

When does a PCBU need to notify the WHS regulator of their plan to process legacy engineered stone?

Legacy engineered stone includes any engineered stone benchtop, panel, or slab that is already installed and, for the purposes of disposal, includes engineered stone benchtops, panels and slabs which are not installed (such as a stockpile).

Processing, in relation to legacy engineered stone, means using a power tool or other mechanical plant (e.g. a crushing machine) to crush, cut, grind, trim, sand, abrasive polish or drill the engineered stone.

Will the PCBU carry out, or direct or allow a worker to carry out, work that involves processing legacy engineered stone to repair, make minor modification, remove and/or dispose of the legacy engineered stone?

*If the work does not involve processing the legacy engineered stone, a notification is not required.

NO

YES

Does the work involve the supply, processing or installation of engineered stone benchtops, panels and slabs for genuine research and analysis or to sample and identify engineered stone?

Identify the WHS regulator in the jurisdiction where the work will be carried out.

NO

YES

The work is prohibited and must not be carried out.

Work with engineered stone:

- is not prohibited,
- does not need to be notified,
- must be controlled.

A PCBU must complete and submit the PCBU Notification Form as specified by the relevant WHS regulator:

- before undertaking permitted work with legacy engineered stone, or
- as soon as practicable after the PCBU became aware that they undertook permitted work with legacy engineered stone.

The WHS regulator does not need to approve the form or work but will respond with an acknowledgement.

The PCBU becomes aware of a change in information provided in the previous notification.

12-months from the date of previous notification.

12-months from the date of initial/previous notification.

Re-notify the WHS regulator to provide updated information.*

Re-notify the WHS regulator within 30 days of the 12-month anniversary if permitted work is continuing.*

*If the PCBU ceases to carry out any permitted work with legacy engineered stone, no further notifications are required.

Retain a copy of the notification provided to the WHS regulator for 5 years and, for best practice, retain a copy of the acknowledgement.
Make the notification readily accessible, and provide a copy upon request by any person.

PCBUs may carry out, or direct or allow workers to carry out, permitted work with legacy engineered stone.

PCBUs must ensure all processing is controlled and all other WHS duties are met.