Enclosures

Monthly Progress Report on Improvement Plans Adopted in Response to Investigation Reports (enclosure 1)

Meeting: 30 July, 2019
PERFORMANCE IMPROVEMENT ORDER
COMPLIANCE REPORT 6A

PROGRESS ACHIEVED AGAINST
CONSOLIDATED ASBESTOS INVESTIGATION
IMPROVEMENT PLAN

July 2019
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1. Overall Rating and Summary of Actions Status

### Action Recommendation Status

<table>
<thead>
<tr>
<th>Status Description</th>
<th>RED</th>
<th>AMBER</th>
<th>GREEN</th>
<th>BLUE</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>COMPLETE: Tasks Completed. No additional or ongoing action required.</td>
<td></td>
<td></td>
<td>0</td>
<td>0</td>
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</tr>
<tr>
<td>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.</td>
<td></td>
<td></td>
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<td>0</td>
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<tr>
<td>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.</td>
<td></td>
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<tr>
<td>BEHIND SCHEDULE: Tasks aligned to the recommendation must undergo review and determination of resource allocation and enhanced priority.</td>
<td></td>
<td></td>
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</table>

### Investigation Recommendations – Status of Actions

<table>
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<tr>
<th>Status</th>
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<th>AMBER</th>
<th>GREEN</th>
<th>BLUE</th>
<th>Total</th>
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</thead>
<tbody>
<tr>
<td>Actions</td>
<td>0</td>
<td>0</td>
<td>2</td>
<td>82</td>
<td>84</td>
</tr>
<tr>
<td>% of total</td>
<td>0%</td>
<td>0%</td>
<td>2%</td>
<td>98%</td>
<td>100%</td>
</tr>
</tbody>
</table>

Where an action is complete but marked ongoing it remains green.

If the Action is complete, ongoing and marked compliant by the Auditor, it will be marked blue.

### 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 84 action tasks, designated to meet the intent of the recommendations.

### Investigation Recommendations Actions Summary: July 2019

- 0 actions with red status.
- 0 action with amber status
- 2 actions with green status
- 82 actions with blue status - complete.

Refer to the comments below.
Overview

Background

This 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 Improvement Plan responds to interim reports and the final report. Input on this Plan has been sought from key agencies including SafeWork NSW, the Environmental Protection Authority and the Office of Local Government as well as from the BMCC 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)

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.
INTERIM REPORT TWO

• 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)
INTERIM REPORT THREE

• 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 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 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 signage 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 the 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.

• 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.
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. Progress Report

3.2 Investigation findings, recommendations and management actions - Interim Report One

<table>
<thead>
<tr>
<th>Action N°</th>
<th>Action</th>
<th>Responsibility</th>
<th>Status Rating</th>
<th>PCG Review</th>
<th>Start</th>
<th>Finish</th>
<th>% Complete</th>
<th>Comment</th>
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<tbody>
<tr>
<td></td>
<td>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.</td>
<td></td>
<td>Complete</td>
<td></td>
<td>1/07/2018</td>
<td>31/12/2018</td>
<td>50%</td>
<td>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). 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. To provide an audit of all stockpile sites within the specified timeframe, a timetable has been drawn up showing deliverable actions TRIM 18/210589. A meeting of relevant Council staff was called to discuss the definition of ‘contamination’ within the context of this PIO Action. (18/212169) The timeframe has been altered by resolution of the Council at its Ordinary Meeting of 21 August 2018 (see Minute TRIM 18/214885). Draft Policy Review Report received from Policy Control Team (18/232287); PCT feedback was to endorse preferred method for policy development is to review existing Asbestos Management Plan and Policy and amend as required. ELT endorsed this approach on 19 September 2018 (18/230464). Developed GIS layer and mapping of</td>
</tr>
</tbody>
</table>
| 1.1a      | Identify and review all known potentially contaminated sites within Council ownership or care, control and management (including Council, community and/or commercial sites/properties). | City & Community Outcomes | Complete      |            |        |             | 100%       | August Response: This compliance comment relates to an aspect of the Council’s Asbestos Register and its approach to risk assessment. C&CO will meet with the CSO to create a consistent Risk Categorisation profile. This will be included along with due dates for the next inspection in the Revised Risk Matrix. August Assessment: Proposed action supported. Date extension is also noted. September Assessment: Compliant October Assessment: Compliant. However a more detailed progress to date would be required to assess compliance and delivery of timeline in the November report please. November Assessment: Progress noted.

Performance Improvement Order – PCG
PIO – July 2019 Monthly Report – Asbestos
TRIM 19/163292
Council owned and/or managed contaminated lands as per the current contaminated lands database
18/246331, 18/246333, 18/246334, 18/246335, 18/246336, 18/246337, 18/246338, 18/246339, 18/246341, 18/246342 and 18/246643

Where sites are listed for Asbestos contamination, staff are ensuring a current, site specific Asbestos Management Plan is available

Work to ensure land Council leases or licences from other organisations are also mapped is currently underway, along with identification of potentially contaminated sites in Natural Areas

December Update:
The following spreadsheets contain the review information:

Council, community and commercial sites are identified in TRIM 17/122268. These are being migrated to the Pathway Asset management system for further classification

Lands are detailed in TRIM 18/293950. Project Management Plan is current 18/259497

Council Lands register reviewed (18/294092). Sites where asbestos incidents have been reported have been prioritised through Council's CSR database (Type INF4A or XINF4A). Additional sites identified through Council's Risk Alert Register (RAR files). Initial site assessment review (Desktop Audit) undertaken (18/297266) and documentation of assessment method prepared (18/300962). Initial consultation with Council's ART undertaken on 5/12/2018 (18/302356).

January Update:
Documentation provided for the process around identifying potentially contaminated land. Reporting on how potential sites have been highlighted or excluded from assessment. (18/308610)

Risk assessment and analysis on all also noted that 50% progress against this action is yet to be completed over the next 2 months. This potentially may put this recommendation at risk of being completed on time.

December Assessment:
Progress noted (i.e. 75%). Date extension until January 2019 is also noted.

January Assessment:
Progress noted (i.e. 100%).

Please include an update next month regarding outcome of ELT Meeting.

February Assessment:
ELT minutes reviewed. Agree complete.
| 1.1b | 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. | City & Community Outcomes | Complete | 1/07/2018 | 31/12/2018 | 100% | The Council has taken the appropriate steps of isolating asbestos contaminated sites by adopting an Asbestos Management Plan on 20 October 2018 (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) | Compliant |
| 1.1ba | 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. | Chief Safety Officer | Complete | 1/07/2018 | 31/08/2018 | 100% | Policies and Procedures have been developed to ensure Council engages the services of Licensed Asbestos Analysts and Licensed Asbestos Removalists in accordance with its adopted Strategic Procurement Policy TRIM 18/129306 via detailed and documented scopes of works in reference to the conduct of remediation work in strict accordance with legislative and regulatory provision requirements. Exceptions are made when immediate work must be undertaken to safeguard the health and safety of employees and or the public. On such occasions work may be performed in accordance with the procedures established by the HSE. August Response: The Strategic Procurement Policy was adopted by ELT on 20 June 2018, TRIM 18/148142. The Procurement Manual and Engaging Consultant Procedure are scheduled for adoption by the ELT on 22 August 2018, within the required due date. August Assessment: |
directed via telephone or email and works as executed are provided by the contractor in writing post event. Examples of detailed scope of works are provided TRIM 18/159762, 18/159769, 18/159779, 18/159793, 18/159795, 18/159796, 18/159798, 18/159799, 18/159802, 18/159804, 18/159807, 18/159808, 18/159811, 18/159813, 18/159814, 18/159815, 18/159817 and 18/159818.

The Procurement Policy was adopted by ELT on 20 June 2018 TRIM 18/139458 (Agenda) and 18/148142 (Minutes).

The Procedure for the Engagement of Consultants – Procurement Improvement program was scheduled to be adopted by ELT on 22 August 2018 TRIM 18/218535 (Minutes) but was deferred until 29 August 2018 where it was endorsed and adopted TRIM 18/218547 (Minutes).

The Procurement Manual Procedures have undergone extensive consultation and are due for re-presentation to ELT on 19 September 2018 TRIM 18/134098. The final document (as attached TRIM 18/134098) was adopted by ELT at its meeting of 19 September 2018. The minutes from ELT will be provided when available as part of the next reporting cycle.

The procurement of contractors and the council requirement for the management of procured services comes under the remit of contract and procurement policies which have been reviewed and amended by Council.

No additional action required by the Asbestos Management Consultant.

Based on response above, compliance will be re-assessed in September 2018.

Response:
See comments

September Assessment:
Compliant and Complete.

It is noted that with the adoption of the Procedure by ELT on 19 September 2018, Council is now fully compliant with the recommendation.

| 1.1c. | 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. | City & Community Outcomes | Green | 1/07/2018 | 21/12/2018 | 30/04/2019 | 29/04/2019 | Ongoing | 20% 80% 95% | Compliant | October Assessment: | Compliant. However a more detailed progress to date would be required to assess compliance and delivery of timeline in the November report |

The Project has commenced and is in scoping phase.

A meeting of relevant Council staff was called to discuss the definition of ‘contamination’ within the context of this PIO Action TRIM 18/212169.

The timeframe has been altered by resolution of the Council at its Ordinary Meeting of 21 August 2018 (see Minute 18/212169).
A Draft Policy Review Report received from the Policy Control Team (TRIM 18/232287); PCT feedback was to endorse preferred method for policy development is to review existing Asbestos Management Plan and Policy and amend as required.

ELT endorsed this approach on 19 September 2018 (TRIM 18/220464).

Council’s adopted Asbestos Management Plan TRIM 18/284669 (Section 2, part 2 (p.20)) deals with contaminated land and requires either the person responsible for the contamination, or the landowner to remediate contaminated land. The adopted Plan (Part 1, Section 7 (p.15)) details the requirements for contractors undertaking remediation.

The Asbestos Safe Operating procedure 18 – Contaminated Lands Soils provides guidance on the management of suspected soil contamination. TRIM 18/284685.

The approach required to finalise this action was summarised for the ELT meeting on 14 November 2018 (TRIM 18/284318 and 18/284710).

**Background**

- The Council endorsed that the Asbestos Management Policy meets the Requirement of this PIO Action
- An update to the wording of this Policy will improve the clarity of the wording of the Policy with respect to Lands
- Council sought an Opinion from the Project Control Team 13 September 2018 regarding whether the council should have a separate policy for Asbestos Elimination. The response was that we should have one holistic Asbestos Management policy rather than create a new Policy specifically for Elimination
- ELT endorsed the proposed wording on 7 November 2018

**November Assessment:**

Progress noted. The approach to incorporate elimination in the overall Asbestos Management Policy is supported as a good business decision. It is also noted that the current % completion is 20%. In light of the progress made, this may need to be updated and more accurately reflected.

**December Assessment:**

Progress noted and supported (i.e. 70%). Council concurrence to extend timeframe until end April 2019 noted.

**January Assessment:**

Update noted.

**February Assessment:**

Noted – no action taken this month. Progress remains 70%.

**March Assessment:**

Update noted. While progress is reported at 80% this cannot be verified as no documents were provided for review.

**April Assessment:**

Draft policy provided for review; draft consultation and approval program provided for review; agree 95% completion.

**May Assessment:**

Note consultation period closed; policy amendments to be submitted to Council for please.
(TRIM 18/284931) that will appropriately update the existing Asbestos Management Policy

**Approach**

- Council will implement the changes that were endorsed by ELT on 7 November 2018 (TRIM 18/284931) during the next review cycle.
- Council will continue to create the Elimination Procedures which will reference the updated Asbestos Management Policy as the guiding document.

Council will continue to create the Elimination Procedures which will reference the updated Asbestos Management Policy as the guiding document. This action will be finalised by the required completion date.

**December Update:**

Completion date has been updated to align with the completion of Actions 3.1a, 3.1b, 3.1c and 4.5a. These actions represent the creation of the Asbestos Elimination Procedures which the Policy will govern. The timeframe has been altered by resolution of the Council at its Ordinary Meeting of 11 December 2018 (see Minute TRIM 18/312039).

**January Update:**

The change to the policy wording endorsed by ELT on 7 November 2018 is still valid and simply awaiting the scheduled June 2019 policy review and update.

**February Update:**

No further action required (see January update).

**March Update:**

Documents are being drafted to take the proposed changes to the Asbestos Management Policy to the Policy Control Team for review and endorsement prior to going to Council and for Consultation if required. Documents are in draft stage and not formal approval; agree 95% completion.

**June Assessment:**

Note: paper has been prepared for Council (endorsed by the CEO) stating that finalisation of this Action has been rescheduled for first quarter 2019/20. Agree remains 95% complete.
yet approved for release.

April Update:
Timeline for implementation of the changes to the Asbestos Management Policy prepared by Policy Control Team TRIM 19/93559
Consultation has commenced for the proposed changes to the Asbestos Management Policy. Email and documents from CSO to WHS committee members and ELT TRIM 19/93520

May Update:
Email from CSO closing the consultation period TRIM 19/111828
Email from CSO submitting revisions of the Asbestos Management Policy to Policy Control Team (PCT) TRIM 19/112297
PCT report to CSO TRIM 19/119524
Project currently on track for Policy revision approval at the June 2019 Council Meeting

June Update:
Council has rescheduled Action 1.1c and Action 3.1a of the Improvement Plan to coincide with a further review of the Council’s Asbestos Management Policy and Asbestos Management Plan, which is expected to be reported to the Council for adoption in the first quarter of 2019/2020. TRIM: 19/126519 and 19/149806

<p>| 1.1d. | 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. | City &amp; Community Outcomes | Complete | 1/07/2018 | 31/12/2018 | 30/01/2019 | 50% 100% and ongoing | Policies and Procedures have been developed to ensure Council engages the services of Licensed Asbestos Analysts and Licensed Asbestos Removalists in accordance with its adopted Strategic Procurement Policy TRIM 18/129306 via detailed and documented scopes of works in reference to the conduct of remediation work in strict accordance with legislative and regulatory provision requirements. Exceptions are made when immediate work must be undertaken to safeguard the health and safety of employees and or the public. On such occasions work may be directed via telephone or email and | October Assessment: Compliant. However no information has been provided to assess compliance with PIO (ie the detail of work undertaken to date). November Assessment: Substantial progress made is noted. It is also noted that the project brief for the Panel is near completion, it will take significant time to |</p>
<table>
<thead>
<tr>
<th>Projects</th>
<th>Details</th>
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<tbody>
<tr>
<td>Performance Improvement Order – PCG PIO – July 2019 Monthly Report – Asbestos</td>
<td>works as executed are provided by the contractor in writing post event. Examples of detailed scope of works are provided TRIM 18/159760, 18/159762, 18/159769, 18/159773, 18/159793, 18/159795, 18/159796, 18/159798, 18/159799, 18/159802, 18/159804, 18/159807, 18/159809, 18/159811, 18/159813, 18/159814, 18/159815, 18/159817 and 18/159818. Project has commenced and is in scoping phase. The project will involve the establishment of two consultant panels: 1 – for analyse experts able to scope required removalist works and 2 – for removal experts. The engagement of Licensed Asbestos Analysts and Licensed Asbestos Removalists is and will remain ongoing. Project will also require the addition of asbestos related items into major projects brief to ensure compliance with asbestos related legislation and regulation. The timeframe has been altered by resolution of the Council at its Ordinary Meeting of 21 August 2018 (see Minute TRIM 18/214885). Project Management Plan for the delivery of this action is now completed (18/259528). Project brief (18/260452) to establish a panel of pre-qualified asbestos analysts (LAA panel) and asbestos removalists (LA panel) is complete and has been reviewed by Major Projects and the Safety Team. Review of project brief against the Workplace Health and Safety Regulation (2017) 80% complete, and shows regulatory compliance will be achieved in this method (18/283385). December Update Council has remediated a number of lands with ACM present, the remediation process has been defined by Scope of Works documents prepared by LAA or Occupational Hygienists, Undertaken by Licensed go through advertising, tender evaluation and finalisation process. Factoring the lag over the Christmas period it may be unlikely for this to be completed within the revised timeline. This action could be potentially at risk. <strong>December Assessment:</strong> Compliant</td>
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### 1.1da

| Create a Panel of Licensed Asbestos Analysts and Removalists | City & Community Outcomes | Complete | 29/10/2018 | 26/03/2019 | 20% | 60% | 80% | 100% |

#### December Update:
Timeline for this Action takes into account that the tender for this project will have to go through Council in accordance with Section 55, Part 7 of the LGA.

#### Project Brief (18/260452) to establish a panel of pre-qualified asbestos analysts (LAA panel) and asbestos removalists (LA panel) is complete and has been reviewed by Major Projects and the Safety Team.

A Project Brief has been created for the establishment of the Panels. Review of project brief against the Workplace Health and Safety Regulation (2017) complete, and shows regulatory compliance will be achieved in this method (18/283385).

#### Documentation Prepared for Market place (18/287372 and 18/288436);

#### January Update:
Tender process is progressing and on track. Recommendations will be put to the February Council Meeting and LAA and LAR Panels will be appointed.

#### December Assessment:
Progress noted (i.e. 20%). Acknowledge nominated date relates to tender processes due to close 2 January 2019.

#### January Assessment:
Note that tender process is on track and due to be reported to February meeting. Also noted that Council hopes to be able to use panellists from March 2019 onwards. Progress stated as 80%.

#### February Assessment:
Noted that tender outcome was reported at February 2019 meeting. Unsigned resolution states that appointment of panellists was carried unanimously. Agree.

Asbestos Removalists and Clearance Certificates Issued by LAAs

Sites to demonstrate compliance are remediation of:
- 274-318 Hat Hill Road, Blackheath;
- 4 Selby Street Katoomba;
- Mitchells Pass (Road Area);
- Peter Carroll Field; and
- Yondell Avenue Fire Trail

RM Links to evidence documents provided within 18/293847.

The 3 paragraphs above include reference to creating a panel of licensed asbestos analysts and removalists. **This is out of scope for Action 1.1d**

The Requirements of 1.1d have been met; however, the efficient way to operationalise Action 1.1s to create Panels of pre-qualified licensed asbestos analysts and removalists. Action 1.1da has been created for the creation of these Panels.
<table>
<thead>
<tr>
<th>1.1e</th>
<th>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.</th>
<th>Complete</th>
<th>1/09/2018</th>
<th>30/04/2019</th>
<th>25%</th>
<th>50%</th>
<th>75%</th>
<th>100%</th>
</tr>
</thead>
</table>

**February Update:**
Tender process completed. LAA and LAR Panel Reports submitted to February 26 2019 Council meeting. (TRIM 19/44882). Council endorsed Panels to be appointed. (TRIM 19/49050)

**October Assessment:**
The process adopted appears to be sound. However no information attached to assess progress and direction compliance with the PIO.

**November Assessment**
Progress noted. Compliant.

**December Assessment:**
No progress appears to have been made during December 2018. Acknowledge final delivery due end April 2019.

**January Assessment:**
Note progress is now 50%, including the development of inspection schedules and compliance audit regimes.

**February Assessment:**
Update noted; also noted that progress remains at 50% with a roadmap to be developed to plan medium / long term integration.

If substantial progress is
Performance Improvement Order – PCG

PIO – July 2019 Monthly Report – Asbestos

TRIM 19/163292

October 2019

Critical. A draft has been developed for a terms of reference and project management plan that incorporates PIO actions. Project Management documentation will be stored in F11826.

January Update:

Inspection schedule has been loaded into Works Request System for identified asbestos buildings and linked to Operational and Maintenance Plan templates.

Compliance audits have been developed and are to be loaded into Works Request System – 18/210995; 19/019800

Performance reporting has been developed in WRR system for inspection programs and is linked to Operational and Maintenance Plan templates – 19/019800

February Update:

Council has held two workshops to review its current asset management practices in the short, medium and long term. Consensus was reached on the approach to the scheduling, tracking and reporting of in-situ ACM. Meeting notes (TRIM 19/40675 and TRIM 19/49945).

A Roadmap is being developed to plan the medium and long term integration process that will support asset management and preventative maintenance.

March Update:

Following the review workshops a position paper has been prepared setting out the proposed short, medium and long term strategy to asset maintenance which incorporates a preventative maintenance program. TRIM 19/71071.

The position paper is being reviewed by the General Manager and will be presented to ELT for adoption.

April Update:

ELT adopted the position paper on 17

not made in March, consideration should be given to reviewing timeframe and/or project status.

March Assessment:

Progress noted (75%), including short, medium and long-term strategies. Project appears to be back on track for completion by end April 2019.

April Assessment:

Note ELT approval of short, medium and long-term strategies. Agree project complete.
1.1f  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.  

<table>
<thead>
<tr>
<th>People &amp; Systems</th>
<th>Complete</th>
<th>Ongoing</th>
<th>Ongoing</th>
<th>100% and ongoing</th>
</tr>
</thead>
</table>

Asbestos Training completed by all available staff at BMCC. Ongoing training provided as required. Safety team has updated BMCC Staff Training Register systems. All training being tracked in the Council’s e-learning system (LEARN) TRIM 18/118610 & 18/118615

- **December Assessment:**
  - Progress noted.

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

<table>
<thead>
<tr>
<th>1.2a</th>
</tr>
</thead>
<tbody>
<tr>
<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>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>City &amp; Community Outcomes</th>
<th>Complete</th>
<th>1/04/2018</th>
<th>30/06/2018</th>
<th>100%</th>
</tr>
</thead>
</table>

The Commercial Property policy – Procedures TRIM 18/118700 will be adopted by ELT.

Council Policy and Procedure have been developed. They were endorsed by Council on 26 June 2018 for the purposes of public exhibition 2018 (Minute No. 230), TRIM 18/163072. They were further considered by ELT on 27 June 2018, TRIM 18/154504.

It is intended that these procedures, together with a summary of comments received from the Commercial Property Policy (on public exhibition until 16 August), will be presented to ELT ahead of the 18 September 2018 Council Meeting where the final Policy will be seeking Council adoption.

The supporting Commercial Property Policy Procedures includes details of Risk & Benefit Analysis required to be conducted on the acquisition of any property.

The Executive Leadership Team will be considering the Terms of Reference and the Procedure at its meeting of 5 September 2018. In conjunction with this, the Council’s final adoption of the Commercial Policy is scheduled for 18 Sept 2018.

See 1.2aa below. The Council adopted the Commercial Property Policy on 18 September 2018 TRIM 19/163292

- **August Response:**
  - Council Policy and Procedure have been developed as per Action 1.2a. They were considered by ELT on 27 June 2018, TRIM 18/154504; and endorsed by Council on 26 June 2018, TRIM 18/163072.
  
  Both documents are currently on public exhibition until 16 August 2018. Final endorsement will be made at the completion of public exhibition.

- **August Assessment:**
  - Response above is noted and compliance will be reassessed in September 2018. However, the status should be changed from green to Red as action has gone past the due date.

- **Response:**
  - The timeline provided for development of the policy by 30 June 2018, but did not account for the public consultation and adoption process. The policy is submitted for final adoption at the 18 September 2018 Council meeting. Subject
| 1.2aa | Publicly exhibit and submit to the Council for adoption a Council Property Policy to ensure risk assessment is implemented upon the acquisition of any property (whether as lease or ownership). | Complete | 1/7/2018 1/10/2018 100% | The Policy and procedure were further considered by ELT on 27 June 2018, TRIM 18/154504. It is intended that these procedures, together with a summary of comments received from the Commercial Property Policy (on public exhibition until 16 August), will be presented to ELT ahead of the 18 September 2018 Council Meeting where the Policy will be submitted for Council adoption after the public consultation period. The supporting Commercial Property Policy Procedures includes details of Risk & Benefit Analysis required to be conducted on the acquisition of any property. The ELT will be considering the Terms of Reference and the Procedure at its meeting of 5 September 2018. In conjunction with this, the Council’s final adoption of the Commercial Policy is scheduled for 18 September 2018. The Council adopted the Commercial Property Policy on 18 September 2018. Refer to Item 6 (Property Policy) as relevant. TRIM 18/235158 Both documents are currently on public exhibition until 16 August 2018. Final endorsement will be made at the completion of public exhibition. The policy is submitted for final adoption at the 18 September 2018 Council meeting. At its Ordinary Meeting of 18 September 2018, the Council: • Adopted the additional action which provides for public exhibition and adoption of the Policy by the Council, and • Adopted the Commercial Property Policy September Assessment: Compliant & Complete It is noted that with the adoption of the Policy by Council on 18 September 2018, it is fully compliant with this recommendation. |
| 1.2b. | 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 City & Community Outcomes | Complete | 1/04/2018 30/06/2018 100% | The Commercial Property Terms of Reference TRIM 18/98997 provide a mechanism for obtaining advice from external bodies on risk management matters, if required. The Commercial Property Policy TRIM 18/118320 stipulates that the Property Investment Panel are able to adoption, this action will be complete. September Assessment: Compliant and Complete. It is noted that with the adoption of the Policy by Council on 18 September 2018, it is fully compliant with this recommendation. |
Council for their consideration.

The Commercial Property Policy was endorsed for Public Exhibition at the Ordinary Meeting of Council 26 June 2018 (Minute No. 230) TRIM 18/163072.

The ELT will be considering the Terms of Reference and the Procedure at its meeting of 5 September 2018 TRIM 18/304201. In conjunction with this, the Council’s final adoption of the Commercial Policy is scheduled for 18 September 2018.

1.2c. Ensure risk assessment is undertaken in accordance with methodologies and systems detailed within ISO 31000: Risk Management.

<table>
<thead>
<tr>
<th>People &amp; Systems</th>
<th>Complete</th>
<th>Ongoing</th>
<th>Ongoing</th>
<th>100% and ongoing</th>
</tr>
</thead>
</table>

The Council initiated the Enterprise Risk Management (ERM) Project to review existing policy and procedures (ERM Framework). The Framework was developed based on ISO 31000 (2018).

ERM Policy approved by ELT on 30 May 2018, TRIM 18/106011. Policy presented to Audit and Risk Committee on 10 July 2018 TRIM 18/155426.

ERM procedures include new risk appetite statements, escalation, accountability and reporting tools that were endorsed by ELT and approved by Group Manager P&S on 22 June 2018. TRIM 18/145229 (ERM procedure) and TRIM 18/144886 (ERM tools).

From 1 July 2018 the ERM will be implemented, which will include an assessment of ongoing resource requirements. The implementation plan is provided. TRIM 18/197323.

At s. 5.3 (Milestones) of implementation plan a resourcing risk is identified: “Delivery dates are all rescheduled back by 3 months due to requirement to employ Program Leader Governance and Risk.”

The action will remain in Amber until recruitment finalised and milestones reviewed and confirmed.

August Response: A high-level implementation plan is being prepared by Governance and Risk.

August Assessment: Compliance will be reassessed in accordance with milestones contained in the implementation plan (next milestone end August 2018).

September Assessment: Update noted and oversight of implementation will be reviewed in October 2018, where it is expected that the newly appointed positions would have had the opportunity to review and confirm the implementation plan.

October Assessment: At Risk

No further update provided to assess ongoing implementation of the ERM. It is understood that positions have been temporarily appointed to undertake these roles. Please provide update and...
Performance Improvement Order – PCG

PIO – July 2019 Monthly Report – Asbestos

TRIM 19/163292

Assurance commenced in October 2018 (TRIM 18/285055).

The recruitment of a Manager to focus on the implementation will be conducted in November 2018 (TRIM 18/285054 and 18/285052). When the Manager has commenced, they will be focussing on the ERM implementation.

ELT continues to work on ways to ensure the effective implementation of the ERM into the organisation including the framework’s alignment to other risk related activities such as Asset Management and the potential sharpening of matrix definitions in the workplace safety given recent work on an overall safety strategy. This has been monitored and reported to Council at the Ordinary Meeting on 13 November 2018 extract from Minutes at TRIM 18/284753.

December Update:

Interviews for the Manager position will commence on 20 December 2018.

The Implementation Plan (TRIM 18/197323) is being reviewed and fully revised and will be presented to ELT in January 2019.

Current status of the ERM Implementation is summarised below:

Memo – update on ERM project deliverables and provides detail surrounding each of the project deliverables TRIM 18/296779

Communication Strategy – outlines the plan for the next 6 months. This is mentioned in the deliverables TRIM 18/296775

Attachment – Risk matrix and top 10(9) risks into Pulse. Provides screenshots from Pulse of the demonstration 9 risks including their appearance in the risk matrix report TRIM 18/296778

Fact Sheet – how to report a risk. This is the fact sheet/handout which will be used when training all staff

November Assessment

At Risk

It is acknowledged that since the finalisation and adoption of the ERM process by the Executive in May 2018, very little or no progress has been made by the organisation to implement it. This is of significant concern and prioritisation should be given by the Executive to accelerate action in this regard. Progress is assessed as being at Risk

December Assessment:

Progress noted, in particular development of communication strategy, fact sheets and other related materials. Also noted that interviews for Manager position due to commence late December; decision not known at time of assessment.

Progress is assessed as remaining at risk at this stage and will remain in Amber until recruitment finalised and milestones reviewed and confirmed by new appointee.

January Assessment:

Appointment of new Manager Governance & Risk noted. Sighted sign-off by Manager. Agree status should change to Green.

As item is “ongoing”, please continue to provide an update in February 2019.

February Assessment:

Great progress made
Performance Improvement Order – PCG

PIO – July 2019 Monthly Report – Asbestos

TRIM 19/163292

(face to face). This will also be placed on the intranet and TRIM. TRIM 18/296766

Fact Sheet – how to record a risk. This is the fact sheet that will go to Program Leaders and above and will be used as part of the Program Leader and above training. This will also be placed on the intranet and TRIM. TRIM 18/296770

Fact Sheet – how to monitor a risk. This is the fact sheet that will go to Managers and above and will be used as part of the Program Leader and above training. This will also be placed on the intranet and TRIM. TRIM 18/296769

Risk Management in a Page. This is the framework document that is referenced in the fact sheet documents. TRIM 18/296771

January Update:
Manager, Governance & Risk commenced on 14/01/2019.

The Implementation Plan has been reworked and high level document approved by the Manager Governance & Risk (TRIM 19/27598). The Implementation Plan will set out the steps and timeframes required to implement the ERM Policy across the business and is the first draft.

February Update:

The additional wording (in Red below) will be added to the Procurement Policy during next review cycle (consultation in March 2019 and Council approval in June 2019):

Risk management is to be appropriately applied at all stages of procurement activities which will be properly planned and carried out in a manner that will protect and enhance the Council’s capability to prevent, withstand and recover from interruption to the supply of goods, services and works. Risk management will be carried out in accordance with the Council’s

regarding development and roll-out of training to Directors. Alignment between procurement decision-making and WHS noted.

As item is “ongoing”, please continue to provide updates regarding roll-out of training.

March Assessment:
Great progress made regarding development and roll-out of training to Directors.

As item is “ongoing” please continue to provide updates regarding roll-out of training.

April Assessment:

Note an additional 10 participants have completed training during past month.

As item is “ongoing” please provide updates regarding roll-out of training.

May Assessment:

Note an additional 8 participants have completed training during past month.

As item is “ongoing” please provide an estimate of number of managers / staff yet untrained.

June Assessment:

Note: that training has been completed for ELT, senior managers and staff that require training. Agree that accountability for future training has been assigned. Complete.
Enterprise Risk Management Policy and Procedures.

Prior to making a decision to purchase Services or Goods that may affect the health, safety and welfare of workers, Responsible Persons must ensure that all prescribed WH&S standards have been met. Responsible Officers should refer to relevant WH&S policies and Standard Operating Procedures ("SOPs"). (TRIM 19/34038)

Implementation Plan timeline has been developed (TRIM 19/46692)

Training pack has been developed and delivered to Directors. (TRIM 19/47073). Awaiting sign off by Managing Director to roll out to the rest of the organisation.

March Update:

ERM Implementation has been approved by the General Manager (TRIM 19/71567)

Initial session with ELT completed and results (TRIM 19/70664)

First roll-out session for Managers booked for 3 April 2019

April Update:

ERM training session with C&CO on 3 April 2019. TRIM 19/75061

Further training will be rolled out and completed by end of financial year.

May Update:

Schedule detailing the roll-out of ERM training sessions TRIM 19/112442. Attendance sheets for ERM Training sessions: TRIM 19/113111, 19/113118, 19/113107, 19/113109, 19/113113

Procurement Policy revision approved by the Project Control Team TRIM 19/118326. Review report from PCT TRIM 19/120020

On track for submitting to Council for adoption at June 2019 Council meeting.
June Update:
Strategic Procurement Policy (SPP) approved by Council as outlined above (February update). TRIM 19/149806

ERM training sessions have been completed for ELT, senior managers and staff that required training. Further training will be provided as required when new projects are launched.

Ongoing responsibility: CEO Office TRIM 19/64024 endorsed by ELT TRIM 19/145760

1.2d. 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. People & Systems Complete Ongoing Ongoing 100% and ongoing

The Council initiated the Enterprise Risk Management (ERM) Project to review existing policy and procedures (ERM Framework). The Framework was developed based on ISO 31000 (2018).

ERM Policy approved by ELT on 30 May 2018, TRIM 18/106011. Policy presented to Audit and Risk Committee on 10 July 2018 TRIM 18/155426.

ERM procedures include new risk appetite statements, escalation, accountability and reporting tools that were endorsed by ELT and approved by Group Manager P&S on 22 June 2018. TRIM 18/145229 (ERM procedure) and TRIM 18/144886 (ERM tools).

From 1 July 2018 the ERM will be implemented, which will include an assessment of ongoing resource requirements. The implementation plan is provided. TRIM 18/197323.

At s. 5.3 (Milestones) of implementation plan a resourcing risk is identified: “Delivery dates are all rescheduled back by 3 months due to requirement to employ Program Leader Governance and Risk.”

The action will remain in Amber until recruitment finalised and milestones reviewed and confirmed.

The Program Leader for Risk & Assurance commenced in October 2018 (TRIM 18/285055).
The recruitment of a Manager to focus on the implementation will be conducted in November 2018 (TRIM 18/285054 and 18/285052). When the Manager has commenced, they will be focussing on the ERM implementation.

ELT continues to work on ways to ensure the effective implementation of the ERM into the organisation including the framework’s alignment to other risk related activities such as Asset Management and the potential sharpening of matrix definitions in the workplace safety given recent work on an overall safety strategy. This has been monitored and reported to Council at the Ordinary Meeting on 13 November 2018 extract from Minutes at TRIM 18/284753.

December Update:
Current status of the ERM Implementation is summarised below:
Memo – update on ERM project deliverables and provides detail surrounding each of the project deliverables TRIM 18/296779
Communication Strategy – outlines the plan for the next 6 months. This is mentioned in the deliverables TRIM 18/296775
Attachment – Risk matrix and top 10(9) risks into Pulse. Provides screenshots from Pulse of the demonstration 9 risks including their appearance in the risk matrix report TRIM 18/296778
Fact Sheet – how to report a risk. This is the fact sheet/handout which will be used when training all staff (face to face). This will also be placed on the intranet and TRIM. TRIM 18/296766
Fact Sheet – how to record a risk. This is the fact sheet that will go to Program Leaders and above and will be used as part of the Program Leader and above training. This will also be placed on the intranet and TRIM. TRIM 18/296770

should be taken across the organisation for identifying, documenting and mitigating risks and the process should not be customised across functional areas.
Progress is assessed as being at Risk
December Assessment:
Progress noted, in particular development of artefacts by which future audits of risk management actions could be conducted.
January Assessment:
As item is “ongoing”, please continue to provide an update in February 2019.
February Assessment:
As per 1.2c above.
March Assessment:
As per 1.2c above.
April Assessment:
Quarterly risk management reporting schedule noted; next scheduled review due in July 2019.
As item is “ongoing” please continue to provide updates as appropriate.
May Assessment:
Note significant progress in risk definition, documentation and IA space. Well done!
As item is “ongoing” please continue to provide updates if appropriate.
June Assessment:
Agree that accountability for future ERM reporting has been assigned.
Fact Sheet – how to monitor a risk. This is the fact sheet that will go to Managers and above and will be used as part of the Program Leader and above training. This will also be placed on the intranet and TRIM. TRIM 18/296769

Risk Management in a Page. This is the framework document that is referenced in the fact sheet documents. TRIM 18/296771

January Update:
The Implementation Plan is being significantly updated. High level draft approved by Manager Governance and Risk TRIM 19/27598 includes documenting and recording risk management actions and that such actions are subject to review and audit.

Enterprise Risk Management information has been uploaded to the Intranet TRIM 19/27954

February Update:
See 1.2c above.

March Update:
ERM Implementation has been approved by the General Manager (TRIM 19/71567)

Initial session with ELT completed and results (TRIM 19/70964)

First roll-out session for Managers booked for 3 April 2019

April Update:
Governance & Risk have outlined how documenting and recording of risk management actions will occur and how the actions will be reviewed and audited. TRIM 19/95708

May Update:
- Draft Minutes from ARC meeting held on 1/5/2019. The calendar for documenting and recording risk management actions and how they will be reviewed and audited was provided to ARC members. TRIM 19/119134

Complete.
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.

1.3a Clarify and reconfirm Council obligations in relation to dealing with land where asbestos may be present.

- People & Systems / All Directorates & Groups

- Complete

- 1/06/2018

- 31/08/2018

- 100%

Council’s obligations in relation to dealing with land where asbestos may be present has been clarified TRIM 18/154208.

Scoping meeting arranged with key stakeholders 17 May 2018 to confirm obligations and requirements. TRIM 18/109061 and 18/122204.

Additional meetings with key experts for further clarification TRIM 18/149809, 18/149820.

Clarification confirmed and final statements determined TRIM 18/154208, 18/162348.

**August Response:**
The TRIM references above have been updated; and the hyperlink fixed.

An updated brief developed with Implementation Plan, TRIM 18/149447.

**August Assessment:**
Compliant

1.3b Develop brief and implement review of required roles, responsibilities and accountabilities of staff within the City & Community Outcomes Directorate (and in other Directorates & Groups as identified as being required) related to meeting Council’s obligations in relation to dealing with asbestos contamination in land.

- People & Systems

- Complete

- 1/06/2018

- 31/08/2018

- 100%

Review of required roles and responsibilities of all staff in relation to meeting Council’s obligations dealing with asbestos contamination in land has been completed TRIM 18/154208.

Agenda for meeting to discuss and determine approach for recommendation 3 – TRIM 18/109061.

Minutes of meeting TRIM 18/122204.

Brief developed with implementation plan TRIM 18/149447.

**August Response:**
Review of required roles, responsibilities, and accountabilities of all staff has been completed. TRIM 18/154208.

The action is 100% complete but amber (at risk) status to be maintained until independent auditor reviews updated evidence.

**August Assessment:**
Completion of the Action is dependent upon Action 1.3a which has been completed on schedule (by 31/8/18). The Implementation Plan has been updated as per TRIM 18/149447.

Review of required roles, responsibilities and accountabilities completed. The review of positions has been completed as per TRIM 18/149663.

Confirmation of council obligations and instructions to managers to review positions is provided at TRIM 18/193212, 18/193208, 18/193211, 18/193196, 18/193208, 18/212868.

Summary of responses received from ELT on Standard Statements to PDs TRIM 18/223276 (individual responses TRIM 18/220686, 18/220704, 18/220714, TRIM 18/222270, TRIM 18/222260, TRIM 18/225244).

Although this action is 100% complete, the amber status will be retained until the independent auditor reviews available evidence, as provided above.

Email dated 2 July and its contents are noted. In order to fully close of this recommendation as 100% it is suggested that evidence of confirmation/response to the email be also attached. In the absence of responses from the Directorates, it is recommended that an email it forwarded to the Group Manager People & Systems confirming the adoption of proposed changes to roles contained in the 2 July 2018 email.

Response:
See comment regarding confirmation/response from Directors/Group Managers

September Response:
Review of required roles, responsibilities, and accountabilities of all staff has been completed. TRIM 18/154208.

The action is 100% complete but amber (at risk) status to be maintained until independent auditor reviews updated evidence.

September Assessment:
Compliant – and date change is noted

October assessment:
No new progress detail or evidence provided to assess ongoing progress
above)

The General Manager has extended consultation on 17 August 2018 (see Minute TRIM 18/200817).

As a result of the General Manager extending consultation, the timeframe has been altered by resolution of the Council at its Ordinary Meeting of 21 August 2018 (see Minute TRIM 18/214885).

Revised approach endorsed by ELT – ELT Paper TRIM 18/268529 & ELT Meeting Minutes TRIM 18/268528

December Update:

A review of existing position descriptions in all directorates has taken place and the results recorded in TRIM 18/284322.

The position descriptions identified as dealing with asbestos contamination in land have been updated to include a compliance and risk statement TRIM 18/284322 (Tracking tab).

There are 2 position descriptions that are missing/not available. These are being located and will be updated by 31/12/2018.

January Update:

Final two position descriptions were identified 21.12.2018 and updated to include compliance risk statement. TRIM 18/284322

1.3d. Ensure roles, responsibilities and accountabilities in relation to dealing with asbestos contaminated land are being met through regular staff performance management assessment against Position Description requirements.

People & Systems / All Directorates & Groups Complete 1/06/2018 31/08/2018 30/09/2018 31/12/2018 50% 90% 100%

Scoping meeting to determine approach and implementation TRIM 18/149715, 18/149721

Proposed updated requirements for position descriptions TRIM 18/154208, 18/162348

The timeframe has been altered by resolution of the Council at its Ordinary Meeting of 21 August 2018 (see Minute TRIM 18/214885).

Revised approach endorsed by ELT – ELT Paper TRIM 18/268529 & ELT Meeting Minutes TRIM 18/268528

December Update:

September Assessment:
Compliant and date change is noted

November Assessment
At Risk
Update noted. However, the latest evidence attached is reflective of progress as at 17 October 2018. No further information since then is provided to assess compliance to date. On that basis it is unlikely that this recommendation will be addressed in full by the revised timeline.

December Assessment:
Progress noted (i.e. 90%); revised timeframe (i.e. end December 2018) also noted. Agree project is back on track.

January Assessment:
Progress noted (i.e. 100%); agree complete.
The approach detailed above includes not only updating the PDs with specific roles, responsibilities and accountabilities in relation to dealing with Asbestos Contaminated lands TRIM 18/188242; but also updating the Performance Reviews TRIM 18/312159.

This is further summarised in:
- Email to City & Community Outcomes Director – 18/294114
- Email to Service Delivery Director – 18/294116
- Email to Development & Customer Services Director – 18/294119

NOTE: Integrated Planning & Finance and People & Systems groups do NOT have any positions that deal with the contaminated land, therefore the Group Managers have not been contacted as the Directors above have.

**January Update:**
Boilerplate instructions have been included in the latest version of the Performance Review Template (18/312159). The template also includes detailed Compliance Statements for WHS, Contaminated Land, and Asbestos that will be included in the Performance Assessment; and how the Manager will include detail of these Statements as appropriate in the Performance Review be addressed in full by the revised timeline.

**December Assessment:**
Progress noted (i.e. 90%); revised timeframe (i.e. end December 2018) also noted. It should be noted that email attachments were unable to be accessed. Agree project is back on track.

**January Assessment:**
Progress noted (i.e. 100%); agree complete.

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**1.3e Lessons learnt on the management of asbestos will be taken into consideration as part of organisation restructure.**

| People & Systems | Complete | 1/05/2018 | 1/11/2018 | 100% |

Realignment of structure to support asset maintenance in respect of lessons learnt from asbestos management realigned reporting of City Presentation Branch into C&CO Directorate was considered and was consultation undertaken. TRIM 18/105198 & 18/105200.

Decision to delay the structural change and continue to consider this as part of the now commenced Organisational Performance Review TRIM 18/162434, 18/193000.

Memo summarising Lessons Learned, the Evidence, and the August Response: All hyperlinks including this one have been redone and tested.

**August Assessment:**
Compliant
4. Council undertake a training needs analysis and deliver training to all staff in relation to asbestos management.

<p>| 1.4a | 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 &amp; Systems | Complete | 1/06/2018 | 16/06/2018 | 100% | Training Needs Analysis has been developed with the Executive Leadership Team and the Elected Councillors briefed in respect to the required training for all staff in relation to Asbestos Management and Workplace Health &amp; Safety. A briefing document was tabled to Council’s Executive Leadership Team on 20 June 2018. TRIM 18/108536, 18/108535, 18/108533, ELT Minutes at Item 3.2.1 (WHS Training Needs Analysis) TRIM 18/161507. Updated TNA 18/193223. | Compliant |
| 1.4b | Engage external or internal provider to deliver brief and undertake Training Needs Analysis | Chief Safety Officer/People &amp; Systems | Complete | 16/6/2018 | 16/07/2018 | 100% | Training Needs Analysis has been developed and delivered by the Chief Safety Officer TRIM 18/193223. It was formally approved by the ELT at their meeting on 20 June 2018 following a briefing to Councillors on 15 June 2018 TRIM 18/161584. | August Response: TNA has been updated and now attached as evidence. TRIM 18/193223. August Assessment: Compliant |
| 1.4c | 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 &amp; Systems | Complete | 17/7/2018 | 18/10/2018 | 100% and ongoing | All BMCC employees identified as needing the required training in asbestos management have completed an initial training program. Future training will be ongoing with refresher training for existing employees and new starters as required, in line with the Training Needs Analysis TRIM 18/108536 (Template). Asbestos Training &amp; Awareness Report (TRIM 18/108535) Asbestos Training Register (TRIM 18/108533) EPA Training (TRIM 18/128434) Elected Life training for Councillors | Compliant |</p>
<table>
<thead>
<tr>
<th>1.4d</th>
<th>Update Council’s Training Register as training is implemented.</th>
<th>People &amp; Systems</th>
<th>Complete</th>
<th>Ongoing</th>
<th>Ongoing</th>
<th>100% and ongoing</th>
</tr>
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</table>

| 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. |

**1.4d**

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 | Complete | 1/07/2018 | 31/08/2018 | 100% |

**1.5a**

The Staff Program has been developed to ensure that all staff is aware of the provision and empowered to stop work in relation to safety concerns TRIM 18/196780 and 18/196792.

Commenced initial planning work with the intention to coordinate with the update to position descriptions to reflect work, health and safety obligations.

Program is finalised TRIM 18/193228

As part of staff program, GM advice to all staff on 5 July 2018 TRIM 18/193037.

Advice to all staff provided by HR on 16 July 2018 TRIM 18/193029.

Existing escalation procedure reviewed to include the requirements as stated at 1.5b, TRIM 18/193221.

The Safety Incident Reporting and Investigation Procedure’ (TRIM 18/186596) was presented as Item 13 at the Ordinary Meeting of Council on 21 August 2018 and Approved Minute 307, TRIM 18/208041.

**1.5b**

Develop and implement a system to facilitate escalation of any Work

| Chief Safety Officer/People & Systems | Complete | 1/07/2018 | 31/08/2018 | 100% |

**August Response:**

A report has been prepared for the Council meeting of 21 August 2018. Subject to adoption of those recommendations, the Action will be completed by 31 August 2018.

**August Assessment:**

Update noted. The recommendation will be re-assessed in September.

**Response:** See Comment

**September Assessment:**

Compliant and Complete.

Adoption of the Safety Incident Reporting & Investigation Procedure by Council on 21 August 2018 is noted.
| 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). |
| Existing escalation procedure reviewed to include the requirements as stated at 1.5b, TRIM 18/193221. |
|  
| The Safety Incident Reporting and Investigation Procedure (TRIM 18/186894) was presented as Item 13 at the Ordinary Meeting of Council on 21 August 2018 and Approved Minute 307, TRIM 18/208041. |
| A report has been prepared for the Council meeting of 21 August 2018. Subject to adoption of those recommendations, the Action will be completed by 31 August 2018. |
| **August Assessment:** Update noted. The recommendation will be re-assessed in September. |
| **Response:** See Comment |
| **September Assessment:** Compliant and Complete. |
| Adoption of the Safety Incident Reporting & Investigation Procedure by Council on 21 August 2018 is noted. |

| Ensure the escalation system developed is regularly audited and incorporates key performance measures to assess performance relative to issue resolution and requirement for escalation. | Commenced initial planning work. |
| The escalation procedure as outlined in the Incidental Reporting and Investigation Procedure ensures regular audit and key performance measures are incorporated, TRIM 18/193221. |
| A report was prepared for the Ordinary Council meeting of 21 August 2018 to adopt the Safety Incident Reporting and Investigation Procedure (TRIM 18/186894). The report recommendations were adopted by the Council at Minute 307 TRIM 18/216263. |
| **August Response:** A report has been prepared for the Council meeting of 21 August 2018. Subject to adoption of those recommendations, the Action will be completed by 31 August 2018. |
| **August Assessment:** Update noted – Incomplete. The recommendation will be re-assessed in September. Recommendation should not be marked as completed until evidence has been provided of adoption of the recommendations by Council. |
| **Response:** See comment |
| **September Assessment:** Compliant and Complete. |
| Adoption of the Safety Incident Reporting & Investigation Procedure by Council on 21 August 2018 is noted. |
6. Council undertake a review and assessment of middle management capability to provide adequate supervision to ensure health and safety.

<table>
<thead>
<tr>
<th></th>
<th>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.</th>
<th>Chief Safety Officer/People &amp; Systems</th>
<th>Complete</th>
<th>1/09/2018</th>
<th>16/09/2018</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.6a</td>
<td></td>
<td></td>
<td></td>
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</table>
|   | The approach adopted to date is two-fold. The first component has been to assess all middle management as part of the training needs analysis. This work is largely complete. The second component will be a brief based on the Training Needs analysis. This will be endorsed by the General Manager and will form the basis of the specific training based on the broader WHS frame work. TRIM 19/197346. This brief will be completed by 16 September 2018 (and included in September reporting).

Brief to review Management capability for WHS TRIM 18/229952.

August Response: In light of the current context, all middle management will go through this Program. Brief to be developed by 1/09/2018.

August Assessment: Update noted. The recommendation will be re-assessed in September.

September Assessment: Compliant and Complete. Approval of brief by GM noted with thanks. |

<table>
<thead>
<tr>
<th></th>
<th>Engage expert consultant or internal provider to deliver brief and implement the review including identification of gaps in skills and capabilities.</th>
<th>Chief Safety Officer/People &amp; Systems</th>
<th>Complete</th>
<th>17/9/2018</th>
<th>18/10/2018</th>
<th>100% and ongoing</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.6b</td>
<td></td>
<td></td>
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</table>
|   | 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.

Identification of capabilities & skills of management to provide adequate supervision for WHS TRIM 18/229955. |

August Response: Based on the TNA, the CSO has identified areas to be trained. Brief will be developed by 1/09/2018.

August Assessment: Update noted including change of timeline. The recommendation will be re-assessed in September.

September Assessment: Compliant. |

<table>
<thead>
<tr>
<th></th>
<th>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</th>
<th>Chief Safety Officer/People &amp; Systems</th>
<th>Complete</th>
<th>1/09/2018</th>
<th>30/11/2018</th>
<th>90% 100%</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.6c</td>
<td></td>
<td></td>
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</tbody>
</table>
|   | Targeting training has been delivered to internal staff, including Managers, ELT members, elected Council body. See Recommendation 4. TRIM 18/197344.

WHS Training for Managers/Supervisors confirmed TRIM 18/192306, 18/192307, 18/192309.

The timeframe has been altered by resolution of the Council at its Ordinary Meeting of 21 August 2018 (see Minute TRIM 18/214885).

One Course (already created) with four sessions remaining to be delivered. An update was provided to ELT on 3 October 2018 TRIM 18/284983.

Two of the remaining sessions have been held, with the remaining two |

August Response: Based on the change of time line, the recommendation will be reconsidered in September.

August Assessment: Update noted including change of timeline. The recommendation will be re-assessed in September.

September Assessment: Compliant. Update noted including change of timeline.

October Assessment: Unclear whether progress has been made since
sessions to be held 20/11.
Attendance record TRIM 18/284375.
Stats and schedule TRIM 18/284382.
Courtenell Training – WHS
Responsibilities for Supervisors and Managers course training pack TRIM 18/284777.

December Update:
The course 18/284777 addresses all of the relevant WH&S Legislation; which is reflected in the BMCC Procedures.
As detailed in the WH&S Strategy document – “Safety Improvement Project to WHS Strategy” (TRIM 18/294259), further in-house courses are being developed that will present risk assessment and risk management methodologies consistent with the BMCC ERM Strategy confirmed by CSO 18/294268.

January Update:
Development of the course(s) as planned is part of the implementation phase of the Project Management Plan WHS Strategy 2019-2025 TRIM 19/18888.

February Update:
The Project Management Plan (TRIM 19/18888) has been updated to reflect the timeframe for formal Strategy Awareness sessions due to business organisation restructure and consultation process (TRIM 19/49794). Safety Culture Awareness conversations are taking place during consultation process.

March Update:
No further update at this stage due to the organisation restructure which was approved by Council at their 2019 March Meeting – TRIM 19/112589.

April Update:
No change from March update.

May Update:
Training continues to be rolled out to August update.

November Assessment:
Update noted. However, it is noted that the Course attached as TRIM 18/284777 is not customised in line with BMCC ERM or risk assessment methodologies or risk definitions. This has potential to cause confusion and inconsistency moving forward.

December Assessment:
Noted

January Assessment:
Noted

February Assessment:
Noted that Project Management Plan has been updated to reflect new timeframes. Note also that safety culture awareness conversations are being undertaken as part of consultation process. Progress = 90%.

March Assessment:
Noted: progress remains 90%.

April Assessment:
Noted: progress remains 90%.

May Assessment:
Note that training continues to be rolled out to new staff pending the finalisation of the new structure (due to be in place by July 2019). Noted Toolbox Talk attendance sheet supplied (2 attendees).
While agree generally complete. It would be
1.7a Develop brief for implementation of a safety culture program to improve ownership of safety issues, reporting and learning from incidents – ensure the brief links with Council’s overall Workforce Health and Safety Strategy, and is inclusive of a structured consultation methodology and tools to keep all workers informed on asbestos related risks throughout Council.

Chief Safety Officer/ People & Systems Complete 1/07/2018 16/07/2018 100%

Working draft of Vendor Brief developed on 11 July 2018 TRIM 18/162436.

The current Chief Safety Officer has reviewed and confirmed the brief. The working brief has been developed, however it will not be finalised until the new Chief Safety Officer (CSO) commences on 10 September 2018. The new CSO will deliver the program as an external expert provider. This approach is to ensure the brief meets with the new CSO’s approach to Council’s Workforce Health and Safety Strategy and culture program. (TRIM 18/197264) The new Chief Safety Officer has updated and approved the document. (This is still TRIM 18/162436, email concerning approach to 1.7a – 1.7c TRIM 18/231140)

Although this action is 100% complete, the amber status will be retained until the independent auditor appreciated if Tool Box meeting attendance sheets could continue to be supplied until the end of the project.

**June Assessment:**
Agree that accountability for future training needs analysis / delivery has been assigned. Complete.

**July Update:**
No training needs identified during June 2019
Training requirements for new staff will be managed by the CEO Office TRIM 19/64024 endorsed by ELT TRIM 19/145760
| 1.7b | Engage external or internal expert provider to deliver brief and implement the safety culture program across the organisation | Chief Safety Officer/ People & Systems | Complete | 17/7/2018 | 18/08/2019 | 100% | Council has engage a Chief Safety Officer, to deliver the program TRIM 18/193511. | reviews available evidence, as nominated above. | been re-confirmed by the new CSO. | September Assessment: Compliant & Complete. |
| 1.7c | Implement the Safety Culture program as detailed in 1.7b 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. | Chief Safety Officer/ People & Systems | CLOSED | 19/8/2018 | 20/11/2018 | Ongoing | 0% 20% 25% | The timeframe has been altered by resolution of the Council at its Ordinary Meeting of 21 August 2018 (see Minute TRIM 18/214885). | December Update: The Safety Improvement Project to WHS Strategy (TRIM 18/294259) highlights a “review of the entire reporting process” as a Priority. The Chief Safety Officer provided further detail on the Safety Culture Programme to the PIO PCG (TRIM 18/313202) | September Assessment: Compliant – Change to timeline noted. | November assessment: No update has been included in relation to the recommendation in order to make an assessment as to any work being undertaken in this space. | December Assessment: Progress noted (i.e. 20%). While an “ongoing” program, substantial ongoing work is required to meet requirements. | January Assessment: Progress noted (i.e.25%). While an “ongoing” program, substantial ongoing work is required to meet requirements. | February Assessment: Progress noted. Progress remains 25%. | March Assessment: Noted; progress remains 25%. | April Assessment: Noted: progress remains 25%. |
### 8. Council implement a safety leadership program which includes processes for ensuring due diligence by Council senior officers through:
- Training and awareness of relevant legal obligations in relation to asbestos
- Reporting and first hand verification of the implementation of systems and processes
- Assessment and reporting to Council’s elected members on the adequacy of resources for discharging safety legal duties regarding asbestos.

<table>
<thead>
<tr>
<th>1.8a</th>
<th>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.</th>
<th>Chief Safety Officer/ People &amp; Systems</th>
<th>Complete</th>
<th>1/04/2018</th>
<th>1/05/2018</th>
<th>1/07/2018 see comment</th>
<th>100%</th>
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<tbody>
<tr>
<td></td>
<td>Evidence has been provided (see comments)</td>
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<tr>
<td></td>
<td>Council has developed a Safety Leadership Program TRIM 18/129525.</td>
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<td>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. Public Interest Disclosure training TRIM 18/108452</td>
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<td>Senior Safety Leadership program has been developed and the presentation of material to ELT has augmented the (a), (b) and (c) aspects of the program</td>
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<td></td>
<td>August Response: Evidence has been provided (see comments)</td>
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<td></td>
<td>August Assessment: Update noted and based on the additional information provided, recommendation is assessed as being Compliant and completed.</td>
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<tr>
<td></td>
<td>September Assessment: Compliant and completed</td>
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<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>Complete</td>
<td>1/05/2018</td>
<td>1/08/2018</td>
<td>100%</td>
<td>commenced. Safe Decision Making in Leadership TRIM 18/188947  Risk Management for Senior Managers 18/188944  WHS Governance &amp; Due Diligence TRIM 18/189007</td>
</tr>
</tbody>
</table>

| 9. | Council implement a product stewardship approach to stockpile management. | City & Community Outcomes | Complete | 1/08/2018 | 1/11/2018 | 1/12/2018 | 50% 100% | 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. Procedure scheduled to be adopted in late July 2018. An advance draft prepared. See TRIM 18/108205 for “DRAFT Temporary Stockpile and Layover Establishment and Management procedure”. This will include identifying responsible officers and timetables for actions. Refer to 1.9b in terms of interim arrangement. A whole of organisation approach is August Response: C&CO’s approach to this and Actions 1.9b, 1.9c are documented in TRIM 18/192676 and 18/195123. The interim procedures will be adapted to each of the Branches and finalised.  August Assessment: Update, additional information and date change noted. The evidence suggests that there is a long-term accountability and responsibility issue. This is of concern and needs to |
required to resolving the stockpile audit process. This will be advanced with the ELT (see below).

An update to this action was provided by C&CO, and is documented in TRIM 18/192676 and 18/195123. The responsibility for this Action needs to be confirmed between C&CO and Service Delivery (see below).

This is a risk area being addressed. Prior to the 31 August 2018 assessment, an executive meeting defined the approach to accountability on 21 August 2018 (TRIM 18/203174), with the approach to actions agreed between SD and C&CO (TRIM 18/210589).

This approach has been confirmed in a status report to ELT on 5 September 2018 set against each of the Actions (TRIM 18/215448).

The timeframe has been altered by resolution of the Council at its Ordinary Meeting of 21 August 2018 (see Minute TRIM 18/214885).

The identification of all Council stockpiles, layover areas and maintenance depots storing materials as per Stage 1 of the approved stockpile audit action plan (see TRIM 18/231689) was completed on 30 September 2018 (see TRIM 18/267740 for Stage 1 audit spreadsheet).

All branches are on schedule to complete Stage 2 of the stockpile audit action plan which requires all Branches which utilise stockpile or layover areas or maintenance depots storing materials to assess their Branch's identified stockpile and layover areas and maintenance depots storing materials to determine if they have been appropriately approved and are compliant with the adopted Stockpile and Layover Establishment and Management Corporate Procedure by October 31 2018 (see TRIM 18/267825 for Stage 2 stockpile assessment spreadsheet).

resolve in order for this recommendation to be fully embedded in the organisation. Compliance and progress will be re-assessed in September.

Response:
An action plan has been developed and adopted to:

- Complete an initial audit of all stockpile sites within the specified timeframe,
- Draft an Organisational Procedure to manage the stockpiles identified.
- Consult on the draft Procedure
- Have the Procedure adopted by the General Manager

See comments and evidence.

September Assessment:
Compliant and on track.

Change to timeline noted.

October assessment:
Unclear from Update what progress have been achieved in October to enable compliance assessment.

November Assessment
At Risk

It is acknowledged the considerable work that has been to in relation to this recommendation. However there is yet still significant more work to be undertaken to fully comply with this recommendation and it questionable that this will be undertaken by the due
The assessment process also requires each branch to nominate whether they intend to decommission non-compliant stockpile or layover or maintenance depots storing materials areas or bring them into compliance with the adopted Stockpile and Layover Establishment and Management Corporate Procedure in Stage 3 of the stockpile audit action plan.

Due to their higher-risk profile, an additional level of detail has been added for the Branch Assessment Records for Civil Operations (TRIM 18/263188) City Presentation (TRIM 18/264058) C&CO (TRIM 18/267825)

Stage 3 of the stockpile audit action plan will commence from Oct 31, 2018 where existing stockpiles and layover areas which are determined to be non-compliant will be either:

(a) Decommissioned - A decommissioning and remediation plan must be developed. Non-compliant stockpiles and layover areas must be decommissioned within 16 weeks (28 Feb 2019) of being deemed non-compliant or

(b) Brought into compliance - An Environmental Impact Assessment in accordance with BMCC’s Part 5 Assessment Protocol must be undertaken and approved within 16 weeks (28 Feb 2019) of being deemed non-compliant to determine if the ongoing use of a site is permissible and/or warranted and can adequately demonstrated how the site will be brought into compliance with the adopted procedures

December Update:
The identification of all Council stockpiles, layover areas and maintenance depots storing materials as per Stage 1 of the approved stockpile audit action plan (see TRIM 18/231689) was completed on 30 September 2018 (see TRIM 18/267740 for Stage 1 audit spreadsheet). This Audit

December Assessment:
Progress noted; agree complete.
Compliant
| 1.9b | 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. | City & Community Outcomes | Complete | 1/08/2018 | 1/11/2018 | 100% |

identified where permissions were required and where Part 5s would need to be submitted.

The Action is complete; other information has been included above for context; i.e. the next phase (2) which commenced 31 October 2018 involves submitting a series of permissions and then obtaining approvals to decommission. See Action 1.9e

Methodology for procedure was briefed to ELT 27 June 2018.

An advance draft prepared. See TRIM 18/108205 for “DRAFT Temporary Stockpile and Layover Establishment and Management procedure”. This will include identifying responsible officers and timeframes for actions.

As per 1.9a. As an interim measure, the Director of C&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.

The draft procedure is subject to further consultation until 12 September 2018 and is proposed to be presented to ELT for adoption on 19 September 2018. An overview of the response to the action is provided to ELT on 5 September 2018 (TRIM 18/215448).

The Policy Control Team (PCT) have reviewed the draft procedure and determined that it was a Procedure rather than a Policy, (TRIM 18/258520).

ELT adopted the Stockpile and Layover Establishment and Management Procedures at its meeting of 19 September 2018 TRIM 18/129099. Minutes dated 26 September 2018 confirming adoption (TRIM 18/248430).

August Response:
The draft Procedure has been added as evidence.
The Process is out for Consultation and will be returned to ELT when it is finalised.

August Assessment:
Update, additional information and date change noted. The evidence suggests that there is a long-term accountability and responsibility issue. This is of concern and needs to resolve in order for this recommendation to be fully embedded in the organisation. Compliance and progress will be reassessed in September.

Response:
See comments.

September Assessment:
Compliant and completed
It is noted that the requirement is now to develop a procedure as opposed to a Policy.
The recommendation was fully complied with upon adoption by ELT on 19 September 2018.
<table>
<thead>
<tr>
<th>Action</th>
<th>Description</th>
<th>Status</th>
<th>Start Date</th>
<th>End Date</th>
<th>Completion Percentage</th>
</tr>
</thead>
<tbody>
<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>Complete</td>
<td>Ongoing</td>
<td>Ongoing</td>
<td>100% and ongoing</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>Complete</td>
<td>1/05/2018</td>
<td>30/05/2018</td>
<td>100%</td>
</tr>
<tr>
<td>1.9e</td>
<td>Council shall develop and implement a robust waste management system to</td>
<td>Complete</td>
<td>1/05/2018</td>
<td>25/02/2019</td>
<td>50% 70%</td>
</tr>
</tbody>
</table>

The interim procedures will be superseded by a detailed procedure being developed in response to action 1.9a and 1.9b. (TRIM 18/85159, 18/18833, 18/18864). These will be superseded.

The updated procedure, as well as the corresponding roles and responsibilities, were confirmed at a meeting on 21 August 2018 (TRIM 18/203174).

Confirmation has been provided on 24 August 2018 by SD and C&CO that the new procedures will provide for the certification of materials as part of the stockpile stewardship (TRIM 18/218557), with the new procedures to be adopted by ELT on 19 September 2018.

ELT has been briefed that the approval pathway for stockpiles under the new procedure will be through Council's Part 5 process, for which C&CO is accountable. Accountability to comply with approvals issued under the procedure will rest with the Branch Manager seeking the approval. The Part 5 process has a compliance regime which will likewise be delivered by C&CO (TRIM 18/215448).

ELT adopted the Stockpile and Layover Establishment and Management Procedures at its meeting of 19 September 2018 (TRIM 18/126099). Minutes confirming adoption will be attached as evidence for next reporting period.

**August Response:**
Actions for 1.9a will resolve this, but in the interim, Directorates remain responsible for ensuring compliance within their business area.

**August Assessment:**
Update, additional information and date change noted. The evidence suggests that there is a long-term accountability and responsibility issue. This is of concern and needs to resolve in order for this recommendation to be fully embedded in the organisation. Compliance and progress will be re-assessed in September.

**Response:**
See comments

**September Assessment:**
Compliant and on track.
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.

100% to the development of a waste management system that will track and record the source, classification, transport, storage, use and disposal of waste in accordance with the relevant legislation and requirements of any resource recovery order and exemption.

It has been determined that Stockpile and Layover Establishment and Management Procedures and Waste Classification and Resource Recovery/Disposal procedures will include tracking requirements and standard forms to document and record the source, classification, transport, storage, use and disposal of waste and manage stockpile inventory.

These procedures have undergone extensive consultation and are due for presentation to ELT on 19 September 2018 TRIM 18/126099 and 18/226011.

December Update:
The decommissioning of stockpile sites will utilise the accepted tracking system detailed above. The decommissioning process will commence from 31 October 2018.

The decommissioning process began on schedule 31 October 2018 with a Part 5 being submitted. (TRIM 18/297625) Current status is awaiting approval to decommission.

The systems referenced above will be ‘tested’ using the sites to be decommissioned, as detailed in TRIM 18/297740.

January Update:
The Part 5 that was submitted to test the system/process (18/297625) has been Approved on 23/11/2018 (18/290124). This validates that the Process works; and implementation of the tasks can commence.

Another Part 5 for a second site has been submitted and Approved (18/279769) providing further successful testing of the system.

has been developed to implement the system that will address Management of waste materials as detailed in Action 1.9d. Project Plan is being reviewed and will be finalised by 31 August 2018.

August Assessment:
Update noted. Compliance will be re-assessed in September.

Response: See comments

September Assessment:
Compliant and on track

November Assessment
No update provided on the progress after procedure were presented to ELT on 19 September 2018. Insufficient update to make assessment on level of compliance in relation to this recommendation.

December Assessment:
Progress noted (i.e., 70%). Future update should include results of system “testing”.

January Assessment:
Noted 100% complete.
10. Council develops an audit program to verify that the above recommendations have been implemented.

| 1.10a | Develop Audit Program to verify implementation of this Improvement Plan recommendations and its associated actions. | Governance & Risk | Complete | 20/3/2018 | 20/04/2018 | 100% | A Project Control Group has been established to oversee the implementation of the PIO. Terms of Reference adopted by Executive Leadership Team (ELT) on 12 April 2018 (TRIM 18/78730). Revised ToRs were adopted by the GM on 16 August 2018 and ELT on 17 August 2018 to reflect new membership (TRIM 18/198478).

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 & 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 | Compliant |

| 1.10b | 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. | Governance & Risk | Complete | Monthly | Monthly | 100% and ongoing | 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 & Attachment – TRIM 18/72218 & 18/74498

1 May 2018 Council Report & Attachment –TRIM 18/82281 & 18/83794

29 May 2018 Council Report and Enclosures – provided separately to this submission

Progress will be reported quarterly to | Compliant |
<table>
<thead>
<tr>
<th>1.10c</th>
<th>Establish a Project Control Group (PCG) to oversee implementation of improvement plans.</th>
<th>General Manager</th>
<th>Complete</th>
<th>6/04/2018</th>
<th>100%</th>
</tr>
</thead>
</table>

PCG Terms of Reference adopted by Executive Leadership Team on 12 April 2018 (TRIM 18/78730).
Dedicated Project Manager commenced 13 July 2018.
Dedicated Project Officer commenced 15 May 2018.

**PCG Minutes:**
- PCG #1 – 19 April 2018 – 18/87165
- PCG #2 – 4 May 2018 – 18/100562
- PCG #3 – 15 May 2018 – 18/109015
- PCG #4 – 26 May 2018 – 18/119406
- PCG #5 – 12 June 2018 – 18/132862
- PCG #6 – 26 June 2018 – 18/149489
- PCG #7 – 10 July 2018 – 18/165015
- PCG #8 – 30 July 2018 – 18/181853
- PCG #9 – 6 August 2018 – 18/206517
- PCG #10 – 21 August 2018 – 18/204184
- PCG #11 – 10 September 2018 – 18/234608
- PCG #12 – 24 September 2018 – 18/239984
- PCG #13 – 5 October 2018 – 18/250240
- PCG #14 – 16 October 2018 – 18/259721
- PCG #15 – 1 November 2018 – 18/276428
- PCG #16 – 13 November 2018 18/282413
- PCG #17 – 27 November 2018 18/297866
- PCG #18 – 17 December 2018 19/5716
- PCG #19 – 8 January 2019 19/7811
- PCG #20 – 22 January 2019

**August Response:**
See updated PCG minutes from 10 July 2018 (#7) and 30 July 2018 2018 (#8).

**August Assessment:**
Additional documentation noted – **Compliant.**

**September Assessment:**
**Compliant**
<table>
<thead>
<tr>
<th>PCG #</th>
<th>Date</th>
<th>Report Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>21</td>
<td>2 February 2019</td>
<td>PCG #21 – 7 February 2019 19/30695</td>
</tr>
<tr>
<td>22</td>
<td>19 February 2019</td>
<td>PCG #22 – 19 February 2019 19/39731</td>
</tr>
<tr>
<td>23</td>
<td>7 March 2019</td>
<td>PCG #23 – 7 March 2019 19/53644</td>
</tr>
<tr>
<td>24</td>
<td>19 March 2019</td>
<td>PCG #24 – 19 March 2019 19/64413</td>
</tr>
<tr>
<td>25</td>
<td>2 April 2019</td>
<td>PCG #25 – 2 April 2019 19/74850</td>
</tr>
<tr>
<td>26</td>
<td>15 April 2019</td>
<td>PCG #26 – 15 April 2019 – Minutes 19/87156</td>
</tr>
<tr>
<td>27</td>
<td>1 May 2019</td>
<td>PCG #27 – 1 May 2019 – Minutes 19/101019</td>
</tr>
<tr>
<td>28</td>
<td>14 May 2019</td>
<td>PCG #28 – 14 May 2019 – Minutes 19/109740</td>
</tr>
</tbody>
</table>

**Reports to ELT:**

9 May 2018 – 18/101856
Centium Compliance Management review for July 2018 18/216144.
Assessment of the methodology and functioning for July 2018 18/215462.
Centium Compliance Management letter dated 31 August 2018 18/236081.
Centium Compliance Review Management letter dated 22 November 2018 18/292543.
### 3.3 Investigation findings, recommendations and management actions – Interim Report Two

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**

<p>| | | | | |</p>
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</thead>
<tbody>
<tr>
<td><strong>2.1a</strong></td>
<td><strong>Ensure the Blackheath Tip site is fenced so as to prevent as much as possible future unlawful dumping of waste.</strong></td>
<td><strong>City &amp; Community Outcomes</strong></td>
<td><strong>Complete</strong></td>
<td><strong>1/05/2018</strong></td>
</tr>
<tr>
<td><strong>2.1b</strong></td>
<td><strong>Fencing and associated signage is being regularly monitored by security patrols to ensure continued integrity and to identify occurrence of vandalism.</strong></td>
<td><strong>Service Delivery (as per email from GE on the 29/6/2018)</strong></td>
<td><strong>Complete</strong></td>
<td><strong>Ongoing</strong></td>
</tr>
</tbody>
</table>
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.

| 2.2a | Council has commenced action to facilitate the installation of security cameras at a number of locations around the perimeter of the Blackheath Tip site. It is anticipated that cameras that interface with Council’s existing technology and surveillance strategies will be operational in April/May 2018. | Service Delivery | Complete | 1/04/2018 | 31/05/2018 | 100% | 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. | Compliant |
| 2.2b | 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. | Service Delivery | Complete | 1/04/2018 | 31/05/2018 | 100% | 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. | Compliant |
| 2.2c | Council has commenced a regular inspection program through the Blackheath Tip area and such a program will continue to operate. | Service Delivery | Complete | Ongoing | Ongoing | 100% and ongoing | 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. | Compliant |
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.

<table>
<thead>
<tr>
<th>Action</th>
<th>Responsible Officer/Department</th>
<th>Completion Date</th>
<th>Target Date</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<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>1/04/2018</td>
<td>15/04/2018</td>
<td>Complete</td>
</tr>
</tbody>
</table>

Council has gone a step beyond a brief by actually undertaking its own internal review and amending an existing system, releasing it as TRIM 18/193422 Contractor Safety Management Procedure. This document, along with a suite of contractor management procedures, is out for employee consultation from 12 July 2018 until 17 August 2018.

Evidence of consultation is provided at TRIM 18/193315, TRIM 18/193429, TRIM 18/193430, TRIM 18/193437, TRIM 18/193446.

The System was reviewed at the 23 August 2018 Peak Safety Steering Group meeting with a view to finalising it. The PSSG has adopted the Contractor Safety Management Procedure (TRIM 18/218641).

The report to the Council meeting of 18 September 2018 will recommend that the Council consider and note the procedures adopted by the PSSG (TRIM 18/234330).

Although this action is 100% complete, the amber status will be retained until the independent auditor reviews available evidence, as nominated above.

**August Response:** Council has gone a step beyond a Brief by actually undertaking its own internal review and amending an existing system. However, the Council has taken the step of requiring the CSO to actually prepare a Contractor Safety Management Procedure(s). This document is marked as a draft as it is out for consultation finishing 17 August. Council is currently seeking feedback on these Procedures, with a view to final adoption by the Council’s Peak Safety Steering Group 23 August 2018.

**August Assessment:** Update noted and it acknowledged that proposed actions will exceed the intent of the recommendation. Compliance will be re-assessed in September.

**September Assessment:** Compliant and Complete.

<table>
<thead>
<tr>
<th>Action</th>
<th>Responsible Officer/Department</th>
<th>Completion Date</th>
<th>Target Date</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<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>1/05/2018</td>
<td>1/06/2018</td>
<td>Complete</td>
</tr>
</tbody>
</table>

The Chief Safety Officer was engaged to complete a review of the contractor health and safety processes and procedures (TRIM 18/220439 and 18/220435).

These documents incorporate a requirement to:
1. Require contractors to undergo a Safety Induction and receive and sign the BMCC Contractor Safety Induction.

**August Response:** This relates to the above action and includes further evidence and confirmation of the consultation process. The new CSO will implement these processes. As these are Processes, not Policies they can be...

---

Performance Improvement Order – PCG
PIO – July 2019 Monthly Report – Asbestos
TRIM 19/163292
Management Manual:

2. Complete a Proforma 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 breaches; and

5. Require contractors to report all accidents and incidents.

These documents were out for consultation from 12 July 2018 until 17 August 2018. They were reviewed and adopted at the 23 August 2018 Peak Safety Steering Group meeting (TRIM 18/218641).

Refer to Action 2.3c in terms of the Council consideration of operational procedures which have been adopted by the PSSG.

The report to the Council meeting of 18 September 2018 will recommend that the Council consider and note the procedures adopted by the PSSG TRIM 18/234330.

Although this action is 100% complete, the amber status will be retained until the independent auditor reviews available evidence, as nominated above.

A review of the Health and Safety Procedure was completed, resulting in the following suite of documents: TRIM 18/193422, TRIM 18/193429, TRIM 18/193430, TRIM 18/193437, TRIM 18/193446.

There is no requirement for the Elected Council to adopt the Procedures outlined above, as these are operational. Procedure was subject to consultation with staff, which included an initial workshop. Final documents were approved within the timeframe at the Peak Safety Steering Group meeting 23 August 2018 (TRIM 18/218641).

August Assessment: Updated comment.

Response: See updated comment.

Compliance will be re-assessed in September 2018.

Chief Safety Officer/ People & Systems

Complete

2/06/2018 31/08/2018 100%
<table>
<thead>
<tr>
<th>2.3ca</th>
<th>Report the Peak Safety Steering Group’s adoption of contractor health and safety procedures to the Council for ratification.</th>
<th>Chief Safety Officer</th>
<th>Complete</th>
<th>1/9/2018</th>
<th>1/10/18</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Response:</strong></td>
<td>See comment</td>
<td>No additional action to be taken - Contractor Safety System in place and operational – Requirement for ongoing training and compliance.</td>
<td></td>
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</tr>
<tr>
<td><strong>September Assessment:</strong></td>
<td>Compliant and Complete. Completion of review noted.</td>
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</tbody>
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<table>
<thead>
<tr>
<th>2.4a</th>
<th>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.</th>
<th>Chief Safety Officer/ People &amp; Systems</th>
<th>Complete</th>
<th>1/09/2018</th>
<th>16/09/2018</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>September Assessment:</strong></td>
<td>Brief to GM noted</td>
<td></td>
<td></td>
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<table>
<thead>
<tr>
<th>2.4b</th>
<th>Engage an expert consultant or internal provider to implement training needs analysis</th>
<th>Chief Safety Officer/ People &amp; Systems</th>
<th>Complete</th>
<th>17/9/2018</th>
<th>18/10/2018</th>
<th>100%</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>September Assessment:</strong></td>
<td>Brief to GM with proposed way forward noted</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>2.4c</td>
<td>Deliver training to staff required to engage contractors and monitor contractor activities</td>
<td>People &amp; Systems/Chief Safety Officer</td>
<td>Complete</td>
<td>19/10/2018</td>
<td>19/12/2018</td>
<td>30/04/2019</td>
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**Expert training consultant engaged by BMCC to implement developed & completed Training Needs Analysis.**

**Action not due to commence**

- The timeframe has been altered by resolution of the Council at its Ordinary Meeting of 21 August 2018 (see Minute TRIM 18/214885).

**December Update:**

- The Work Health & Safety - Managing Contractor Safety Procedure (TRIM 18/299349) contains the whole-of-lifecycle approach to engaging, monitoring operations during their work, and reporting on health and safety issues raised during the performance of their work.

- This document was adopted by the Peak Safety Steering Group (PSSG) on 23/8/18 (TRIM 18/207492).

- P&S to create project plan to create collateral and deliver training.

**January Update:**

- BMCC employees who may engage contractors have been identified: TRIM 19/18385.

- CSO has developed and distributed to Directors a BMCC WHS Contractor Management training pack with instructions for delivery TRIM 19/26011.

- Directors to deliver training which must be concluded by 30/04/2019 and attended sheets returned to HR for recording in LEARN TRIM 19/25985.

**February Update:**

- Training sessions are being rolled out through the organisation and sessions have already taken place. Attendance sheets are forwarded to HR and entered into LEARN (TRIM 19/49721).

**March Update:**

- Training sessions are in progress and training of all identified staff who may engage contractors will be completed by 30/04/2019. TRIM 19/18385.

**September Assessment:**

- Date change noted

**October Assessment:**

- Date change noted

**December Assessment:**

- Progress noted (i.e. 20%); expected timeframe (i.e. end April 2019) also noted. Suggest that substantial ongoing work is required to meet requirements.

**January Assessment:**

- Progress noted (i.e. 50%); project appears to be on track for end April 2019 completion.

**February Assessment:**

- Progress noted (i.e. 50%); reviewed attached attendance sheets and noted 20 participants appear to have completed training.

- Suggest March update includes a proportion / percentage of participants trained versus those yet to be trained so that assessment can be made against agreed timeframes.

**March Assessment:**

- Percentages across various participant groups noted – thank you. Progress remains approximately 50%.

**April Assessment:**

- Progress over contractor groups reviewed. Progress at 86% noted. Future training to be held early May given Public...
### April Update:
- Updated Contractor Training schedule attached. TRIM 19/18385
- Further training sessions have been arranged for C&CO to take place on 8 & 9 May 2019. Sessions were delayed due to staff absence and the Easter holiday period. TRIM 19/95369

### May Update:
- All staff identified as possibly engaging contractors have now completed the training “WHS for staff who may engage contractors” TRIM 19/18385
- Holiday delays.

#### 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**
  - **Complete**
  - **1/09/2018**
  - **17/09/2018**
  - **100%**
  - **Brief to review Management capability for WHS TRIM 18/229952.**
  - **Identification of capabilities & skills of management to provide adequate supervision for WHS TRIM 18/229955.**
  - **BMCC engaged external accredited training provider to deliver mandatory WHS training program to all Council personnel who have manager or supervisory responsibilities.**
  - **This review has been incorporated into 1.3c which will be completed ahead of schedule.**
  - **Revised approach endorsed by ELT – ELT Paper TRIM 18/268529 & ELT Meeting Minutes TRIM 18/268528.**
  - December Update:
    - The Pro Forma of the WH&S Statement to be included in all Position Descriptions, as well as instructions and timeframes for adding the necessary accountabilities outlined in this Pro Forma was sent to all Managers. TRIM 18/163701.
    - All PDs have been updated with the WH&S responsibilities and accountabilities. TRIM 18/163701.

#### September Assessment:
- Briefing to GM with proposed way forward noted
- Compliant and complete

#### October Assessment:
- Noted

#### November Assessment:
- Overdue

#### December Assessment:
- Complete and compliant

#### January Assessment:
- Noted 2 PDs were found and rectified during December / January.
- Agree complete.
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

| 2.6a | 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 | City & Community Outcomes | Complete | 16/03/2018 | 16/04/2018 16/06/2018 see comment | 100% | Finish date has been adjusted from the 16/4/2018 to the 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 and 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 & 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 18/108254 for proposed 2018/2019 charges and TRIM 18/119527 for 2017/2018 current charges. The alignment of charges for 2018/19 is demonstrated over a 5 year comparison provided in TRIM 18/124155. Letter sent to The Hon. Gabrielle Upton MP on 15 June 2018 regarding reduction in gate fees for asbestos. TRIM 18/125275 | Compliant |

| 7. | That the Council may wish to consider whether there is a benefit in becoming involved in one of the Regional Illegal Dumping (RID) | City & Community Outcomes | Complete | 16/03/2018 | 30/06/2018 100% | Council has contacted the Contacted EPA TRIM 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 | Compliant |
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.

3.1a 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.
- The Council endorsed that the Asbestos Management Policy meets the Requirement of this PIO Action
- An update to the wording of this Policy will improve the clarity of the wording of the Policy with respect to Lands
- Council sought an Opinion from the Project Control Team 13 September regarding whether the council should have a separate policy for Asbestos Elimination. The response was that we should have one holistic Asbestos Management policy rather than create a new Policy specifically for Elimination
- ELT endorsed the proposed wording on 7 November 2018 (TRIM 18/284931) that will appropriately update the existing Asbestos Management Policy

**Approach**

- Council will implement the changes that were endorsed by ELT on 7 November 2018 (TRIM 18/284931) during the next review cycle
- Council will continue to create the Elimination Procedures which will reference the updated Asbestos Management Policy as the guiding document

Council will continue to create the Elimination Procedures which will reference the updated Asbestos Management Policy as the guiding document. This action will be finalised by the required completion date.

**December Update:**
Development of the Asbestos Elimination Program continues as per the Project Management Plan (PMP) for this Action TRIM 18/259497. This PMP is being reviewed on a weekly basis by the Project Office.

**January Update:**
Action 3.1a has progressed in line with
progression made on action 1.1c. Awaiting commencement of Asbestos Policy review. No further action to be taken until review has been completed.

February Update:
No further action required (see January update)

March Update:
Progress pending ELT approval of the Asbestos Elimination Program (TRIM 19/41575)

April Update:
Asbestos Elimination Program approved by ELT 17 April 2019 TRIM 19/95336

The Asbestos Management Policy has been reviewed and the Policy has been updated to reflect the wording endorsed by ELT on 7 November 2018 and include a reference to the Asbestos Elimination Program. Consultation has commenced TRIM 19/93520

The Policy Control Team has prepared a timeline for implementing the changes to the Asbestos Management Policy, with the Policy to be presented to Council for approval at the June 2019 Council meeting. TRIM 19/93559

May Update:
Email from CSO closing the consultation period TRIM 19/111828

Email from CSO submitting revision of the Asbestos Management Policy to Policy Control Team (PCT) TRIM 19/112297

PCT report to CSO TRIM 19/119524

Project on track for Policy revision approval at the June 2019 Council Meeting.

June Update:
Council has rescheduled Action 1.1c and Action 3.1a of the Improvement Plan to coincide with a further review of the Council's Asbestos Management Policy and Asbestos
| 3.1b | 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. | City & Community Outcomes | Complete | 1/09/2018 | 30/04/2019 | 20% | 90% | 100% |

| Management Plan, which is expected to be reported to the Council for adoption in the first quarter of 2019/2020. TRIM: 19/126519 | Project Plan currently being developed and implemented. Key actions will be development of an asbestos assessment matrix in line with Council’s adopted Enterprise Risk Management Policy and Plan, and application of these criteria against all of Council’s built facilities. The development of the plan will be dependent on the completion of the transition of Council’s asbestos register to its Pathway System, currently scheduled for completion in early December. Substantial work to commence in December. December Update: Documentation of Assessment method commenced (TRIM 18/300962) and initial review of Council’s Corporate Asbestos Register commenced (TRIM 18/302916). The Risk Priority Ranking has been created and is being tested using actual site data (TRIM 18/297266). The Risk Assessment Hybrid has been adopted from the BMCC Operational Policy: Enterprise Risk Management Procedures pp. 43-45 that were endorsed by the ELT and approved by Group Manager P&S on 22 June 2018 TRIM 18/145229 (ERM procedure) and TRIM 18/144886 (ERM tools). January Update: Risk assessment of all Council owned built assets complete. Risk based approach taken to create a priority/risk register of sites. To be reviewed by ART in the upcoming month. Data sample of relevant sites provided. (19/22325) Asbestos Elimination program (AEP) being formed through the development of risk assessment and accompanying documentation on 1.1a, 3.1b, 3.1c. Program forming based on all aspects |

| September Assessment: Action has commenced October assessment: Noted November Assessment Noted December Assessment: Progress (i.e. 30%) noted. January Assessment: Progress (i.e. 70%) noted. February Assessment: Progress (i.e. 80%) noted. March Assessment: Draft Asbestos Elimination Program documents supplied – thank you. Progress contingent on approval of document by ELT. Progress = 90%. April Assessment: Note ELT approval; agree project complete. |
of project progressing to finalise 3.1c. Currently undergoing consultation process with IT, Records Department, Major Projects and the Asbestos Response team for feedback and expertise to be provided.

February Update:
Collaboration currently underway with PIO projects and other relevant departments to establish integration of Asbestos Elimination Program systems (Priority Risk Register tool) under further development for the PIO. (TRIM 19/40675)
Working closely with IT to develop systems and reporting for the AEP. (TRIM 19/43199 / 19/43201 / 19/43202)
Liaising with ART and Development on the implementation of the Risk Priority Register and strengthening the relationship between the RAR and CSR. (TRIM 19/43203 / 19/34045)
The Asbestos Elimination Program guiding document is currently being drafted to outline: AEP background, AEP systems implementation, AEP plan and procedures and the AEP reporting framework moving forward. (TRIM 19/41575)

March Update:
AEP has been finalised and will be presented to ELT. TRIM 19/41575 Progress pending ELT approval.
April Update:
AEP approved by ELT 17 April 2019 TRIM 19/95336 Action complete

<table>
<thead>
<tr>
<th></th>
<th>Asbestos Elimination Program to incorporate a reporting framework for the purposes of keeping the Elected Council advised in respect to the status of the Program.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>City &amp; Community Outcomes</td>
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<tr>
<td></td>
<td>Development of a reporting mechanism to show effectiveness of the elimination program will be developed as part of the procedures attached to the Asbestos Elimination Plan, action 3.1b</td>
</tr>
<tr>
<td></td>
<td>AEP Reporting system to be finalised after the development of AEP. The reporting system will be based on the</td>
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<td></td>
<td>September Assessment: Action has commenced</td>
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<td></td>
<td>October assessment: Noted</td>
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<td></td>
<td>November Assessment Noted</td>
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<td>December Assessment:</td>
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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 signage 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 the 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.

| 3.2a | 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 | Chief Safety Officer | Complete | 1/08/2018 | 30/09/2018 | 100% | Audit Record 18/210995 | September Assessment: | Please include status update for assessment |
| 3.2b | 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. | Chief Safety Officer | Complete | 1/08/2018 | 30/09/2018 | 100% | Audit Record 18/210995 Is now complete | September Assessment: Please include status update for assessment |
| 3.2c | 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. | Chief Safety Officer | Complete | 1/08/2018 | 30/09/2018 | 100% | Audit Record 18/210995 Is now complete | September Assessment: This recommendation should be captured in an forward audit program of the Asbestos register |
| 3.2d | Council to validate the Council Asbestos Management Plan and individual site Asbestos Management Plans against 2b. | Chief Safety Officer | Complete | 1/08/2018 | 30/09/2018 | 100% | Audit Record 18/210995 Is now complete | September Assessment: Please include status update for assessment |
| 3.2e | Council to audit all workplaces and owned structures to ensure signage is in place in full accordance with legislative and regulatory requirements. | Chief Safety Officer | Complete | 1/08/2018 | 30/09/2018 | 100% | Audit Record 18/210995 Is now complete | September Assessment: Please include status update for assessment |

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. | People & Systems | Complete | 15/6/2018 | ongoing | 75% 100% | In progress. On 30th April 2018 Council engaged a Communications Consultant to facilitate work on the development and implementation of a communication strategy and tools to ensure a public awareness campaign is resourced and implemented. TRIM 18/108271 Council has commenced drafting a Community and Engagement Strategy for the management of asbestos TRIM 18/163106. The Communication and Engagement Strategy – Asbestos Management have undergone extensive consultation and are due for representation to ELT on 19 September 2018 TRIM 18/163106. December Update: Next steps: confirm scope, project objectives and ownership to implement above. Implementation Plan to be devised and reported in January 2019 | September Assessment: Compliant and progress noted October Assessment: Compliant and progress noted November Assessment Noted December Assessment: Progress (i.e. 75%) noted. Next update to include report from January 2019 Council meeting please. January Assessment: Note that an Implementation Plan is no longer required, and the Community and Engagement Strategy has been updated. Next update to include report |
January Update:
After further review, an Implementation Plan is not required. The Communication and Engagement Strategy (TRIM 18/163106) has been updated to reflect ownership, scope and deliverables. A gap analysis has been performed for the remaining collateral to be produced. The result of this analysis will be presented to the PCG on 05/02/2019; where the document will be finalised.

February Update:
PCG endorsed the update of the Corporate Communication and Marketing Plan (TRIM 19/7593) and asked for the revised plan to be adopted by ELT. ELT endorsed the revised plan at their meeting on 27.02.2019 (TRIM 19/49718).

April Assessment:
For closure; note complete.

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.

<table>
<thead>
<tr>
<th>People &amp; Systems</th>
<th>Complete</th>
<th>15/6/2018</th>
<th>Ongoing</th>
<th>75%</th>
<th>100%</th>
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<tbody>
<tr>
<td>Council Meeting.</td>
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<td>January Update:</td>
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<td>February Update:</td>
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<tr>
<td>PCG endorsed the update of the Corporate Communication and Marketing Plan (TRIM 19/7593) and asked for the revised plan to be adopted by ELT. ELT endorsed the revised plan at their meeting on 27.02.2019 (TRIM 19/49718).</td>
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</table>

First action is to centralise all asbestos information within the Council's website on a separate landing page. This will contain fact sheets and information kits for staff and community.
Communication plans fully developed and awaiting ELT endorsement - awareness communications widely distributed throughout community in hardcopy and online.
This program is under the management of BMCC Corporate Communications and Marketing Team reporting to Director People & Systems.

| September Assessment: |
| Compliant and progress noted. As with 3.3a, responsibility should be changed from CSO to Group Manager People & Systems. |
| October Assessment: |
| Compliant and progress noted |
| November Assessment |
| Noted |
| December Assessment: |
| Progress (i.e. 75%) noted. |
| January Assessment: |
| Noted. Next update to include report from February 2019 PCG meeting please. |
| February Assessment: |
| ELT endorsement noted. Agree complete. |
3.5 Investigation findings, recommendations and management actions - Final Report

RECOMMENDATION 1: Review Councils framework for managing asbestos in Council owned or managed proprieties (land and buildings) including:
   a. The asbestos policy
   b. Asbestos registers for each property
   c. Asbestos management plans for each property
   d. Legally compliant labelling of ACM in properties
   e. Training to staff in relation to asbestos management
   f. Reporting procedures for reporting asbestos related incidents at properties
   g. Appropriate processes for health monitoring of workers and others exposed to asbestos through Councils undertaking at properties and
   h. 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 Councils framework for managing asbestos in Council owned or managed property, consider (a) to (h) above.
   Chief Safety Officer  Complete  1/02/2019  30/06/2019  0%  5%  10%  40%  85%  90%  100%

The Council continues its ongoing review of the Asbestos Management framework. As an example, at the Council meeting on 26 June 2018 they adopted the Asbestos Management Policy and Plan TRIM 18/147323. It continues consultation with staff as per TRIM 18/220144.

However, a full audit of the Asbestos Management Framework will be commenced by February 2019. By that stage, it is anticipated that the full compliance framework will have been updated in accordance with the actions of the improvement plan.

August Response:
These documents were provided to the Council in the 26 June meeting, and reflected in the Minutes, TRIM 18/147323.

August Assessment:
Update and evidence noted. Compliance will be continued to be monitored.

October Assessment:
Update and evidence noted. Compliance will be continued to be monitored.

November Assessment:
Update and evidence noted. Compliance will be continued to be monitored.

December Assessment:
Progress (i.e. 0%) noted; compliance will continue to be monitored.
February Update:
Proposal received from Centium. (TRIM 19/47174). Email confirming point of contact at BMCC and additional comments regarding audit process (TRIM 19/46379)

March Update:
On-site part of the audit has commenced (27.03.2019) TRIM 19/71076
Audit due to be completed mid-April.

April Update:
Interim Report has been received from Centium. PIO PCG is in the process of providing feedback to Centium for final report to be prepared.

May Update:
The final draft internal audit report has been received from Centium and will be reviewed by the PIO PCG before being presented to Council.

June Update:
Response from CEO to the Internal Audit Report TRIM 19/125737 and confirmation from Centium that this Action is now complete TRIM 19/132015

January Assessment:
Progress (i.e. 5%) noted; compliance will continue to be monitored. Please add TRIM 19/22747 to the USB for future reference.

February Assessment:
Progress (i.e. 10%). Agree that Centium has been asked to provide a quote for the audit.
A sterile corridor has been established and thus I continue to rely on Council to provide updates regarding this project.

March Assessment:
Note progress remains at 10% awaiting completion of the audit.
A sterile corridor has been established and thus I continue to rely on Council to provide updates regarding this project.

April Assessment:
I understand a draft report has been completed by Centium in this regard; advised by Centium consultant that management actions are currently being updated; agree 85% completion.

May Assessment:
I understand a final report has now been submitted by Centium. Note that the report is yet to be finalised by Council and thus 90% completion.

June Assessment:
Audit finalisation letter sighted. Agree complete.
**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).

| 4.2a | 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. | People & Systems/ Chief Safety Officer | Complete | 1/06/2018 | 1/05/2019 | 25% 100% | This review has been incorporated into Action 1.3c which will be completed ahead of schedule. | Compliant  
**December Assessment:** Progress noted; assessed as compliant. |

| 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. | People & Systems/ Chief Safety Officer | Complete | 1/06/2018 | 1/05/2019 | 25% 100% | Draft Project Plan developed TRIM 18/156719. This review has been incorporated into 1.3c which will be completed ahead of schedule. | Compliant  
**December Assessment:** Progress noted; assessed as compliant. |

**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 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.

| 4.3a | 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. | People & Systems/ Chief Safety Officer | Complete | 15/06/2018 | ongoing | 25% 75% 100% | In progress. See 3.3a above.  
**January Update:** The Communication and Engagement Strategy has been finalised (TRIM 18/163106). The requirement for this Action is addressed on pgs 4 & 6 of the document.  
**February Update:** PCG endorsed the update of the Corporate Communication and Marketing Plan (TRIM 19/7593) and asked for the revised plan to be | Compliant  
**December Assessment:** Progress (i.e. 25%) noted; unsure how this has been rated compliant given progress at 3.3a above. More information required please.  
**January Assessment:** Per 3.3a above, it is noted that an Implementation Plan is no longer required, and the Community and Engagement Strategy has... |
| 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 | Complete | 15/06/2018 | ongoing | 100% |

Council has developed and disseminated asbestos fact sheets and information kits for staff and the community across the organisation and community facilities (libraries and community centres). The information relating to the health impacts of asbestos has been sourced from NSW Health and the Asbestos Diseases Research Institute (ADRI). This information is also available as downloads on a revised web page dedicated to asbestos management. The web page expands the availability of health and safety information relating to the management of asbestos by including links to SafeWork, EPA, NSW Health, ADRI’s Asbestos Awareness website and Asbestos Answers – an information website developed by Cumberland Council, whose award-winning asbestos management approach provides clear and easy to understand information, generously made available for other Councils to share.

The Chief Safety Officer advised all staff on 16 August 2018 of these fact sheets and information kits.

All information sourced for public and internal awareness campaign sourced from acknowledged reputable sources. Campaign will be ongoing and is being managed by Communications Officer reporting to People & Systems.

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

| 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 | Complete | 1/04/2018 | 31/08/2018 30/09/2018 | 100% |

Council engaged a Communications Consultant to facilitate work on the development and implementation of a communication strategy and tools to ensure a public awareness campaign is resourced and implemented TRIM 18/108271.

August Response: See revised comment.
August Assessment: Update noted and compliance will be re-assessed accordingly in
A draft Communications Strategy has been completed TRIM 18/163106. This document was presented to ELT on 29 August 2018 (TRIM 18/21847 at 9:1). ELT agreed with the aim of adopting this Strategy by end of September in line with the revised timetable of 30 September 2018. The timeframe has been altered by resolution of the Council at its Ordinary Meeting of 21 August 2018 (see Minute TRIM 18/214885).

Draft Communication Strategy was endorsed by the ELT on 19 September 2018 TRIM 18/249874.

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

<table>
<thead>
<tr>
<th>Action</th>
<th>Status</th>
<th>Date</th>
<th>Percentage</th>
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</thead>
<tbody>
<tr>
<td>4.5a</td>
<td>Complete</td>
<td>1/09/2018</td>
<td>100%</td>
</tr>
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</table>

Work to establish the program and reporting will be completed as part of action 3.1b and 3.1c.

A draft of the Project Management Plan has been completed and is being reviewed by the Project Office (TRIM 18/259505).

Council has committed funding in the current Asset Works Plan (AWP) of $530,000 for asbestos remediation in 2018/19 and a further $585,000 in 2019/2020. Staff will engage with the future budgeting process to ensure continued funding for the Asbestos Elimination Plan TRIM 18/285750.

December Update:
- Review of potentially contaminated lands component at 75% as per action 1.1a; Review of the Council’s Corporate Asbestos register and prioritisation of built structures at 30% as per action 3.1b; Staff are engaging in budget setting process to ensure programs are adequately resourced (18/289990).
- This approach forms the basis for the Project Management Plan (PMP) for Actions 3.1a, 3.1b, 3.1c and 4.5a (TRIM 18/259497). Clear reporting and accountabilities are outlined in this PMP.

August Response:
Remove reference to 3.3a – not applicable.

Manager for Environmental Sustainability and CSO are meeting 14 August 2018 to discuss Orphan Find v Proactive Removal as basis for this Program.

August Assessment:
Reference to 3.3a is still reflected in status.

Update is noted and compliance will be continued to be monitored.

Response: 3.3a above has been removed

October Assessment:
No Status provided for assessment

November assessment:
Update is noted and compliance will be continued to be monitored.

December Assessment:
January Update:
Asbestos Elimination program (AEP) being formed through the development of risk assessment and accompanying documentation on 1.1a, 3.1b, 3.1c. Program forming based on all aspects of project progressing to finalise 3.1c. Currently undergoing consultation process with IT, Records Department, Major Projects and the Asbestos Response team for feedback and expertise to be provided on best practice for implementation.

February Update:
Collaboration currently underway with PIO projects and other relevant departments to establish integration of Asbestos Elimination Program systems (Priority Risk Register tool) under further development for the PIO. (TRIM 19/40675)

Working closely with IT to develop systems and reporting for the AEP. (TRIM 19/43199 / 19/43201 / 19/43202)

Liaising with ART and Development on the implementation of the Risk Priority Register and strengthening the relationship between the RAR and CSR. (TRIM 19/43203 / 19/43045)

The Asbestos Elimination Program guiding document is currently being drafted to outline: AEP background, AEP systems implementation, AEP plan and procedures and the AEP reporting framework moving forward. (TRIM 19/41575)

March Update:
Progress pending ELT approval of the final AEP (TRIM 19/41575)

April Update:
AEP approved by ELT 17 April 2019 (TRIM 19/95336)

Action complete

RECOMMENDATION 6: Develop and implement a Safety Culture Program for managing risks of asbestos.
| 4.6a | Develop brief for implementation of a safety culture program for managing risks of asbestos | Chief Safety Officer | Complete | 1/09/2018 | 31/03/2019 | 20% | 100% | The timeframe has been altered by resolution of the Council at its Ordinary Meeting of 21 August 2018 (see Minute TRIM 18/214885).
This item is a component of the complete WHS strategy and will be completed within the Risk pillar of the strategy refer to TRIM 18/279387.
The Chief Safety Officer has outlined the strategy to implement the ERM as part of the overall WHS Strategy; which includes identifying, documenting and mitigating risk events. This Strategy presentation, TRIM 18/285606, will be presented to ELT on 21/11/19 and to Council on 11/12/18.
**December Update:**
The Safety Improvement Project to WHS Strategy has been updated TRIM 18/294259
The Chief Safety Officer provided further detail on the Safety Culture Programme to the PIO PCG (TRIM 18/313202)
The CSO delivered the Brief detailing the implementation and ongoing operation of the managing asbestos component of the Safety Culture Program to the PIO on 18/1/2019 (TRIM 19/15806)

**September Assessment:**
Change of timeline noted

**November assessment**
Update is noted and compliance will be continued to be monitored.

**December Assessment:**
Progress (i.e. 25%) noted; timeframe (i.e. end March 2019) noted; assessed that substantial ongoing work is required to meet requirements.

**January Assessment:**
Progress (i.e. 100%) noted. However, unable to open supporting documentation. Please supply scanned version of document with February Report.

**February Assessment:**
For completion; document supplied and agree complete.

**April Assessment:**
For completion; document supplied and agree complete.

| 4.6b | Engage external or internal expert provider | Chief Safety Officer | Complete | 1/11/2018 | 30/04/2019 | 20% | 100% | Action not due to commence
Council has employed Grant Medlock in the role of CSO to design and deliver the Strategy TRIM 18/268576

**December Assessment:**
Update noted; assessed as compliant.

| 4.6c | Implement the Safety Culture program | Chief Safety Officer | CLOSED | 1/11/2018 | 30/04/2019 ongoing | 20% | 25% | The timeframe has been altered by resolution of the Council at its Ordinary Meeting of 21 August 2018 (see Minute TRIM 18/214885). Initial works begun on culture

**September Assessment:**
Change of timeline noted

**October Assessment:**

programme development. 2 initial face
to face sessions completed – All Staff
CSO briefing Nov 18 2018 TRIM
18/279352, and a session at the
BMCC Leadership forum Nov 18, Trim
No: 18/279387 begin the long process
of ongoing education and consultation.

Initial All Staff communications also
have started to reference Culture
(people /Systems /Risk ) items to
begin embedding message TRIM
18/268576 and 18/278738. Strategy
development sessions are being
planned for ongoing rollout
development and will be reported as
they are completed.

January Update:
A Project Management Plan (PMP) for
the WHS Strategy has been created
that details the development and
implementation of the Safety Culture
Program over the next 6 years and
addresses the requirements of 1.7c
(TRIM 19/1888).

February Update:
The Project Management Plan (TRIM
19/1888) has been updated to reflect
the timeframe for formal Strategy
Awareness sessions due to business
organisation restructure and
consultation process (TRIM 19/49794).
Safety Culture Awareness
conversations are taking place during
consultation process.

March Update:
No further update at this stage due to
the organisation restructure which was
approved by Council at their Ordinary
Meeting 26 March 2019 – minutes
pending.

April Update:
No change from March update.

May Update:
Safety Culture Awareness sessions
continue to take place during tool box
and informal departmental meetings.
Example: HR fortnightly team update
notes TRIM 19/115138.

Formal process for rolling out Safety
Change of timeline noted

December Assessment:
No update provided; unable to be assessed.
Progress continues at 20%.

January Assessment:
Sighted Project
Management Plan.
Progress noted (i.e. 25%)

February Assessment:
Noted that Project
Management Plan has
been updated to reflect
new timeframes. Note also
that safety culture
awareness conversations
are being undertaken as
part of consultation
process. Progress = 25%.
Note long-term program
for Council.

March Assessment:
Noted; progress remains
25%.

April Assessment:
Noted; progress remains
25%.

May Assessment:
Noted; progress remains
25%; roll-out not expected
until at least July 2019.

June Assessment:
Progress remains at 25% and will be completed post
the new organisational
restructure. Acknowledge
that this is a long-term
program for Council.
Action is not complete;
however, agree that
recommendation can be
closed as accountability
has been assigned moving
forward.
Culture program will commence following the organisational restructure in July.

**June Update:**

Ongoing responsibility: CEO Office
TRIM 19/64024 endorsed by ELT
TRIM 19/145760

| RECOMMENDATION 7: Review existing ‘Whistleblower’ protections to ensure that they extend to safety related exposure particularly in the context of asbestos related compliance. |
|---|---|---|---|---|
| **4.7a** | Implement a review of existing reporting procedures to ensure they comply with legislation and provide protection to workers who identify safety and asbestos issues. | People & Systems | Complete | 05/07/2018 | 07/07/2018 | 100% |
| | | | | | | |

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

Review undertaken and confirmed TRIM 18/153693

A further review has been undertaken and recommendations have been made TRIM 18/190565

Although this action is 100% complete, the amber status will be retained until the independent auditor reviews available evidence, as nominated above.

**August Response:**

An initial review of Public Interest Disclosure Policy was prepared on 22 June 2018 and provided as evidence.

In response to the audit, a more comprehensive review has been prepared and entered as evidence.

**August Assessment:**

TRIM 18/193511 doesn’t provide evidence of a further review. In the absence of evidence to assess review, consultation and implementation, the compliance assessment still remains **incomplete and overdue**.

**Response:**

The incorrect document reference was included. The correct evidence TRIM 18/190565 has now been updated.

**September Assessment:**

Compliant and Completed.

<p>| RECOMMENDATION 8: Develop and implement a Safety Leadership Program for managing risks of asbestos. |
|---|---|---|---|---|
| <strong>4.8a</strong> | Develop brief for implementation of a Senior Safety Leadership Program for ELT, Senior Managers, Managers and Supervisors. | Chief Safety Officer | Complete | 09/09/2018 | 10/09/2018 | 100% and ongoing | See recommendation 4 - 1.4a, b, c and d | Compliant |
| | | | | | | | | |</p>
<table>
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<th>Recommendation</th>
<th>Action</th>
<th>Responsible Officer</th>
<th>Start Date</th>
<th>End Date</th>
<th>Percentage</th>
<th>Status</th>
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<tr>
<td>4.8b</td>
<td>Engage external or internal expert provider</td>
<td>Chief Safety Officer</td>
<td>1/11/2018</td>
<td>30/04/2019</td>
<td>100%</td>
<td>Complete</td>
<td>See recommendation 4 - 1.4a, b, c and d Internal expert provider secured</td>
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<td>4.8c</td>
<td>Implement the Safety Leadership Program</td>
<td>Chief Safety Officer</td>
<td>1/11/2018</td>
<td>30/04/2019</td>
<td>100%</td>
<td>Complete</td>
<td>See recommendation 4 - 1.4a, b, c and d WHS Due Diligence &amp; Safety Governance Training was presented and completed on 25 June 2018 to ELT and relevant Managers. The Safety Leadership Program comprises of four Training sessions covering Risk Management, Decision Making, Behavioural Auditing, WHS Due Diligence &amp; Governance and Risk Management for Managers. Safe Decision Making in Leadership TRIM 18/188947 and TRIM 18/191927 Risk Management for Senior Managers 18/188944 and TRIM 18/191930 WHS Governance &amp; Due Diligence TRIM 18/188937 and TRIM 18/146427</td>
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<td>RECOMMENDATION 9</td>
<td>Develop and implement a due diligence program at the Elected Council and senior management level for managing risks of asbestos.</td>
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<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>1/04/2018</td>
<td>1/08/2018</td>
<td>100%</td>
<td>Complete</td>
<td>Date range amended to align with duration, with training to be completed by 1 July 2018. Training in respect of the Work, Health &amp; Safety, Environmental Protection, Due Diligence and Governance has been completed for the Elected Council and the Executive Leadership Team. Work health &amp; Safety Law training for Directors, Councillors and ELT members was 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 Due Diligence &amp; Governance Training was completed for BMCC Executive Leadership Team on 25 June 2018 (TRIM 18/146672 and 18/146677). Due Diligence process map 1.1 (TRIM 18/129958)</td>
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Compliant
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<td>4.9b</td>
<td>Implement the due diligence program</td>
<td>Chief Safety Officer</td>
<td>Complete</td>
<td>1/05/2018</td>
<td>1/08/2018</td>
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**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.

|   | Establish a Project Control Group (PCG) to oversee implementation of improvement plans | General Manager | Complete | 6/04/2018 | 6/06/2018 | 100% >See 1.10c | Compliant |
4. Appendix A: Distribution List

Blue Mountains City Council Elected Councillors
Chief Executive Officer
Executive Leadership Team
Office of Local Government