into the 2018/19 internal audit program and will be conducted independently by Centium (Council’s 3rd party IA provider) and overseen by the independent Audit &amp; Risk Committee. The 2018/19 Internal Audit Program has both a monthly oversight review and an annual compliance audit of the PIO. 2018/19 draft internal audit program TRIM 18/126665. Terms of Reference approved for monthly compliance review of PIO commencing 1 July 2018 TRIM 18/127027.</td>
</tr>
<tr>
<td>1.10b</td>
<td>Implement Audit Program and report progress on a monthly basis to the Executive Leadership Team and the Elected Council and the Minister of Local Government.</td>
<td>Governance &amp; Risk</td>
<td>Green</td>
<td>Monthly</td>
<td>Monthly</td>
<td>Monthly</td>
<td>13/06/2018</td>
<td>Ongoing</td>
<td>100% and ongoing</td>
<td>See 1.10a above Audit program will be implemented from 1 July 2018. PIO Overall reporting schedule to ELT, Elected Council and Minister of LG – TRIM 18/98811 Monthly reporting to Councillors started on 15 March 2018. April 2018 Council Report &amp; Attachment – TRIM 18/72218 &amp; 18/74498 1 May 2018 Council Report &amp; Attachment –TRIM 18/82281 &amp; 18/83794 29 May 2018 Council Report and Enclosures - provided separately to this submission Progress will be reported quarterly to the Audit and Risk Committee.</td>
</tr>
<tr>
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<tr>
<td>2.1a</td>
<td>Ensure the Blackheath Tip site is fenced so as to prevent as much as possible future unlawful dumping of waste.</td>
<td>City &amp; Community Outcomes</td>
<td>Green</td>
<td>60</td>
<td>1/05/2018</td>
<td>30/06/2018</td>
<td>13/06/2018</td>
<td>17</td>
<td>100%</td>
<td>As at 11 March 2018 the site known as the ‘former Blackheath Tip’ has been fenced with 1.8m ring lock construction style fencing. See TRIM 18/108267 for photos. The extant fencing is a temporary type and will be replaced by a permanent fence subsequent to consent and all other approvals being actioned. (TRIM 18/105988 &amp; 18/105971). Approval is being sought for permanent fencing from adjoining land owners.</td>
</tr>
<tr>
<td>2.1b</td>
<td>Fencing and associated signage is being regularly monitored by security patrols to ensure continued integrity and to identify occurrence of vandalism.</td>
<td>City &amp; Community Outcomes</td>
<td>Green</td>
<td>Ongoing</td>
<td>Ongoing</td>
<td>Ongoing</td>
<td>13/06/2018</td>
<td>100%</td>
<td>Fencing and associated signage is being monitored weekly by security patrols. As outlined in the minutes from the Asbestos and Hazardous Material PCG (TRIM 18/46146 and 18/72368). The fencing inspection occurs every Friday as indicated in the ongoing calendar appointment (TRIM 18/123697). See also Action 2.2c.</td>
<td></td>
</tr>
<tr>
<td>2.2a</td>
<td>Council has commenced action to facilitate the installation of security cameras at a number of locations around the perimeter of the Blackheath Tip site.</td>
<td>Service Delivery</td>
<td>Completed</td>
<td>60</td>
<td>1/04/2018</td>
<td>31/05/2018</td>
<td>13/06/2018</td>
<td>100%</td>
<td>Two security cameras have been installed in line with Council’s Use of Portable Optical Surveillance Device Procedure (TRIM 15/32080). A review against privacy requirements is completed (see 2.2b). TRIM 18/105971, TRIM 18/105948, TRIM 18/105942, TRIM 18/105939, TRIM 18/105933 and TRIM 18/105928.</td>
<td></td>
</tr>
<tr>
<td>2.2b</td>
<td>Council to procure and install additional signage at strategic locations around the perimeter of the Blackheath Tip site, including adjacent to access roads into the location. Such signage shall advise of the presence of camera monitoring and the illegal nature of asbestos dumping.</td>
<td>Service Delivery</td>
<td>Completed</td>
<td>60</td>
<td>1/04/2018</td>
<td>31/05/2018</td>
<td>13/06/2018</td>
<td>100%</td>
<td>Signage in place at the perimeter notifying of asbestos and hazardous materials. Signage in place at the site entrance advising of the illegal nature dumping. Council sought legal advice regarding the placement of cameras on Crown land. That advice was received on 23 May 2018 (TRIM 18/128994). As there was no impediment to use of cameras, additional signage addressing the presence of the camera and illegal dumping was installed on 25 May 2018.</td>
<td></td>
</tr>
<tr>
<td>2.2c</td>
<td>Council has commenced a regular inspection program through the Blackheath Tip area and such a program will continue to operate.</td>
<td>Service Delivery</td>
<td>Green</td>
<td>Ongoing</td>
<td>Ongoing</td>
<td>Ongoing</td>
<td>13/06/2018</td>
<td>100% and ongoing</td>
<td>A weekly inspection regime has been established, as per action 2.1b. Responsibility for the management of this asset is moving from City and Community Outcomes to Service Delivery. That handover, and arrangements for ongoing weekly monitoring, is documented in TRIM 18/78780, TRIM 18/127827 and TRIM 18/127917.</td>
<td></td>
</tr>
<tr>
<td>2.3a</td>
<td>Develop brief for the review of contractor health and safety management processes and procedures</td>
<td>Chief Safety Officer / People &amp; Systems</td>
<td>Completed</td>
<td>15</td>
<td>1/04/2018</td>
<td>15/04/2018</td>
<td>13/06/2018</td>
<td>100%</td>
<td>BMCC Contractor Safety Management System has been developed. TRIM 18/108555</td>
<td></td>
</tr>
<tr>
<td>Action N°</td>
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</tr>
<tr>
<td>2.3b</td>
<td>Engage an expert consultant to complete a review of contractor health and safety processes and procedures to ensure all required health and safety considerations are being incorporated into contractor induction training, whole-of-life cycle management of contractors, and consultation and coordination with contractors.</td>
<td>Chief Safety Officer /People &amp; Systems</td>
<td>Green</td>
<td>30</td>
<td>1/05/2018</td>
<td>1/06/2018</td>
<td>13/06/2018</td>
<td>Completed</td>
<td>100% and ongoing</td>
<td>A Contractor Safety Management Policy and an associated Contractor Safety Management Program has been drafted (TRIM 18/126977 and TRIM 18/126974) incorporating a requirement to: 1. Require contractors to undergo a Safety Induction and receive and sign the BMCC Contractor Safety Management Manual; 2. Complete a Performa recording their understanding of BMCC requirements; 3. Acknowledge BMCC rights to ensure safe workplaces and adherence to all legislated and regulatory Workplace health and safety requirements; 4. Establish BMCC rights to initiate action in respect to safety breeches; and 5. Require contractors to report all accidents and incidents.</td>
</tr>
</tbody>
</table>

4. Following the implementation of Recommendation 3 above, Council undertakes a training needs analysis and delivers training to all staff required to engage contractors and monitor their activities

| 2.4a     | Develop brief for implementation of training needs analysis to assess existing versus required skills and capabilities of staff currently engaging contractors - taking into account results of review contractor health and safety management processes and procedures detailed under Recommendation 3 above | Chief Safety Officer /People & Systems | Green         | 15             | 1/09/2018   | 16/09/2018   | 13/06/2018   | 95             | 0%                      | Action not due to commence |
| 2.4b     | Engage an expert consultant or internal provider to implement training needs analysis | Chief Safety Officer /People & Systems | Green         | 30             | 17/09/2018   | 18/10/2018   | 13/06/2018   | 127            | 0%                      | Action not due to commence |
| 2.4c     | Deliver training to staff required to engage contractors and monitor contractor activities | Chief Safety Officer /People & Systems | Green         | 60             | 19/10/2018   | 19/12/2018   | 13/06/2018   | 189            | 0%                      | Action not due to commence |

5. As part of the review and assessment undertaken to meet Recommendation 6 in Interim Report 1, Council specifically consider middle management capability to provide adequate supervision of contractors’ health and safety

| 2.5a     | Ensure that an assessment of middle management capability is included in brief for review and assessment of middle management capability to provide adequate supervision to ensure health being implemented relative to Recommendation 6 of Clyde & Co Asbestos Investigation Interim Report 1 (see Attachment 1). | Chief Safety Officer /People & Systems | Green         | 15             | 1/09/2018   | 17/09/2018   | 13/06/2018   | 96             | 0%                      | Action not due to commence |
| 2.5b     | Ensure middle management position descriptions incorporate as necessary required accountabilities for adequate supervision of contractors’ health and safety. | Chief Safety Officer /People & Systems | Green         | 60             | 18/09/2018   | 18/11/2018   | 13/06/2018   | 158            | 0%                      | Action not due to commence |

6. That the Council continue its advocacy for the removal of financial disincentives at the State level for the lawful disposal of asbestos by members of the public
<table>
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<tr>
<th>Action N°</th>
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</thead>
<tbody>
<tr>
<td>2.6a</td>
<td>That the Council continues its advocacy for the removal of financial disincentives at the State level for the lawful disposal of asbestos waste by members of the public through writing to State Members of Parliament and the Environmental Protection Authority</td>
<td>City &amp; Community Outcomes</td>
<td>Green</td>
<td>30</td>
<td>16/03/2018</td>
<td>16/06/2018</td>
<td>13/06/2018</td>
<td>TBA</td>
<td>50%</td>
<td>16/6/2018 to correct transcription error. This adjustment is in accordance with the resolution of Council meeting, 17 April 2018, Minute No. 147. The date adjustment was made and adopted by the Council at that time in Enclosure 1 – Improvement plan addressing interim report 3 and the Final report amended to reflect SafeWork and the EPA feedback to date relating to the independent asbestos investigation. For its part, and in addition to addressing this action through representations to the NSW Government, Council has proposed to amend its Fees &amp; Charges from 1 July 2018 so that the premium for asbestos disposal has been removed for asbestos waste so that it aligns with the cost of ordinary mixed waste in order to encourage appropriate disposal. See TRIM 18/10825 for proposed 2018/19 charges and TRIM 18/119627 for 2017/18 current charges. The alignment of charges for 2018/19 is demonstrated over a 5 year comparison provided in TRIM 18/124155.</td>
</tr>
<tr>
<td>2.7a</td>
<td>That the Council receives a report on the costs and benefits associated with becoming a member of a Regional Illegal Dumping Squad.</td>
<td>City &amp; Community Outcomes</td>
<td>Green</td>
<td>60</td>
<td>16/03/2018</td>
<td>30/06/2018</td>
<td>13/06/2018</td>
<td>17</td>
<td>75%</td>
<td>Council has contacted the Contacted EPA (18/107107) and the Chair of Western Sydney RID Squad TRIM 18/107171 to enquire about joining the RID Squad. A draft Council report for the Ordinary Meeting of 26 June 2018 is provided at TRIM 18/108275. In parallel with this action, the Council has also developed a draft Illegal Dumping Strategy TRIM 18/58735.</td>
</tr>
<tr>
<td>3.1a</td>
<td>Council to draft an Asbestos Elimination Policy with the intent to remove all asbestos containing materials (ACM) from the Blue Mountains City Council assets within a timeframe to be delineated.</td>
<td>City &amp; Community Outcomes</td>
<td>Green</td>
<td>300</td>
<td>1/09/2018</td>
<td>30/04/2019</td>
<td>13/06/2018</td>
<td>321</td>
<td>0%</td>
<td>Action not due to commence</td>
</tr>
<tr>
<td>3.1b</td>
<td>Develop and implement an Asbestos Elimination Program incorporating a risk based approach taking into account the usage of the facility, the existing condition of ACM and structural life of the structure, to facilitate the management of ACM in facilities via its safe encapsulation, removal and disposal to a place that can lawfully receive asbestos waste.</td>
<td>City &amp; Community Outcomes</td>
<td>Green</td>
<td>300</td>
<td>1/09/2018</td>
<td>30/04/2019</td>
<td>13/06/2018</td>
<td>321</td>
<td>0%</td>
<td>Action not due to commence</td>
</tr>
<tr>
<td>3.1c</td>
<td>Asbestos Elimination Program to incorporate a reporting framework for the purpose of reporting to elected Councillors on the implementation of the Asbestos Elimination Program.</td>
<td>City &amp; Community Outcomes</td>
<td>Green</td>
<td>300</td>
<td>1/09/2018</td>
<td>30/04/2019</td>
<td>13/06/2018</td>
<td>321</td>
<td>0%</td>
<td>Action not due to commence</td>
</tr>
</tbody>
</table>

7. That the Council may wish to consider whether there is a benefit in becoming involved in one of the Regional Illegal Dumping (RID) Squads.

3.4 Investigation findings, recommendations and management actions - Interim Report Three

1. Council needs to develop a long term program for the elimination of asbestos from all Council owned and managed properties (including both buildings and land) (Asbestos Elimination Program). In making that recommendation we accept that the availability of resources will require the Asbestos Elimination Program to have a sufficient timeframe to allow that elimination to occur in a reasonably practicable manner and may require multiple budgetary cycles. Council should determine the appropriate timeframe for that given its resource constraints. The Asbestos Elimination program must be accompanied by accountabilities and reporting framework for the program that includes reporting to elected Councillors on the implementation of the Asbestos Elimination Program.
RECOMMENDATION 2: In relation to every Council owned or managed property where asbestos has not already been eliminated:

a. review or prepare an asbestos register for each Council workplace where ACM has been identified or is likely to be present at the workplace from time to time. Ensure that the asbestos register is kept at each workplace. Ensure that the asbestos register for each workplace or if asbestos is removed from, disturbed, sealed or enclosed at the workplace.

b. review and maintain or prepare a documented Asbestos Management Plan for each Council workplace where asbestos or ACM has been identified or is likely to be present at the workplace from time to time. That workplace-specific Asbestos Management Plan must include information about the identification of asbestos or ACM (including links to the relevant asbestos register at the workplace and sign age and labelling), decisions and reasons for decisions about the management of asbestos at the workplace (including information about the safe operating procedures and control measures to implement, provide procedures for incident and emergency management relating to asbestos or ACM at that workplace and information regarding consultation, roles, responsibilities, information and training for workers carrying out work involving asbestos. Ensure that the Asbestos Management Plan for the workplace is readily accessible to all workers who may carry out work at the workplace (including contractors), Health and Safety Representatives and WHS Committee members.

c. where occupational hygienists have recommended labelling of asbestos and the labelling of the specific locations has not yet occurred, Council must adopt one of the following courses of action:

i. engage a licensed asbestos removalist to remove the ACM; or

ii. attend to labelling the relevant locations; or

iii. where it is not possible to affix the label to the specific location itself, place a prominent warning sign in its immediate vicinity.

It would be prudent for the Council to undertake a high level risk assessment and cost benefit analysis to determine which strategy to adopt for each of those locations with particular regard to high use locations and leased premises with unpredictable usage (such as childcare centres or community halls where the predominant usage involves activities for Children), particularly in light of Recommendation 1 above.

<table>
<thead>
<tr>
<th>Action N°</th>
<th>Action</th>
<th>Responsibility</th>
<th>Status Rating</th>
<th>Duration (days)</th>
<th>Start</th>
<th>Finish</th>
<th>Current date</th>
<th>Days left to complete action</th>
<th>% Complete</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.2a</td>
<td>Chief Safety Officer Council to audit all workplaces to ensure in place asbestos registers for each Council workplace where ACM has been identified or is likely to be present</td>
<td>Chief Safety Officer</td>
<td>Green</td>
<td>60</td>
<td>1/08/2018</td>
<td>30/09/2018</td>
<td>13/06/2018</td>
<td>109</td>
<td>0%</td>
<td>Action not due to commence</td>
</tr>
<tr>
<td>3.2b</td>
<td>Council to ensure each register records the ACM identified at the workplace including the date on which it was identified, its location, type and condition</td>
<td>Chief Safety Officer</td>
<td>Green</td>
<td>60</td>
<td>1/08/2018</td>
<td>30/09/2018</td>
<td>13/06/2018</td>
<td>109</td>
<td>0%</td>
<td>Action not due to commence</td>
</tr>
<tr>
<td>3.2c</td>
<td>Council to ensure where an asbestos register is audited, such an audit checks that the Register is revised if further asbestos or ACM is identified, or if asbestos is removed from, disturbed, sealed or enclosed at the workplace</td>
<td>Chief Safety Officer</td>
<td>Green</td>
<td>60</td>
<td>1/08/2018</td>
<td>30/09/2018</td>
<td>13/06/2018</td>
<td>109</td>
<td>0%</td>
<td>Action not due to commence</td>
</tr>
<tr>
<td>3.2d</td>
<td>Council to validate the Council Asbestos Management Plan and individual site Asbestos Management Plans against 2b.</td>
<td>Chief Safety Officer</td>
<td>Green</td>
<td>60</td>
<td>1/08/2018</td>
<td>30/09/2018</td>
<td>13/06/2018</td>
<td>109</td>
<td>0%</td>
<td>Action not due to commence</td>
</tr>
<tr>
<td>3.2e</td>
<td>Council to audit all workplaces and owned structures to ensure signage is in place in full accordance with legislative and regulatory requirements.</td>
<td>Chief Safety Officer</td>
<td>Green</td>
<td>60</td>
<td>1/08/2018</td>
<td>30/09/2018</td>
<td>13/06/2018</td>
<td>109</td>
<td>0%</td>
<td>Action not due to commence</td>
</tr>
</tbody>
</table>

RECOMMENDATION 3: Raise community awareness with respect to effective management of asbestos to enhance the Council’s approach to prevention in addressing illegally dumped asbestos, particularly in relation to home renovations. The community awareness campaign needs to include content on what asbestos looks like and how to identify it as well as providing education and awareness on the health impacts of asbestos. We note that this recommendation broadly aligns with plans under Theme 3: Community Education of the Appendix B Strategic Action Plan within the Council’s Illegal Dumping Strategy but the recommended focus on health impacts may include material beyond the current plans.

3.3a Council to undertake an asbestos management community awareness campaign to improve Council’s approach to prevention and reducing illegally dumped asbestos and the safe management of asbestos in the community including education and awareness on the health impacts of asbestos and its safe removal or encapsulation, and disposal to a place that can lawfully receive asbestos materials.

3.3b The community awareness campaign shall include appropriate vetted content on identifying asbestos in addition to providing education and awareness on the health impacts of asbestos and its safe removal or encapsulation and disposal to a place that can lawfully receive asbestos materials.

3.5 Investigation findings, recommendations and management actions - Final Report
RECOMMENDATION 1: Review Council’s framework for managing asbestos in Council owned or managed properties (land and buildings) including:

- The asbestos policy
- Asbestos registers for each property
- Asbestos management plans for each property
- Legally compliant labelling of ACM in properties
- Training to staff in relation to asbestos management
- Reporting procedures for reporting asbestos related incidents at properties
- Appropriate processes for health monitoring of workers and others exposed to asbestos through Council’s undertaking at properties and
- Processes for identifying and accessing relevant asbestos related expertise (such as industrial hygienists, asbestos removal contractors and occupational physicians).

4.1a Implement a review and audit of Council’s framework for managing asbestos in Council owned or managed property, consider (a) to (h) above.
- Chief Safety Officer
- Green
- 150 days
- 01/02/2019 to 30/06/2019
- 13/06/2018
- 382 days left to complete action
- 100% and ongoing
- Council has developed a suite of documents covering a to h above. This has been implemented and approved by the ELT. These documents will be provided at the Council meeting in June for their adoption/notation.

4.2a Council to review the roles, responsibilities and accountabilities in position descriptions of all staff to ensure they adequately cover Council’s obligations in relation to asbestos management.
- Chief Safety Officer / People & Systems
- Green
- 330 days
- 01/06/2018 to 01/05/2019
- 13/06/2018
- 322 days left to complete action
- 0% Action not due to commence

4.2b Council to formalise Change Management processes to ensure that defined accountabilities and responsibilities remain appropriate in the event of material changes within roles, organisational structures or reporting lines.
- Chief Safety Officer / People & Systems
- Green
- 330 days
- 01/06/2018 to 01/05/2019
- 13/06/2018
- 322 days left to complete action
- 0% Action not due to commence

RECOMMENDATION 2: Review the accountabilities and responsibilities of all Council staff in relation to asbestos management and create a change management process for ensuring that any such accountabilities and responsibilities remain appropriate in the event of a material change (such as a change in roles, organisational structure or reporting lines).

4.3a In full accordance with Council’s adoption of Recommendation 3 of Interim Report 3, Council to undertake an asbestos management staff & community awareness campaign to improve the knowledge of correct and safe asbestos management.
- Chief Safety Officer
- Green
- Ongoing
- 15/06/2018 to ongoing
- 13/06/2018
- Ongoing
- 25% In progress. See 3.3a above.

4.3b All health information disseminated by BMCC to be sourced from qualified and authorised sources, such as NSW Dept. of Health of SafeWork NSW. Council to develop and promulgate Asbestos fact sheets and kits for the use of staff and community.
- Chief Safety Officer
- Green
- Ongoing
- 15/06/2018 to ongoing
- 13/06/2018
- Ongoing
- 0% Action not due to commence

RECOMMENDATION 3: Develop and implement a stakeholder (community & workers) awareness and engagement program in relation to the identification of asbestos, the management of risks arising from asbestos, the management of risks arising from asbestos and the health effects of asbestos exposure. In relation to health effects such information must be prepared and provided by a person with appropriate expertise such as an occupational physician.

4.4a Implement a review of communication and consultation channels between directorates with the intent of significantly improving operational and communication efficiencies and to further support effective cooperation and coordination of asbestos management.
- People & Systems
- Green
- 120 days
- 01/04/2018 to 31/08/2018
- 13/06/2018
- 79 days left to complete action
- 25% In progress. See 3.3a above.

RECOMMENDATION 4: Review the communication and consultation channels between the directorates to ensure effective cooperation and coordination of asbestos management.

4.5a Develop a program for the elimination of asbestos from all Council owned and managed properties that includes adequate resources, clear reporting and accountabilities.
- City & Community Outcomes
- Green
- 300 days
- 01/09/2018 to 30/04/2019
- 13/06/2018
- 321 days left to complete action
- 0% In progress. See 3.3a above.

RECOMMENDATION 5: Develop and implement a long term Asbestos Eradication Program which is adequately resourced with clear reporting and accountability.

4.6a Develop a program for managing risks of asbestos.
- City & Community Outcomes
- Green
- 300 days
- 01/09/2018 to 30/04/2019
- 13/06/2018
- 321 days left to complete action
- 0% In progress. See 3.3a above.

RECOMMENDATION 6: Develop and implement a Safety Culture Program for managing risks of asbestos.
<table>
<thead>
<tr>
<th>Action</th>
<th>Action Description</th>
<th>Responsibility</th>
<th>Status Rating</th>
<th>Duration (days)</th>
<th>Start</th>
<th>Finish</th>
<th>Current Date</th>
<th>Days left to complete action</th>
<th>% Complete</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.6a</td>
<td>Develop brief for implementation of a safety culture program for managing risks of asbestos</td>
<td>Chief Safety Officer</td>
<td>Green</td>
<td>30</td>
<td>1/09/2018</td>
<td>1/10/2018</td>
<td>13/06/2018</td>
<td>110</td>
<td>0%</td>
<td>Action not due to commence</td>
</tr>
<tr>
<td>4.6b</td>
<td>Engage external or internal expert provider</td>
<td>Chief Safety Officer</td>
<td>Green</td>
<td>180</td>
<td>1/11/2018</td>
<td>30/04/2019</td>
<td>13/06/2018</td>
<td>321</td>
<td>0%</td>
<td>Action not due to commence</td>
</tr>
<tr>
<td>4.6c</td>
<td>Implement the Safety Culture Program</td>
<td>Chief Safety Officer</td>
<td>Green</td>
<td>180</td>
<td>1/11/2018</td>
<td>30/04/2019</td>
<td>13/06/2018</td>
<td>321</td>
<td>0%</td>
<td>Action not due to commence</td>
</tr>
<tr>
<td>4.7a</td>
<td>Implement a review of existing reporting procedures to ensure they comply with legislation and provide protection to workers who identify safety and asbestos issues.</td>
<td>People &amp; Systems</td>
<td>Green</td>
<td>60</td>
<td>1-May-18</td>
<td>1-Jul-18</td>
<td>13/06/2018</td>
<td>18</td>
<td>75%</td>
<td>Review of existing policies (Codes of Conduct and Public Interest Disclosure) to ensure this is covered commenced 11 May, 2018. Public Interest Disclosure training has been undertaken by all of the Executive Leadership Team and nominated PID Officers. TRIM 18/108430 Initial discussions commenced regarding proposed approach. TRIM 18/121200</td>
</tr>
<tr>
<td>4.8a</td>
<td>Develop brief for implementation of a Senior Safety Leadership Program for ELT, Senior Managers, Managers and Supervisors.</td>
<td>Chief Safety Officer</td>
<td>Green</td>
<td>30</td>
<td>1/09/2018</td>
<td>1/10/2018</td>
<td>13/06/2018</td>
<td>110</td>
<td>100% and ongoing</td>
<td>See recommendation 4 - 1.4a, b, c and d</td>
</tr>
<tr>
<td>4.8b</td>
<td>Engage external or internal expert provider</td>
<td>Chief Safety Officer</td>
<td>Green</td>
<td>180</td>
<td>1/11/2018</td>
<td>30/04/2019</td>
<td>13/06/2018</td>
<td>321</td>
<td>0%</td>
<td>See recommendation 4 - 1.4a, b, c and d</td>
</tr>
<tr>
<td>4.8c</td>
<td>Implement the Safety Leadership Program</td>
<td>Chief Safety Officer</td>
<td>Green</td>
<td>180</td>
<td>1/11/2018</td>
<td>30/04/2019</td>
<td>13/06/2018</td>
<td>321</td>
<td>0%</td>
<td>See recommendation 4 - 1.4a, b, c and d</td>
</tr>
<tr>
<td>4.9a</td>
<td>Develop a due diligence program at the Elected Council and Senior management Level</td>
<td>Chief Safety Officer</td>
<td>Green</td>
<td>90</td>
<td>1/04/2018</td>
<td>1/08/2018</td>
<td>13/06/2018</td>
<td>24</td>
<td>75%</td>
<td>Date range reduced to align with duration, with training to be completed by 1 July 2018. Training in respect of the Work, Health &amp; Safety, Environmental Protection and Due Diligence and Governance has been completed for the Elected Council. To date, training for the Executive Leadership Team has been finalised in respect to Work Health &amp; Safety and Environmental Protection Legislation, with Due Diligence and Governance to be delivered prior to 1st July 2018. Draft Training is provided at TRIM 18/129957 and 18/129958 Work health &amp; Safety Law training for Directors &amp; Councillors conducted on 22 March 2018 TRIM 18/129704 and 18/128429. Environmental Protection Training TRIM 18/128434 Elected Life Training for councillors TRIM 18/128446</td>
</tr>
<tr>
<td>4.9b</td>
<td>Implement the due diligence program</td>
<td>Chief Safety Officer</td>
<td>Green</td>
<td>90</td>
<td>1/05/2018</td>
<td>1/08/2018</td>
<td>13/06/2018</td>
<td>49</td>
<td>0%</td>
<td>Dependent on completion of 4.9a above</td>
</tr>
<tr>
<td>4.10a</td>
<td>Establish a Project Control Group (PCG) to oversee implementation of improvement plans</td>
<td>General Manager</td>
<td>Completed</td>
<td>60</td>
<td>6/04/2018</td>
<td>6/06/2018</td>
<td>13/06/2018</td>
<td>Completed</td>
<td>100%</td>
<td>See 1.10c</td>
</tr>
</tbody>
</table>
Appendix A

Distribution list

To: Blue Mountains City Council Elected Councillors  
   General Manager
   Executive Leadership Team  
   Office of Local Government

Contact

Chief Safety Officer  
Alan Harris  
Tel: 02 4780 5716  
Mob: 0412 998 198  
aharris@bmcc.nsw.gov.au