



**Global  
Asbestos  
Audits**

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# Asbestos Report

YARRIAMBIACK SHIRE COUNCIL



PROPERTY ADDRESS:  
LB18 PUBLIC TOILETS  
119 SCOTT STREET  
WARRACKNABEAL VIC 3393

INSPECTION DATE: 16 FEBRUARY 2021  
REFERENCE NUMBER: 62135

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# EXECUTIVE SUMMARY

This report follows an Asbestos Inspection of the property situated at LB18 Public Toilets, 119 Scott Street, Warracknabeal VIC 3393.

## Access Issues

All areas of the site were accessed during the inspection process.

## General Issues

To satisfy yourself and the building occupants, it may be advisable to conduct air monitoring in the identified area (s). This would provide conclusive scientific proof as to Asbestos fibres in the air. Such action can be costly, but may result in total clearance if Asbestos fibres were not identified.

The Asbestos Inspection identified that asbestos material is NOT present within the building, under legislation, you are not required to implement an Asbestos Management Plan. An annual re-audit and review of that material is not required.

As part of the Asbestos Audit, a risk assessment has been conducted, which included assessing the condition and location of all asbestos materials on site that were accessible. The results of this indicate that a full re-assessment or re-audit of all identified asbestos within this property is not required.

## RE AUDIT DUE: Not Required

## Type of Asbestos

The type of asbestos identified within the complex is N/A.

Where the removal of asbestos materials is to be undertaken, these should only be performed by specialised and trained personnel. Untrained persons undertaking asbestos removal works most likely will use non approved and dangerous methods and equipment. This will most likely cause the release of asbestos fibres, resulting in severe health ramifications to themselves, the occupiers of the property and neighbouring properties. The use of vacuum cleaners not complying with Australian Standard AS3544 will release asbestos fibres into the environment.

The Inspection has been only conducted on the building(s) and fitout(s). Unless specifically identified and written in the following pages, NO INSPECTION HAS BEEN CONDUCTED OF ANY PLANT OR MACHINERY within the building/inspection site.

## SCOPE OF INSPECTION AND REPORT

**Client:** Yarriambiack Shire Council

### Address of Inspection

LB18 Public Toilets  
119 Scott Street  
Warracknabeal VIC 3393

See Appendix 6 for the list of buildings inspected.

### Access

All areas of the site were accessed during the inspection process. Refer to the Asbestos Survey for a full photographic listing of all areas accessed.



### Inspection and Report Requested By

This report follows an Asbestos Inspection of the property situated at LB18 Public Toilets, 119 Scott Street, Warracknabeal VIC 3393.

### Date of Inspection

The original report was compiled after a detailed inspection of the above-mentioned property on 16 February 2021, by Inspector Tom Rentoul.

### Document Control

This is a Controlled copy - all revisions are required to be recorded in the Document Control Section 7 of the Asbestos Management Plan and managed for 40 years as required by the WHS Regulation 2011. Refer to Section 7 of the Management Plan to review a summary of all records and access Document Control Platform through the GAA - FMP429: Online Platform once client permission is granted.

### Scope of Inspection

This Asbestos Inspection Report has been prepared in accordance with Victorian OH&S Regulation 2017 (Division 5)



Tom Rentoul  
WHS Lic#: 2320630

## GLOSSARY

### Asbestos Register (AR)

Appendix 1 contains the register of asbestos containing materials identified during the works. This register has been produced in accordance with the requirements of the and Victorian OH&S Regulation 2017 (Division 5): Code of Practice for the Management of Asbestos 2008..

A copy of the Asbestos Report/Register (AR) should be kept on hand at a prominent place at the site, all personnel, occupants, visitors and contractors should be informed of the AR and their level of responsibility.

1. The Register identifies: the area – location at the site; the component – item containing the asbestos.
2. RISK ASSESSMENT identifies a number of issues primarily relating to the condition of the asbestos containing material (ACM) and the level of risk it places the occupants in.
3. Pictures identifying the location and component along with areas of compromised condition.
4. RISK CONTROL recommends what needs to be done to manage the ACM in a safe manner. It uses the level of risk assessed applied with current legislative requirements to form a recommendation and action.

If any remodelling or refurbishment is to take place then the level of risk may change, the client should make appropriate adjustments for the future management of ACM.

|                   |                                  |   |
|-------------------|----------------------------------|---|
| Section 1         | Executive Summary                | The Executive Summary contains a short overview of Recommendations and Remedial works<br>Priority levels – the recommendations will contain specific issues highlighted for priority.               |
| Section 2         | Scope of the Inspection & Report | Type of report. Who commissioned and date of report. Inspector and site address.  |
| Section 3         | Glossary                         | Explains all terminology and ratings used. General definitions.   |
| Section 4         | Inspection Process               | Sets out the methodology of the inspection - Contains important information regarding the survey and report methods   |
| <i>Appendix 1</i> | Asbestos Register                | Register containing a list of all hazardous materials identified during the survey  |
| <i>Appendix 2</i> | Access                           | Areas accessed and not accessed during inspection   |
| <i>Appendix 3</i> | Samples                          | Contains a summary of taken samples   |
| <i>Appendix 4</i> | Asbestos Survey                  | This report documents in text and photographic form of all the areas inspected during the survey. It will report the areas with asbestos and with no asbestos; from this report the AR is produced. |
| <i>Appendix 5</i> | Information About Asbestos       | Background information about asbestos including warning signs and labels  |
| <i>Appendix 6</i> | Buildings on site                | List of buildings surveyed on the property, when more than one building.  |
| Section 5         | Limitations                      | Limitations regarding scope of inspection and common areas of concealed asbestos.   |
| Section 6         | Legislative Requirements         | Requirements under Legislative, Bibliography  |
| Section 7         | Terms & Conditions               | Offer of contract   |

## General Definitions

| MATERIAL DEFINITIONS   |   |
|--|---|
| CH   | Chrysotile (white) Asbestos   |
| AM   | Amosite (brown) Asbestos  |
| CR   | Crocidolite (blue) Asbestos   |
| NAD  | No Asbestos Detected  |
| ACM  | Asbestos Containing Material or product   |
| CONDITION  |   |
| Good   | The material is in a bonded or encapsulated state, well-sealed with no exposed fibres. The material should be maintained in its present condition and not disturbed.  |
| Average  | The material may have minimal deterioration, with some marks and possible bonded exposed edges and or raw surface. Remedial repairs will be required.   |
| Poor   | The material has deteriorated or been damaged/disturbed to the point where the material is breaking down and becoming friable or with exposed fibres. The material should be removed or made safe.  |
| FRIABILITY   |   |
| Friable  | ACM fibres are easily dislodged from the material. eg: insulating products  |
| Bonded (Non-friable)   | The ACM is bonded within a matrix material, concealing the fibres. eg: Asbestos cement sheeting   |
| Exposed Edges  | Areas of ACM that have become damaged or worn down over time or drilled, potentially allowing fibres to be exposed.   |
| ACTIVITY   |   |
| Low  | Limited access by occupants to cause any damage or out of reach or low volume of people   |
| Medium   | Accessible by occupants or could be disturbed inadvertently, increased traffic to area  |
| High   | Easily accessible and or a high volume of traffic will visit the area or public place   |
| EXPOSURE RISKS   |   |
| Low  | Low health risk - ACM unlikely to release airborne respirable fibre and if not disturbed constitutes negligible risk to health.   |
| Medium   | Medium health risk - Low levels of airborne respirable asbestos fibre possible. Elevated health risk possible with prolonged exposure, however if not disturbed, generally results in minimal exposure, which constitutes negligible risk to health.  |
| High   | High health risk - Elevated levels of airborne respirable asbestos possible. Elevated health risk possible with prolonged exposure.   |
| Immediate / Extreme  | Immediate health risk - Elevated levels of airborne respirable asbestos fibre probable. Elevated health risk probable with prolonged exposure. Requires immediate action to remove or make safe.  |
| PRIORITY RATINGS   |   |
| Medium - (Colour Code YELLOW)  | Low score of combined risk assessments. Remedial repairs not required or not urgent and may be carried out during normal maintenance. Labelling must be implemented.  |
| High - (Colour Code ORANGE)  | Medium score of combined risk assessments. Remedial repairs should be activated as soon as possible. Possibility of damage, fibre release/deterioration and or poorly bonded in accessible areas  |
| Immediate - (Colour Code RED)  | High score of combined risk assessments. Imminent remedial repairs should be activated. The area should be sealed off. ACM in poor condition, exposed fibres or friable state.  |
| LIKELIHOOD OF DAMAGE   |   |
| H (High) - almost certain<br>M (Medium) – likely<br>L (Low) – possible<br>VL (Very Low) – unlikely or rare | Comments are self explanatory as the level of likelihood of damage is evaluated by the level of activity to the location and type of structure e.g. a wall in a carpark would be '(high) – almost certain' considering a car could hit the wall. This is one of the factors in determining the exposure risk. |

# Compliance Certificate for

YARRIAMBIACK SHIRE COUNCIL  
LB18 PUBLIC TOILETS, 119 SCOTT STREET, WARRACKNABEAL  
VIC 3393

The site has been inspected in accordance with the Victorian OH&S Regulation 2017 (Div. 5). The areas inspected and accessed are all recorded in the Asbestos Survey Report - Appendix 4, this certificate is limited to those areas inspected and a Non-destructive audit - Division 5. If any building works, renovations etc are to be carried out, a Division 6 (Destructive audit) is required before the works commences.

*This certificate has been issued on the basis that the property listed above has been inspected by a qualified representative of Global Asbestos Audits.*

The Asbestos Survey (Appendix 3) reports there is no presence of asbestos containing materials

There is no requirement for any further audits

Tom Rentoul



16 February 2021

# Appendix 2

# Access

All areas of the site were accessed during the inspection process.



# Appendix 3

# Samples

Number of Samples taken : 4

## Asbestos Fibre Identification Analysis Results

| SampleID  | Location Description  | Analysis Result          |                             |
|-----------|---|--------------------------|-----------------------------|
|           |   | Type of Asbestos Present | Other Fibres (Organic/MMMF) |
| 62135-001 | Public Toilets - entire perimeter of building.<br>Soffit (upper)              | No Asbestos Detected     | Organic Mineral Fibres      |
| 62135-002 | Public Toilets - Male bathroom.<br>Cubical Walls                              | No Asbestos Detected     | Organic Mineral Fibres      |
| 62135-003 | Public Toilets - Male bathroom.<br>Bench top - Tile underlay                  | No Asbestos Detected     | Organic Mineral Fibres      |
| 62135-004 | Tourist centre LB18 Public Toilets -<br>front of building.<br>Soffit/ ceiling | No Asbestos Detected     | Organic Mineral Fibres      |

# Appendix 4

# Asbestos Survey



Yarrambiack Shire Council  
Lb18 Public Toilets  
119 Scott Street  
Warracknabeal Vic 3393

**ASBESTOS SURVEY:** Lb18 Public Toilets, 119 Scott Street, Warracknabeal Vic 3393

| <b>Location</b> | <b>Area</b> | <b>Component Materials</b> | <b>ACM Identified</b> | <b>Type Asbestos Assessment</b> | <b>Condition Priority</b> | <b>Signage Required</b> |
|-----------------|-------------|----------------------------|-----------------------|---------------------------------|---------------------------|-------------------------|
|-----------------|-------------|----------------------------|-----------------------|---------------------------------|---------------------------|-------------------------|

# Public Toilets



**ASBESTOS SURVEY: Lb18 Public Toilets, 119 Scott Street, Warracknabeal Vic 3393**

| Location                                       | Area           | Component Materials | ACM Identified | Type Asbestos Assessment | Condition Priority | Signage Required           |
|--|----------------|---------------------|----------------|--------------------------|--------------------|----------------------------|
| Public Toilets - entire perimeter of building. | Soffit (upper) | F C Sheeting        | No             | No Asbestos Detected     |                    |                            |
|  |                |                     |                |                          |                    | Same as Sample - 62135-001 |



|  |                          |              |    |                      |  |                        |
|--|--------------------------|--------------|----|----------------------|--|------------------------|
| Public Toilets - entire perimeter of building. | Soffit/ ceiling (awning) | F C Sheeting | No | No Asbestos Detected |  |                        |
|  |                          |              |    |                      |  | Sample taken 62135-001 |



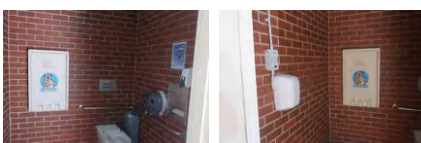
|                                 |               |           |    |                      |  |                        |
|---------------------------------|---------------|-----------|----|----------------------|--|------------------------|
| Public Toilets - Male bathroom. | Cubical Walls | F C Sheet | No | No Asbestos Detected |  |                        |
|                                 |               |           |    |                      |  | Sample taken 62135-002 |



|                                 |                           |              |    |                      |  |                        |
|---------------------------------|---------------------------|--------------|----|----------------------|--|------------------------|
| Public Toilets - Male bathroom. | Bench top - Tile underlay | F C Sheeting | No | No Asbestos Detected |  |                        |
|                                 |                           |              |    |                      |  | Sample taken 62135-003 |

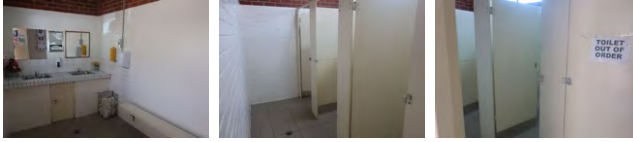


|                                     |  |                       |    |                             |  |  |
|-------------------------------------|--|-----------------------|----|-----------------------------|--|--|
| Public Toilets - Disabled bathroom. |  | No Asbestos Materials | No | No sample taken - Visual ID |  |  |
|-------------------------------------|--|-----------------------|----|-----------------------------|--|--|



**ASBESTOS SURVEY: Lb18 Public Toilets, 119 Scott Street, Warracknabeal Vic 3393**

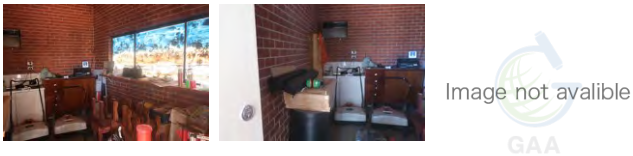
| Location                          | Area          | Component Materials | ACM Identified | Type Asbestos Assessment | Condition Priority | Signage Required           |
|-----------------------------------|---------------|---------------------|----------------|--------------------------|--------------------|----------------------------|
| Public Toilets - Female bathroom. | Cubical Walls | F C Sheet           | No             | No Asbestos Detected     |                    |                            |
|                                   |               |                     |                |                          |                    | Same as Sample - 62135-002 |



|                                   |                           |              |    |                      |  |                            |
|-----------------------------------|---------------------------|--------------|----|----------------------|--|----------------------------|
| Public Toilets - Female bathroom. | Bench top - Tile underlay | F C Sheeting | No | No Asbestos Detected |  |                            |
|                                   |                           |              |    |                      |  | Same as Sample - 62135-003 |



|                           |  |                       |    |                             |  |  |
|---------------------------|--|-----------------------|----|-----------------------------|--|--|
| Public Toilets - Storage. |  | No Asbestos Materials | No | No sample taken - Visual ID |  |  |
|---------------------------|--|-----------------------|----|-----------------------------|--|--|



**ASBESTOS SURVEY: Lb18 Public Toilets, 119 Scott Street, Warracknabeal Vic 3393**

| Location | Area | Component Materials | ACM Identified | Type Asbestos Assessment | Condition | Priority | Signage Required |
|----------|------|---------------------|----------------|--------------------------|-----------|----------|------------------|
|----------|------|---------------------|----------------|--------------------------|-----------|----------|------------------|

# Tourist centre LB18 Public Toilets



**ASBESTOS SURVEY: Lb18 Public Toilets, 119 Scott Street, Warracknabeal Vic 3393**

| Location  | Area            | Component Materials      | ACM Identified | Type Asbestos Assessment    | Condition Priority         | Signage Required |
|---|-----------------|--------------------------|----------------|-----------------------------|----------------------------|------------------|
| Tourist centre<br>LB18 Public<br>Toilets - front of<br>building.                    | Soffit/ ceiling | F C Sheeting             | No             | No Asbestos Detected        | Sample taken 62135-004     |                  |
|    |                 |                          |                |                             |                            |                  |
| Tourist centre<br>LB18 Public<br>Toilets - rear of<br>building.                     | Soffit          | F C Sheeting             | No             | No Asbestos Detected        | Same as Sample - 62135-004 |                  |
|    |                 |                          |                |                             |                            |                  |
| Tourist centre<br>LB18 Public<br>Toilets - left &<br>right of building.             |                 | No Asbestos<br>Materials | No             | No sample taken - Visual ID |                            |                  |
|  |                 |                          |                |                             |                            |                  |
| Tourist centre<br>LB18 Public<br>Toilets - Main<br>room.                            |                 | No Asbestos<br>Materials | No             | No sample taken - Visual ID |                            |                  |
|  |                 |                          |                |                             |                            |                  |



# APPENDIX 5

# INFORMATION ABOUT ASBESTOS



## GENERAL INFORMATION ABOUT ASBESTOS

The following is an extract from the Workplace Health and Safety Compliance and advisory standard for asbestos removal work.

*Asbestos is a mineral rock made out of naturally occurring mineral silicate fibres, which belong to either the serpentine or amphibole mineral groups. Mining, milling and processing of asbestos into manufactured materials creates asbestos dust that contains asbestos fibres. Asbestos was used in a variety of workplaces from the 1940's up until the early 1970's when the dangers to health inherent in exposure became more widely acknowledged. The range of applications included reinforcing in asbestos cement sheeting, as an insulator on pipes and in buildings, as a fire retardant in textiles and as a filtering material in the chemical and food industries.*

### **Why is asbestos a risk?**

*Inhalation of asbestos fibres has been linked to three respiratory diseases – asbestosis, mesothelioma and lung cancer. Exposure may also relate to other cancers, however, there is no conclusive evidence to support this. The three identified diseases are characterised by long latency periods, that is, 20 – 40 years from exposure to the onset of disease.*

**Asbestosis** is a chronic lung disease that can lead to respiratory impairment and to diseases such as lung cancer. It results from the inhalation of asbestos fibres, which are deposited, in the lungs causing scar tissue. The pulmonary changes resulting from the scar tissue are irreversible. It has been found to occur in workers exposed to prolonged and heavy concentrations of asbestos fibres. Asbestosis cannot be effectively treated.

**Mesothelioma** is a rare cancer. There are two types of mesothelioma, pleural which is tumour of the lung or peritoneal, which is a cancer of the abdominal cavity. The higher the level of exposure the greater the risk of developing mesothelioma. However the level of exposure does not affect the length of the latency period, which is usually between 30 and 40 years, before the disease is identified. Mesothelioma cannot be effectively treated.

**Lung cancer** is not specifically associated with asbestos. Individual lung cancers caused by asbestos cannot be distinguished from those cancers that are caused by other agents such as tobacco smoke. While persons who have been exposed to asbestos who develop lung cancer are usually tobacco smokers, it is generally accepted that asbestos is capable of causing lung cancer, and the tumour may develop where there is no co-existing asbestosis. Lung cancer related to asbestos exposure usually has a latency period of 20 to 40 years between the first exposure and the onset of cancer.

### **What are the risks to be controlled?**

*Inhalation of airborne asbestos fibres can cause death and therefore concentrations of airborne asbestos are a risk, which must be controlled. Airborne asbestos fibres can result from:*

- *The release of asbestos fibres through renovation, maintenance or demolition*
- *Accidental contact with the asbestos material causing fibres to break free*
- *Failure to adequately maintain an asbestos material resulting in the release of asbestos fibres.*

## THE MANAGEMENT OF ASBESTOS PRODUCTS

### Background

Asbestos-based materials were used in the construction of many buildings/structures/vessels built prior to

1987. In recognition of this fact and against a background of increased public concern over the health risks resulting from the presence of asbestos in buildings and other structures where people spend their working day, the National Health and Safety Commission (NOHSC) produced the Guide to the Control of Asbestos Hazards in Buildings and Structures. The guidance note outlines a blueprint for the identification, evaluation and control of hazards posed by in-situ asbestos in the working environment. The NOHSC recommends that an asbestos management program, which identifies, evaluates and controls asbestos hazards, in conformity with the Guide should be part of an organisations/building owners overall approach to the identification and control of all workplace hazards.

Following this early Guide, the National Health and Safety Commission (NOHSC) produced Codes of Practice called "Code of Practice for the Management and Control of Asbestos in Workplaces" (asbestos management code), and "National Code of Practice for the Safe Removal of Asbestos", (asbestos removal code). These Codes were updated in April 2005 and subsequently have been replaced by the Workplace Health and Safety Acts and Regulations 2011 and the new Worksafe Australia Codes of Practices that have been implemented by most states with WA and Victoria having their own.

In accordance with these Codes and State Regulations, Global Asbestos Audits utilizes a computerized management system to formulate the Asbestos Report/Register (AR). Strategies and plans have also been developed to minimize/eliminate potential health risks to building users and maintenance/service personnel in accordance with Health and Safety Regulations.

### Management

1. In accordance with the Work Health and Safety Regulation 2011, a person conducting a business or undertaking (PCBU)the owner of the building must display a notice in a prominent place in the building, stating that there is an ARR completed for the building, and where it can be inspected.
2. The AR (Asbestos Report and Register) is updated to indicate any works undertaken on ACM (Asbestos Containing Material) in the space provided on the attached inspection register results.
3. If the Asbestos Inspection identified that asbestos material is present within the building, under legislation, you are required to implement an Asbestos Management Plan and an annual re-audit of that material is required until all asbestos materials have been removed from the premises. Contact GAA to arrange a re-inspection of all ACM to confirm its current condition, as per the requirements of the Work Health and Safety Regulations.
4. Avoid damage and abrasion of any ACM.
5. Monitor the condition of any ACM.
6. Asbestos cement materials; i.e.: asbestos cement sheeting, asbestos cement piping, etc, should not be cut, sanded or broken as this will result in the release of asbestos fibres.
7. Asbestos cement materials and its edges should be fully sealed by way of paint or other product

to ensure asbestos fibres are not released. Any broken pieces with exposed edges should have those edges treated immediately.

8. Asbestos cement materials must not be reused for any purpose.
9. Asbestos cement materials must not be cleaned by scrubbing or with a high-pressure water cleaner.
10. Any loose asbestos material from broken asbestos cement materials that has been allowed to fall, must be cleaned by way of a vacuum cleaner for asbestos removal by a licensed asbestos removalist.
11. Vinyl tiles and sheeting generally would not release fibres without sanding. However the backing to this sheet and possible underlay, dependent upon age, may be deteriorated and in a poor condition.
12. Vinyl sheeting may contain an Asbestos backing. This backing is effectively pure Asbestos and as such is very likely to release fibre if damaged. Vinyl sheeting containing an Asbestos backing must only be removed by a licensed asbestos removalist.

## WARNING SIGNS AND LABELS

All warning signs and labels should comply with *Australian Standard 1319 Safety Signs for the Occupational Environment*. Examples of warning signs and labels are shown in Appendix 5.

### Warning Signs

Any areas of a workplace which contain ACM, including plant, equipment and components, should be sign-posted with warning signs to ensure that the asbestos is not unknowingly disturbed without the correct precautions being taken.

These signs should be placed at all of the main entrances to the work areas where asbestos is present.

### Labels

All identified or presumed ACM — or their enclosures if the ACM are inaccessible — should be clearly labelled.

In conjunction with warning signs and the register of ACM, these labels should warn people of the presence of ACM.

A competent person should determine the number and positions of the labels required. The location of labels should be consistent with the location of the ACM as outlined by information in the register of ACM.

Labels used for this purpose must identify the material as containing asbestos.

If a risk assessment suggests an ACM might be disturbed or persons might be exposed and it is not practical to label the ACM (e.g. floor tiles or a friable ACM such as lagging), a prominent warning sign, specifying the ACM, should be posted in its immediate vicinity.

For example, if floor tiles have been identified as containing asbestos, an appropriate warning sign, displayed on an adjacent wall, might read, **'WARNING. FLOOR TILES CONTAIN ASBESTOS. DO NOT DISTURB WITHOUT PROPER TRAINING AND EQUIPMENT.'**

**Note:** The examples of warning signs and labels in *Figure 2* provide only an indication of the words that may be used to alert persons to the presence of ACM and asbestos hazards. *The wording is not mandatory.* Other warning signs and labels may be used, provided they meet the requirements of AS 1319.

**Figure 2 – Examples of warning signs and labels**



# APPENDIX 6

# BUILDINGS SURVEYED

## BUILDINGS SURVEYED

Tourist centre LB18 Public Toilets

Public Toilets

## LIMITATIONS OF AN ASBESTOS INSPECTION

### ***Reliance on data***

In preparing the report, Global Asbestos Audits (GAA) has relied upon data, surveys, analyses, designs, plans and other information provided by the Client and other individuals and organisations, most of which are referred to in the report (“the data”). Except as otherwise stated in the report, GAA has not verified the accuracy or completeness of the data, to the extent that the statements, opinions, facts, information, conclusions and/or recommendations in the report (“conclusions”) are based in whole or part on the data, those conclusions are contingent upon the accuracy and completeness of the data. GAA will not be liable in relation to incorrect conclusions should any data, information or condition be incorrect or have been concealed, withheld, misrepresented or otherwise not fully disclosed to GAA.

No inspection can be guaranteed to locate all asbestos.

In practice it is generally impossible to locate all asbestos in the course of an inspection. This is because of factors such as:

- (a) restrictions on access to lifts, lift shafts and rooms, air conditioning duct work and airways and internal construction components
- (b) the need to avoid damage, such as when attempting to inspect behind wall panels or under carpets
- (c) minimising inconvenience when premises or plant are in use whilst an inspection is being conducted
- (d) the availability of vessel/building/plant construction plans

There is no instrument which can detect asbestos. The presence of asbestos must be determined by samples of suspect materials and have them analysed in a laboratory. Thus, any restrictions on the amount of sampling will reduce confidence in the asbestos inspection findings.

The consequence of this is that asbestos which cannot be seen will not be found.

### ***Asbestos is commonplace***

From the early 1900s until the early 1970s, asbestos was widely used in industry. The use of asbestos-cement sheets in roof pipes and wall cladding was particularly widespread, as was the use of “limpet” asbestos fibre insulation in steel framed high-rise buildings. Asbestos was also used for applications such as insulation of pipes and high temperature electricity cables, in plastics, in PVC floor tiles, for reinforcement in cements, putties and mastic and in gaskets and friction materials.

Whilst major uses of asbestos were sometimes recorded on engineering drawings, there are few records of the ad hoc use of asbestos containing products and materials. To give examples from the building industry, plumbers frequently used asbestos fibre in caulking compounds and builders often used Asbestos Cement sheeting as packing under floor boards.

In short, asbestos could be almost anywhere in a building(s) or plant constructed before the 1990s.

### ***Reliance on an asbestos inspection***

The client must not rely upon an inspection or report as indicating that a building(s) is “asbestos free”(or that such asbestos as was reported to have been found is the only asbestos to the building(s)). All that the report can be relied upon to show is that no asbestos was found (or that such asbestos as was identified exists at the location where it was reported to have been found) in the course of the inspection. The findings of the report must be considered together with the specific scope and limitations of the type of inspection undertaken.

### ***Report for benefit of client***

The report has been prepared for the benefit of the Client and no other party. GAA assumes no responsibility and will not be liable to any other person or organisation for or in relation to any matter dealt with or conclusions expressed in the report, or for any loss or damage suffered by any other person or organisation arising from matters dealt with or conclusions expressed in the report (including without limitation matters arising from any negligent act or omission of GAA or for any loss or damage suffered by any other party relying upon the matters dealt with or conclusions expressed in the report). Other parties should not rely upon the report or the accuracy or completeness of any conclusions and should make their own enquiries and obtain independent advice in relation to such matters.

## HEALTH RISKS OF ASBESTOS

### ***General Health Risk***

Asbestosis, mesothelioma and lung cancer, the recognised diseases caused by asbestos, are all as a result of inhalation of airborne asbestos fibres. Hence for asbestos containing products to pose a health risk airborne fibres must be generated either through degradation or high energy mechanical action. The degree of asbestos fibre release, and hence inhalation exposure, is in



part dependent upon the matrix material binding the asbestos and its general condition.

The highest health risk is associated with exposure to amphibole asbestos (amosite, crocidolite) with crocidolite being cited as the material of greatest concern. Chrysotile (a serpentine mineral) is considered to be of lesser but still significant concern.

Common Asbestos types:

- Chrysotile is commonly known as white asbestos
- Amosite is commonly known as grey or brown asbestos
- Crocidolite is commonly known as blue asbestos

### ***Asbestos Cement Products***

Asbestos cement products were commonplace construction materials prior to 1990's.

The material consists of asbestos fibres bound in a cement matrix and the degree of fibre release depends on the condition of the material.

The main health risk with asbestos cement products is from maintenance or similar activity where the material is worked upon (mechanical energy applied) resulting in airborne dust. It is necessary to have in place safe systems of work when working upon asbestos cement products.

### ***Vinyl Floor Coverings***

With vinyl floor coverings, asbestos may be present in any of the following:

- the vinyl body of the tile or sheet;
- a fibrous backing under the tile or sheet;
- a fibrous adhesive used to fix the tile.

Asbestos contained in the vinyl body of the tile or sheet is held in a stable matrix. The very low rate of wear does not normally give rise to fibre release considered to pose a significant health risk. A health risk may arise when asbestos fibres are released due to maintenance work and possibly the use of metal brush mechanical floor scrubbers (although this is not proven) or when the flooring is friable due to age.

Asbestos backing is sometimes used to line the back of vinyl sheeting. This product does not pose a risk to exposure from airborne fibres, so long as it is not disturbed or worked upon, i.e. abraded, scuffed or handled. Any of these actions may release the asbestos fibres into the environment.

Asbestos backing or asbestos adhesive is normally not exposed and does not represent a significant health risk. However, when exposed these materials may liberate fibres depending upon the amount of abrasion and the age and condition of the material.

### ***Asbestos "millboard" Insulation***

Asbestos millboard insulation can be friable. Generally this material does not pose a significant risk to health except where it has severely degraded or when it is mechanically or physically disturbed.

### ***Gaskets, Asbestos Pipe Lagging***

Gasket materials are composed of a wide variety of materials. Asbestos may be present in some gaskets. Asbestos pipe lagging can be in the form of either woven rope material or formed section insulation. Where the material is in situ it does not pose a significant risk except where the materials have severely degraded.

The main concern with asbestos gaskets and asbestos pipe lagging is during maintenance activities where significant fibre release can result if the gaskets or rope are worked upon.

### ***Air-conditioning Duct Inline Heater "millboard" Insulation***

The risk from exposure to airborne asbestos fibres through the air conditioning system is minimal, so long as the material is not disturbed or damaged.

### ***Asbestos impregnated sealants (i.e. mastic)***

Asbestos containing materials such as asbestos impregnated sealant (i.e. mastic) are generally in good condition.

This product does not pose a risk to exposure from airborne fibres, so long as they are not disturbed or worked upon, i.e. drilled,

sanded or burnt. Any of these actions may release the asbestos fibres into the environment

### ***Asbestos fire door core material***

Asbestos containing core material in the fire doors are usually sealed and undisturbed. This material does not pose a risk to exposure from airborne fibres, so long as the core is not disturbed or worked upon, i.e. drilled, cut, or abraded. Any of these actions may release the asbestos fibres into the environment.

## **CONCEALED ASBESTOS MATERIALS**

### ***Heater Banks***

Ducted air conditioning systems generally have Heater Banks contained within the ductwork near the air-handling plant. These are used to control the temperature of the cooled air. In many cases, depending on the original design of the air conditioning system, heaters are installed within the ductwork. This ductwork is installed within the ceiling or roof space and is not easily accessible. This fact, together with the lack of plans and documentation on the air conditioning installation, means that there is generally no indication as to the number or location of heater banks within the air conditioning system.

During the audit, a thorough investigation is undertaken to identify and locate all heater banks. However, due to the hidden location of air conditioning ducts, no guarantee can be given that the audit process has identified all heater banks within the air conditioning system. Nor should it be construed that the audit has identified all heater banks with the building.

### ***Sprayed Fire Proofing Material***

To protect steel members in case of fire, it was common place to spray structural steel members with an asbestos material. This protected the steel member from heat damage. This structural steel is located within the buildings structure and is not generally accessible. As such, identifying the presence of sprayed asbestos material is extremely difficult.

During the audit, a thorough investigation is undertaken to identify and locate all sprayed materials that may contain asbestos. However, due to the hidden location of structural steel members, no guarantee can be given that the audit process has identified all such material. Nor should it be construed that the audit has identified all such materials within the building(s).

### ***Pipe Lagging***

Depending upon the nature of the building and its former use, there may be, or have been, steam and hot water pipes. Steam and hot water pipes within structures are generally lagged with a material to conserve heat. In older buildings/vessels, this lagging contained asbestos due to its excellent insulation properties. Depending upon the nature of the structure, such pipes would have been installed in wall and ceiling cavities. Such cavities are not readily accessible and many remain hidden for all time. A common placement of steam pipes was behind the ceilings cornice which is totally inaccessible without the physical removal of the cornice.

During the audit, a thorough investigation is undertaken to identify and locate all such steam and hot water pipes that may be lagged in materials that may contain asbestos. However, due to the hidden location of such pipes, no guarantee can be given that the audit process has identified all such material. Nor should it be construed that the audit has identified all such materials within the building(s).

### ***Electrical Fuse Insulation***

A past practice was to insulate inside the very large commercial/industrial type electrical fuses with an asbestos material. This material if used, is totally concealed with the electrical fuse holder to identify if this material has been used, each and every fuse would require removal. On most properties this would be totally unacceptable, as it would result in total loss of power to the building (s). Therefore during the audit the inspector would check such items if access was available i.e.; total power disconnection. It should be considered that in older type large industrial/commercial electrical fuse boards there is a possibility that asbestos insulation material is present within those fuse holders and has not been identified.

It is recommended that when work is planned to be conducted on the electrical fuse panels, the electrical trade's person first removes all fuses to identify if any insulation material is present within the fuse holders. If a material is identified, then GAA should be contacted to analysis the material for asbestos content prior to any works being conducted.

### ***Millboard Backing To Vinyl Floor Coverings***

Older type sheet vinyl floor coverings contained an asbestos millboard backing material. This type of vinyl has been tested if it was possible to not physically damage the vinyl. There may be areas where sampling was not possible. There also may be areas where this type of vinyl is hidden below other types of floor coverings. It should be considered that in older type building(s), there is a possibility that asbestos millboard backing to vinyl sheeting is present within and has not been identified.

It is recommended that when renovation and/or demolition work is planned to be conducted, the contractors should be made aware that such a possibility of millboard backing to vinyl sheeting is present within the building(s). If a material is identified, then

Global Asbestos Audits should be contacted to analysis the material for asbestos content prior to any works being conducted.

### ***Vinyl Floor Tiles***

Older type vinyl floor tiles contained asbestos in their matrix. This type of vinyl tile has been tested if it was possible to not physically damage the vinyl tiles. There may be areas where sampling was not possible. There also may be areas where this type of vinyl tile is hidden below other types of floor coverings. It should be considered that in older type buildings, there is a possibility that vinyl tiles containing asbestos is present within and has not been identified.

It is recommended that when renovation and/or demolition work is planned to be conducted, the contractors should be made aware that such a possibility of vinyl tiles is present within the building.

### ***Sheet Vinyl Flooring***

Older type sheet vinyl flooring contained asbestos backing. This type of sheet vinyl has been tested if it was possible to not physically damage the sheet vinyl. There may be areas where sampling was not possible. There also may be areas where this type of sheet vinyl is hidden below other types of floor coverings. It should be considered that in older type buildings, there is

## LEGISLATIVE REQUIREMENTS

### 1 Requirements For Asbestos Risk Management

As part of the WHS regulatory reforms introduced in all states, there are important obligations now placed on building and vessel owners, managers and employers in relation to managing asbestos risks in workplaces.

### 2 Asbestos In Work Premises

The WHS Regulations sets out specific duties of controllers of premises in relation to managing asbestos risks. A controller of premises is defined as “a person who has control of premises used by people as a place of work” (PCBU), including:

- (i) A person who has limited control of the premises;
- (ii) A person who has, under contract or lease, an obligation to maintain or repair the premises.

Controllers of premises may therefore include building owners, managing agents, tenants and/or employers.

### 3 Duty To Identify Asbestos Hazards

The WHS Regulation requires persons in control “to identify any foreseeable hazard arising from the premises that has the potential to harm the health or safety of any person accessing, using or egressing from the premises.” This duty specifically extends to the identification of hazards associated with the presence of asbestos containing materials.

### 4 Duty To Assess Risks

Where asbestos is identified in the workplace the controller of premises must then assess the risk to health and safety of any person. This includes risks to tenants, employees, contractors and visitors to the workplace. The risk assessment should consider a range of factors such as nature, age, layout and condition of asbestos materials.

### 5 Asbestos Register

A controller of premises must ensure that an Asbestos Register is established for each workplace. The register should outline the type, condition and location of all asbestos material.

### 6 Duty To Eliminate Or Control Risks

The controllers of premises must eliminate or control any risk, arising from the premises (including asbestos), to the health and safety of any person accessing, using or regressing from the premises.

#### 6.1 Presuming that materials contain asbestos

Rather than taking samples to determine whether a material contains asbestos, the person with control may simply presume the material contains asbestos.

Once such a presumption has been made, the material must be treated as an ACM, with work practices and disposal criteria as required for the presence of asbestos, until the material is removed or testing has confirmed that it does not, in fact, contain asbestos.

As indicated above, if there are inaccessible areas that are likely to contain ACM the person with control should presume that asbestos is present in these areas. For example, it may be reasonable to presume that wall cavities or ceiling spaces contain ACM such as asbestos insulation.

It may also be more cost effective in other circumstances to apply the presumption instead of sampling and analysing suspected ACM, as would otherwise be required to rule out the presence of asbestos.

The workplace’s register of ACM must state all the presumptions made about materials in the workplace.

#### 6.2 Register of ACM

Persons with control of premises must keep an accurate register of ACM on the premises. The register should contain the following information:

- (i) Identification:
  - (a) the date(s) on which the inspection/identification was made and details on the competent person(s) who carried out the inspection/identification;
  - (b) details on the locations, types (i.e. friable or non-friable) and condition (i.e. damaged or intact) of any ACM identified on the premises, including ACM in items of plant and equipment, and the type of asbestos involved (i.e. blue, brown or white);
  - (c) details on any material presumed to contain asbestos;
  - (d) any inaccessible areas that are likely to contain ACM; and
  - (e) the results of any analysis that has confirmed a material in the workplace is or is not an ACM.
- (ii) Risk assessment:
  - (a) the date when the risk assessment was made, and details on the competent person(s) who carried out the assessment;
  - (b) the findings and conclusions of the risk assessment, including any reviews or revisions of the risk assessment; and
  - (c) the results of any air monitoring for airborne asbestos fibres and an assessment of these results.
- (iii) Control measures:
  - (a) the control measures recommended and decided upon as a result of the risk assessment;
  - (b) any maintenance or service work on an ACM, including the company or persons involved, the date and scope of the work undertaken and details on clearance certificates. The person with control should ensure workers at the workplace are informed about the register of ACM. Before any work that may expose persons to airborne asbestos fibres is performed, the register should be made readily accessible to:
    - (i) workers and their representatives;
    - (ii) any other employers within the premises; (iii) any person removing ACM;
    - (iv) any person engaged to perform work that may disturb ACM, including presumed ACM; and
    - (v) any other person who might be exposed.

### 6.3 Reviewing the register of ACM

The register of ACM, including any risk assessments, should be reviewed every 12 months or earlier where:

- (i) a risk assessment indicates the need for reassessment; or
- (ii) any ACM has been disturbed or removed.

A visual inspection of identified ACM should be undertaken as part of any review.

### 6.4 Warning signs

Any areas of a workplace which contain ACM, including plant, equipment and components, should be sign posted with warning signs to ensure that the asbestos is not unknowingly disturbed without the correct precautions being taken.

These signs should be placed at all of the main entrances to the work areas where asbestos is present.

### 6.5 Labels

All identified or presumed ACM - or their enclosures if the ACM are inaccessible - should be clearly labelled.

In conjunction with warning signs and the register of ACM, these labels should warn people of the presence of ACM. A competent person should determine the number and positions of the labels required.

## 7 RISK ASSESSMENT

If ACM are identified in a workplace, the person with control must ensure the associated risks are assessed, in consultation with workers and/or their representatives.

Where the risk assessment relates to repetitive work practices in the one location, such as the inspection and removal

of friction products in vehicles, the risk assessment should relate to the overall work practice, taking account of the repetitive nature of the task.

The purpose of this risk assessment is to allow informed decisions to be made about control measures, induction and training, air monitoring and health surveillance requirements.

Only competent persons should perform risk assessments or any subsequent reviews or revisions of risk assessments. Decisions about control measures to protect workers will depend on the assessed risks to health.

The risk assessment should take account of the identification information in the register of ACM, including:

- (i) the condition of the ACM (e.g. whether they are friable or bonded and stable, and whether they are prone to damage or deterioration);
- (ii) the likelihood of exposure; and
- (iii) whether the nature or location of any work to be carried out is likely to disturb the ACM.

### 7.1 Reviewing risk assessments

Risk assessments should be reviewed regularly in accordance with Australian Government, State and Territory legislative requirements.

More specifically, the person with control, in consultation with workers and/or their representatives, should review the risk assessment, and any measures adopted to control the risks, whenever:

- (i) there is evidence that the risk assessment is no longer valid;
- (ii) there is evidence that any control measures are not effective;
- (iii) a significant change is proposed for the workplace or for work practices or procedures relevant to the risk assessment;
- (iv) there is a change in the condition of the ACM; or
- (v) the ACM has been removed, enclosed or sealed.

## 8 CONTROL MEASURES

### 8.1 Implementing the asbestos management plan

The control measures required for identified and presumed ACM should be determined from the risk assessment and should follow the following principles:

- (i) if the ACM is friable and not in a stable condition, and there is a risk to health from exposure, it should be removed by an asbestos removalist as soon as practicable;
- (ii) if the ACM is friable but in a stable condition and is accessible, serious consideration should be given to its removal. If removal is not immediately practicable, short-term control measures, such as sealing and enclosure, may be able to be used until removal is possible, although some State and Territory WHS authorities do not permit the sealing or encapsulation of ACM;
- (iii) if the ACM is not friable and is in a good, stable condition, minimising disturbance and encapsulation may be appropriate controls. Again, however, some State and Territory authorities do not permit sealing or encapsulation, so the relevant authority should be consulted before these measures are considered;
- (iv) any remaining ACM should be clearly labelled, where possible, and regularly inspected to ensure it is not deteriorating or otherwise contributing to an unacceptable health risk; and
- (v) ACM needs to be removed before demolition, partial demolition, renovation or refurbishment if it is likely to be disturbed by those works, in accordance with the Code of Practice 2008 for the Management of Asbestos. .

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|------------|--|
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| <b>WA</b>  | <ul style="list-style-type: none"> <li>• Occupational Health and Safety Act 1984 (V7)</li> <li>• Occupational Health and Safety Regulations 1996 (V10)</li> <li>• Code of Practice for the Management and Control of Asbestos in Workplaces [NOHSC:2018 (2005)]</li> <li>• Code of Practice for the Safe Removal of Asbestos [NOHSC:2002 (2005)]</li> </ul>  |
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## GLOSSARY OF TERMINOLOGY

### **Asbestos**

The fibrous form of mineral silicates belonging to the serpentine and amphibole groups of rock-forming minerals including:

- a) Actinolite, amosite (brown asbestos), anthophyllite, crocidolite (blue asbestos), chrysotile (white asbestos), tremolite; and
- b) Any mixture containing 1 or more of the minerals mentioned in (a).

### **Asbestos Categories**

#### **Bonded Materials**

A material containing asbestos tightly bound into a cementitious or resinous matrix. Fibro sheets and pipes, fire resistant insulation boards, brake discs and pads, vinyl floor coverings are examples. Bonded materials do not constitute a hazard unless asbestos fibres are released and become airborne.

#### **Fibrous Materials**

Installed thermal or acoustic insulation materials comprising or containing asbestos, where asbestos is not firmly encapsulated in a matrix and therefore is more prone than bonded materials to release airborne fibres. Sprayed asbestos ceilings, thermal lagging and fire protective clothing are examples.

#### **Asbestos fibre**

A fibre of asbestos having

- a) A diameter of less than 3mm and
- b) A length of more than 5mm and
- c) A length to diameter ratio of more than 3:1

#### **Asbestos removal area**

An area where an asbestos removalist is doing, or proposes to do, asbestos removal work.

#### **Asbestos removal site**

An area immediately outside a containment barrier for an asbestos removal area.

#### **Containment barrier**

A barrier erected around an asbestos removal area which must "stop anyone in the asbestos removal site from being exposed to an atmospheric concentration of airborne asbestos fibres of more than 0.02 fibres/mL, released from the asbestos removal area into the site's atmosphere). (*Workplace Health and Safety Regulation 1997 71.(1)*)

#### **National exposure standard**

For asbestos, means the exposure standard for the asbestos stated in the Adopted National Exposure Standards for Atmospheric Contaminants in Occupational Environment Contained in NOHSC's document entitled "Exposure Standards for Atmospheric Contaminants in the Occupational Environment" represents an airborne concentration of a particular substance in the worker's breathing zone.

#### **Workplace Health and Safety Plan**

Is a plan prepared for a workplace or work that states the following:-

- a) The hazards to health or safety that the person required to have the plan prepared knows or ought reasonably to know, currently exists or might arise –
  - (i) If the plan is for a workplace – at the workplace; or
  - (ii) If the plan is for work – relating to the work;
- b) The person's assessment of the risks that may result because of the hazards;
- c) The control measures the person proposes to use to prevent, or minimise the level of, the risks;
- d) How the person proposes to monitor and review the implementation and effectiveness of the measures;
- e) How and to whom additional measures are to be reported.



## TERMS AND CONDITIONS

1. You (the Customer named in the Customer Schedule) have requested Global Asbestos Audits to prepare the Report with respect to the Property which Global Asbestos Audits has agreed to do for the Fee.
2. The Fee must be paid before the Report is delivered to you and:-
  - Global Asbestos Audits is not obliged to provide the Report until the Fee has been paid;
  - the Fee includes any additional expenses detailed in the Services Schedule.
3. You have assured Global Asbestos Audits that:-
  - you have a lawful right to allow Global Asbestos Audits to enter and inspect the Property;
  - the Property will be made available for inspection at the time/date specified in the Services Schedule.
4. Global Asbestos Audits will prepare and deliver the Report to you after payment of the Fee within a reasonable period after carrying out its inspection of the Property.
5. You acknowledge and agree with Global Asbestos Audits that:-
  - Global Asbestos Audits will provide the Report in writing which will comprise the whole of the Report;
  - you should not rely on any verbal assurance or statement made by Global Asbestos Audits (it's officers, servants or agents) with respect to the Property or the Report and you accept that the written document comprising the Report comprises the whole of the Report made to you in terms of this agreement;
  - unless expressly provided in the Report the Report offers a visual inspection of accessible areas of the property to determine if, at the time of inspection, the identified areas were performing their intended function without regard to life expectancy;
  - the purpose of the Report is as stated in the Report;
  - unless expressly provided in the Report inspections are visual, and rely upon the opinion, judgement and experience of Global Asbestos Audits and are not intended to be technically or mechanically exhaustive.
  - unless expressly included in any report the determination of the presence of or damage caused by termites or any other wood damaging insects or organisms is excluded.
  - insurance cover is not available to cover asbestos inspections. You the Customer agree to indemnify Global Asbestos Audits against all claims, events or risks that may arise from the work undertaken as a result of this inspection.
6. You acknowledge and agree that the Report is given to you for your own use and is not given for any other purposes or to any other person or corporation except as may be expressly provided for in the Report. You are not entitled to use, publish or copy the Report for any purpose other than your own personal use without the written consent of Global Asbestos Audits.
7. You acknowledge that the Report is given to you as the Customer and to no other person or corporation and your interest in the Report may not be assigned or otherwise dealt with to any third party without Global Asbestos Audits's written consent.
9. The Customer acknowledges and agrees that the liability of Global Asbestos Audits in relation to the provision of the Report:
  - (a) shall be limited, at the option of Global Asbestos Audits to:-
    - (i) the provision of a further report at no cost to the Customer; or
    - (ii) the payment of an amount equal to the Fee for the Report.
  - (b) shall not in any event extend to indirect, consequential or economic loss or damage.
10. Where any act of Parliament implies into this agreement any term, condition or warranty and that act avoids or prohibits provisions in a contract excluding or modifying the application of, or exercise of or liability

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under such term, condition or warranty then that term, condition or warranty shall be deemed to be included in this agreement. However, the liability of Global Asbestos Audits for any breach of that term, condition or warranty shall be limited, at the option of Global Asbestos Audits to;

- the provision of a further report at no cost to the Customer; or
- the payment of an amount equal to the Fee for the Report.

11. Subject to the preceding clause you undertake and agree to indemnify and keep indemnified Global Asbestos Audits against all actions, claims, proceedings, costs, losses or damage whatever and howsoever caused or arising which Global Asbestos Audits may sustain, incur or pay in connection with or arising from the provision of the Report and inspection of the Property in connection with or occasioned as a result of the negligence of Global Asbestos Audits or any other person or corporation and you acknowledge that it is agreed to be the responsibility of the Customer to effect insurance on the Customer's behalf in respect of those matters for which this indemnity is given.

12. If the Customer is a company the person or persons who have signed this agreement on its behalf acknowledge that they are officers duly authorised to enter into this agreement on behalf of the Customer and further acknowledge that they requested Global Asbestos Audits to enter into this agreement with the Customer and in consideration of that agreement hereby (and if more than one jointly and severally) guarantee to Global Asbestos Audits the due and punctual performance by the Customer of all of the terms and conditions of this agreement and further agree to indemnify and keep indemnified Global Asbestos Audits against any loss or damage howsoever arising which Global Asbestos Audits may suffer in consequence of any failure by the Customer to perform its obligations under this agreement or for any other reason whatsoever and this guarantee shall not be effected or discharged by the granting to the Customer of any time or other indulgence or consideration or transaction whereby the liability of the signatories would, but for the provisions hereof, have been effected or discharged.

13. It is considered that these terms and conditions have been agreed upon if you the Customer, issues a purchase order in lieu of signing this agreement.

14. Each provision set out in this agreement is to be construed as a separate limitation applying and surviving even if for any reason one or other of those provisions is held to be unenforceable, inapplicable, unfair, harsh or unconscionable in any circumstances.

15. Any dispute arising under this agreement shall be subject to the law and jurisdiction of the State of Queensland and wherever possible the Courts or authorities in the City of Brisbane.