

18 December 2024

ENFORCEABLE UNDERTAKING

Part 11

Work Health and Safety Act 2011

The commitments in this enforceable undertaking
are given by

Connect Traffic Management Pty Ltd

ACN: 634 657 104

to SafeWork NSW and accepted by SafeWork NSW

Privacy statement

SafeWork NSW respects your privacy and is committed to protecting personal information. The information provided on this document is for the purpose of making an undertaking to SafeWork NSW given for the purposes of part 11 of the WHS Act. This information will be managed within the requirements of the current state government privacy regime.

SafeWork NSW may publish the undertaking and the information contained in it for purposes identified in the undertaking or for other appropriate legal purposes in various publications such as newspapers and on its website. SafeWork NSW may be required to disclose personal information to other regulatory agencies in accordance with other law enforcement activities which may be conducted as part of an investigation. Further information on our privacy policy is available at safework.nsw.gov.au.

Purpose

The purpose of this enforceable undertaking is to document the undertakings given to SafeWork NSW and accepted by SafeWork NSW pursuant to Part 11 of the Work Health and Safety Act 2011 (**WHS Act**) in connection with matters relating to alleged contraventions of the WHS Act or the Work Health and Safety Regulations 2011 (**the Regulations**). The Agreed Terms of the Enforceable Undertaking are set out below.

Section 1 – General information

a. Details of the person giving the undertaking

Entity Name:	Connect Traffic Management Pty Ltd
ACN / ABN:	ACN: 634 657 104
Registered Address:	[REDACTED] MOUNT ANNAN NSW 2567
Postal address:	[REDACTED] MOUNT ANNAN NSW 2567
Telephone contact:	[REDACTED]
Email address:	[REDACTED]@mail.com
Legal structure:	PTY LTD
Type of business:	Traffic Control and Management
Commencement date of the entity:	4 July 2019
Number of workers:	Full-time: 2 Part-time: 2 Casual: 10
Products and/or services:	Traffic control services including development of Traffic Guidance Schemes, ROL and the provision of traffic control works, for clients in the civil construction, gas, power and other fields.

b. Commencement

This Undertaking comes into effect when:

- i. the Undertaking is executed by Connect Traffic Management Pty Ltd;
- ii. SafeWork NSW accepts the executed Undertaking (**Commencement Date**).

c. Duration

- i. Section 5 identifies timeframes for the completion of each strategy identified in this enforceable undertaking;

- ii. the enforceable undertaking will be concluded on written advice from SafeWork NSW to Connect Traffic Management Pty Ltd when all requirements of the undertaking have been satisfactorily executed.

Section 2 – The alleged contravention

a. Details of the alleged contravention

It is alleged by SafeWork NSW that on 17 January 2022, Connect Traffic Management Pty Ltd failed to discharge its obligations as a person conducting a business or undertaking under section 19(1) and 32 of the WHS Act in that it did not ensure so far as reasonably practicable the health and safety of workers and/or others.

b. Details of the events surrounding the alleged contravention

On 17 January 2022 Connect Traffic Management Pty Ltd sent a 3 person traffic control crew with 2 utes to site as requested by the client, a civil construction company. On arrival at site the Connect Traffic Management Pty Ltd team leader was advised by the client's supervisor that there had been a change and that the civils crew of the client needed to 'clean up a site' prior to moving to where the works for the night were to be conducted. Connect Traffic Management Pty Ltd were instructed to set up this site and put out signage according to the Traffic Guidance Scheme (shoulder closure).

The injured worker remained at the other site at the request of the client to slow/stop any traffic as required. The injured worker was under the instruction of the client supervisor and spotter. The injured worker reports that they remained a distance from the excavator but at some stage without becoming aware the excavator had moved toward their position, striking them.

c. The details of any injury that arose from the alleged contravention

The worker sustained serious injuries to the leg and pelvis as a result of the incident.

d. An acknowledgement that SafeWork NSW alleged a contravention has occurred

It is acknowledged by Connect Traffic Management Pty Ltd that SafeWork NSW has alleged that Connect Traffic Management Pty Ltd has contravened sections 19(1) and 32 of the WHS Act.

e. A statement of regret that the incident occurred

Connect Traffic Management Pty Ltd sincerely regrets that the incident on 17 January 2022 occurred and the Worker, sustained injuries as a result of the incident.

Note: the above is not an admission of guilt

f. Prior work health and safety convictions

Connect Traffic Management Pty Ltd has had no prior work health and safety convictions in NSW or other work health safety jurisdictions.

When an alleged contravention is associated with an injury/illness

- g. The details of the type of workers compensation provided (if the injured person(s) is a worker of the person)

The worker was provided access to workers compensation and associated professional services through Connect Traffic Management Pty Ltd’s workers compensation policy. Further, Connect Traffic Management Pty Ltd assisted the injured worker to obtain the services of suitable support providers, purchased equipment to help the injured worker move around at home, financed domestic and other help. This was in addition to the Workers Compensation.

h. The details of the support provided, and proposed to be provided, to the injured person(s) to overcome the injury/illness

The following support has been provided to the worker and/or their family:

Date	Brief description of support provided
17 Jan 22 to 7 Feb 22	Attended hospital to help support the injured worker and her family. Assisted by speaking with any parties as required by the injured worker at her request. Assisted the worker’s sister to provide care and support for the injured workers children.
Feb – Dec 2022	Help with the provision of aids and equipment to enable the injured worker to move around the house and leave for appointments including ramps, a kneeling walker and moon boot. Assisted the worker to obtain access to treatment and rehabilitation professionals.
Feb 23 - Sep 23	Continued to pay the worker in excess of workers compensation requirements to assist the worker.
Continuous	Ongoing contact with the injured worker including assisting the worker with offers of work and further assistance with rehabilitation.

Section 3 – Enforcement Notices and Rectifications

a. The details of any enforcement notices issued that relate to the alleged contravention

Not applicable as there were no enforcement notices issued to Connect Traffic Management Pty Ltd in relation to the incident.

b. Any rectifications or changes made to work health and safety systems and/or practices as a result of the alleged contravention

Description	\$ Amount
Risk assessment and pre-start checklist modified and extended.	\$6,000.00
All forms including pre-start checklists, risk assessments, competency reviews, toolbox talks, Inductions etc were digitised.	\$14,000.00
Work was to be rejected from clients where safety measures were not considered sufficient, sufficient information was not made available to plan the works adequately prior to the job, or unreasonable requests (staffing etc) were made.	

TOTAL AMOUNT SPENT ON RECTIFICATIONS

\$20,000.00

Section 4 – Statements, commitments, and acknowledgements

a. A commitment that the behaviour that led to the alleged contravention has ceased and will not reoccur

Connect Traffic Management Pty Ltd commits that the behaviour that led to the alleged contravention has ceased and that it will take all reasonably practicable steps to prevent recurrence of this type of incident.

b. A statement of assurance about future work health and safety behaviour

Connect Traffic Management Pty Ltd is committed to complying with its obligations under the WHS Act and ensuring, so far as reasonably practicable the health and safety of all workers and those who may be affected by its business or undertakings.

c. A commitment to the ongoing effective management of work health and safety risks

Connect Traffic Management Pty Ltd commits that it will, so far as reasonably practicable, maintain ongoing effective management of work health and safety risks.

d. An acknowledgement that the enforceable undertaking will be published and publicised

Connect Traffic Management Pty Ltd acknowledges that the enforceable undertaking will be published on SafeWork NSW's internet site until the completion of the enforceable terms and may be referenced in SafeWork NSW's publications.

e. A statement of ability to comply with the terms of the enforceable undertaking

Connect Traffic Management Pty Ltd acknowledges that it has the financial ability to comply with the terms of this enforceable undertaking and has provided evidence with this undertaking to support this declaration.

f. An acknowledgement consultation has occurred within the workplace regarding the proposal of an enforceable undertaking

Connect Traffic Management Pty Ltd acknowledges that it has consulted within the workplace in relation to the development of the enforceable undertaking proposal, including consultation with employees, contractors and management.

g. Statement regarding relationships with other parties

Connect Traffic Management Pty Ltd advises that there is an existing relationship held with [REDACTED], a registered training organisation delivering traffic control training, identified at Strategy 5 in Section 5 of this enforceable undertaking. This is a professional working relationship only and neither party will receive a benefit.

h. Intellectual property licence

Connect Traffic Management Pty Ltd grants SafeWork NSW a permanent, irrevocable, royalty-free, worldwide, non-exclusive license to use, reproduce, distribute, electronically transmit, electronically distribute, adapt, and modify any materials developed as a result of this enforceable undertaking.

i. A commitment to participate constructively in all compliance monitoring activities of the undertaking

Connect Traffic Management Pty Ltd acknowledges that the responsibility for demonstrating compliance with this undertaking rests with Connect Traffic Management Pty Ltd. Evidence to demonstrate compliance with the terms will be provided to SafeWork NSW by the due date for each Strategy item identified in Section 5.

Connect Traffic Management Pty Ltd acknowledges that SafeWork NSW may undertake other compliance monitoring activities to verify the evidence that is provided for each Strategy item identified in Section 5. The evidence provided to demonstrate compliance with the undertaking will be retained by Connect Traffic Management Pty Ltd until advised by SafeWork NSW that the undertaking has been completely discharged.

Connect Traffic Management Pty Ltd acknowledges that SafeWork NSW may initiate additional compliance monitoring activities, such as inspections, as considered necessary.

Connect Traffic Management Pty Ltd acknowledges that should there be any delay in the delivery or compliance of the Enforceable Undertaking this will be subject to mutual agreement (confirmed in writing) between Connect Traffic Management Pty Ltd and SafeWork NSW.

j. A commitment regarding linking the strategy and promotion of benefits to the enforceable undertaking

Connect Traffic Management Pty Ltd is committed to ensuring that any real or perceived promotion of a benefit arising from this enforceable undertaking will clearly link the benefit to the enforceable undertaking and that the enforceable undertaking was entered into as a result of the alleged contravention identified in section 2 above.

Where products or other deliverables are externally promoted or have a direct link to the enforceable undertaking Connect Traffic Management Pty Ltd will include the following statement:

This (insert product or service) has been (produced, held) pursuant to an enforceable undertaking between Connect Traffic Management Pty Ltd, ACN: (634 657 104) and SafeWork NSW entered into on (insert DATE EU commenced).

Any variation to the above statement requires prior written agreement between Connect Traffic Management Pty Ltd and SafeWork NSW.

k. A commitment to gain review and approval for industry and/or community safety information

Connect Traffic Management Pty Ltd commits that any strategies to be implemented by Connect Traffic Management Pty Ltd in compliance with this Enforceable Undertaking that involve safety information being provided to the industry and/or community will be subject to SafeWork NSW's review and approval of the content prior to dissemination.

l. Inconsistent Statements

Connect Traffic Management Pty Ltd commits that it will not make any statement or otherwise imply anything that is inconsistent with the statements, commitments or acknowledgements contained in this Undertaking and will take steps to ensure its representatives, employees and officers do not make any such statements.

m. Reliance on Commitments

Connect Traffic Management Pty Ltd acknowledges that SafeWork NSW may rely upon the commitments and statements set out in Section 4 (a), (b) and (c) above when making decisions regarding enforcement action if Connect Traffic Management Pty Ltd fails to comply with its work health and safety obligations in the future, including but not limited to any failure to comply with its obligations under this Undertaking.

n. Withdrawal or variation

Connect Traffic Management Pty Ltd may with the written agreement of SafeWork NSW withdraw or vary the undertaking in accordance with section 221 of the Work Health and Safety Act 2011.

o. Acknowledgement of Enforceable Undertakings Guidelines and Contravention of the Undertaking

Connect Traffic Management Pty Ltd has read and understood SafeWork NSW Enforceable Undertakings Guidelines.

Connect Traffic Management Pty Ltd acknowledges that if Connect Traffic Management Pty Ltd contravenes any of the terms of this Enforceable Undertaking, SafeWork NSW may apply to the District Court for an order in accordance with section 220 of the Work Health and Safety Act 2011.

Section 5 – Strategies

Connect Traffic Management Pty Ltd undertakes to deliver the following Strategies.

Each strategy in the enforceable undertaking aims to provide lasting work health and safety benefits across the workplace, the industry, and the community, or a combination of these.

Strategies that relate to the dissemination of information in relation to the enforceable undertaking

Strategy 1 – Enforceable undertaking public notice

Summary:

Connect Traffic Management Pty Ltd will place a public notice advising of the enforceable undertaking with SafeWork NSW.

WHS outcome and beneficiaries:

The public notice serves to advise the general public about the enforceable undertaking and serves as a form of both education and deterrence for industry.

Strategy delivery and verification:

The strategy will be delivered and verified by SafeWork NSW in accordance with the table below.

How is it occurring	When will it happen	Position Title(s) or Area responsible and/or involved	Evidence that will be provided to SafeWork NSW
<p>Connect Traffic Management Pty Ltd will cause a public notice to be published in the Sydney Morning Herald using the script provided in Annexure 1.</p> <p>The notice in the Sydney Morning Herald will be 1/8 of a page in size.</p> <p>The script for the notices must be approved by SafeWork NSW prior to the public notice being published. Failure to adhere to these conditions may result in SafeWork NSW requesting another public notice be published.</p>	<p>Within 30 days of the Commencement Date of the enforceable undertaking but not prior to SafeWork NSW publishing a copy of the enforceable undertaking on its website.</p>	<p>Connect Traffic Management Pty Ltd, manager</p>	<p>Within 7 days of placing the published notices Connect Traffic Management Pty Ltd will provide SafeWork NSW with the following evidence of placement.</p> <p>A copy of the full page of the Sydney Morning Herald showing the public notice and the name and date of the publication.</p>

Strategy 2 – Dissemination of information about the enforceable undertaking

Summary:

Connect Traffic Management Pty Ltd agrees to disseminate information about the enforceable undertaking with SafeWork NSW within its workplace including to its workers, the members of any health and safety committee, health and safety representatives and all subcontractors working for Connect Traffic Management Pty Ltd and to any other relevant parties.

WHS outcome and beneficiaries:

The dissemination of information about the enforceable undertaking is an important step in maintaining effective dialogue with the workforce about the enforceable undertaking and safety more broadly.

Strategy delivery and verification:

The strategy will be delivered and verified by SafeWork NSW in accordance with the table below.

How is it occurring	When will it happen	Position Title(s) or Area responsible and/or involved	Evidence that will be provided to SafeWork NSW
Face to face toolbox talk delivered by the Operations Manager with a follow up message sent via the existing Formitize App to all parties requiring signed acknowledgement	Within 10 days of the Commencement Date of the enforceable undertaking	Operations Manager	A copy of toolbox talk signed acknowledgement form as submitted by all parties

Strategies that will deliver benefits to the workplace, industry and the community

Strategy 3 – Fitness for work / Mental health at work strategy

Summary:

Connect Traffic Management Pty Ltd will launch a “Fitness for work” or “Mental Health at Work” initiative that aims to educate workers and provide resources to manage risks that may impact on a person's fitness for work, such as fatigue, addictions/dependencies, and psychosocial risks. The initiative aims to provide a safe space for workers to raise and discuss such risks and to empower them to seek the appropriate assistance and support services available when needed.

Information, including where and how to get help, will be provided to worker's and will be available in the Formitize App. Formitize is a modular mobile business solution already in use by Connect Traffic Management Pty Ltd that helps improve efficiencies and communication in a paperless manner. The Formitize App will provide Connect Traffic Management Pty Ltd the ability to develop specific forms or surveys that can be made available for completion by its employees, with the results of these self assessment tools made available to the employee via email. It will allow Connect Traffic Management Pty Ltd to monitor completion and any additional dissemination of information or completion of actions that may be required. Follow up actions can be generated and their completion monitored. As part of this strategy

Connect Traffic Management Pty Ltd will modify/develop an appropriate questionnaire as a self-assessment tool for workers to use to identify any fitness for work or mental health related hazards present in the workplace. Based on the feedback from workers, and in consultation with workers, a corrective actions plan will be developed to ensure those hazards are effectively controlled.

WHS outcome and beneficiaries:

The initiative aims to raise the awareness of the impacts of such risks on work health and safety in the workplace. Through increased awareness and education it is envisaged that any such risks will be better managed by Connect Traffic Management Pty Ltd and its workers, ultimately leading to a safer and healthier work environment for workers. Further, it is expected that worker’s will be able to self-identify areas of their lifestyle and the impacts it has on their current and future health.

As a result of this strategy WHS benefits are expected in the:

- ✓ Workplace
- Industry
- ✓ Community

Strategy delivery and verification:

The strategy will be delivered and verified by SafeWork NSW in accordance with the below.

What is happening	How is it occurring	When will it happen	Position Title(s) or Area responsible and/or involved	Evidence that will be provided to SafeWork NSW
Complete a literature review to provide further education relating to psychosocial hazards in the workplace.	Review existing literature, including the Code of Practice for Managing Psychosocial Hazards in the Workplace, the People at Work survey, and other relevant codes, standards related to managing psychosocial risks at work.	Within 1 month of the commencement date of the enforceable undertaking	Operations Manager	List of documents reviewed as part of the literature review.
Develop and conduct staff information session	Develop a staff information session that at a minimum covers: <ul style="list-style-type: none"> • what the aim of the strategy is i.e. to identify and action any psychosocial hazards in the workplace • how the strategy will be delivered, i.e. a survey for all workers to complete, ongoing consultation, development of a plan to action any hazards identified. 	Within 2 months of the commencement date of the enforceable undertaking	Operations Manager	Copy of all staff information session material Copy of signed attendance sheet from staff information session

	<ul style="list-style-type: none"> • who will be responsible for the delivery of the strategy <p>Deliver information session to workers</p>			
Develop worker survey	Using literature review and information obtained at the above staff information session develop a worker survey that allows workers to identify any psychosocial hazards in the workplace	Within 3 months of the commencement date of the enforceable undertaking	Operations Manager	Copy of worker survey
Completion of worker survey	Worker survey circulated to all workers using the Formitize App.	Within 4 months of the commencement date of the enforceable undertaking	Operations Manager and workers	Report outlining response rate to worker survey
Develop a corrective action plan to address hazards identified	<p>Document a corrective actions plan based on the survey results and any other staff consultation that outlines:</p> <ul style="list-style-type: none"> • any potential hazards identified through the survey and staff consultation • actions required to address the identified hazards • responsibilities to implement the actions • due dates for each action • evidence that can be produced to demonstrate implementation of each action in the plan. <p>Survey results will be collected in the Formitize App and collated in a 'non identified' manner to ensure individual privacy of workers.</p> <p>A draft plan will be submitted to SafeWork NSW to allow for feedback on the plan to be</p>	Within 6 months of the commencement date of the enforceable undertaking	Operations Manager	<p>A copy of the plan provided to SafeWork NSW to allow feedback to be provided.</p> <p>A copy of the final corrective actions plan agreed to between SafeWork NSW and Connect Traffic Management Pty Ltd</p>

	provided prior to the plan being finalised.			
Implement the corrective actions plan	Implement the actions listed in the corrective actions plan in accordance with the responsibilities and timeframes allocated	Within 18 months of the commencement date of the enforceable undertaking	Operations Manager and any other person nominated in the plan	Evidence will be provided to demonstrate the delivery of each action contained in the plan as documented in the corrective actions plan. Evidence for each action will be supplied within 4 weeks of the action item being completed.
Review effectiveness of the implementation of the plan	Survey of workers via Formitize App to evaluate the success of the plan and to determine if any further actions are required. Review of specific findings of questionnaire/s via the use of Data collected in the Formitize App and collate these findings in a 'non identified' manner so as to protect individual privacy. This may lead to the development of additional training or resources.	Within 20 months of the commencement date of the enforceable undertaking	Operations Manager	Evidence of completed survey response rates Evidence of specific findings and any additional training or resources that are developed as a result of the findings.

Cost:

Description	\$ Amount
Review of Literature and Development of Digital Questionnaire/survey	██████████
Development of Plan, Implementation of actions including development of strategies and any associated materials	██████████
Review of Effectiveness via development and implementation of Digital Questionnaire to workers	██████████
Total estimated costs	\$20,000.00

Strategy 4 – Targeted audit strategy – Interaction of people and mobile plant

Summary:

Identify and detail gaps in managing the risk of people interacting with mobile plant by determining the level of conformance with and implementation of current systems, procedures and processes against WHS legislative and Connect Traffic Management Pty Ltd’s operative requirements, focusing on the following areas:

- Interaction of people and mobile plant
- Traffic management

Connect Traffic Management Pty Ltd commits that the audit will be a program that conforms with AS/NZS ISO 19011 – Guidelines for auditing management systems, and, the audit scope will consider AS 1742.3:2019 Manual of uniform traffic control devices as a relevant performance standard.

Connect Traffic Management Pty Ltd will develop and implement a corrective actions plan based on the audit findings. This includes identifying and detailing improvement suggestions (based on identified gaps) to assist Connect Traffic Management Pty Ltd’s development of a corrective action plan focused on improved performance across Connect Traffic Management Pty Ltd’s operations in:

- Interaction of people and mobile plant
- Traffic management

WHS outcome and beneficiaries:

This strategy will provide assurance to Connect Traffic Management Pty Ltd that its systems used to managing the risk of people interacting with mobile plant have been professionally audited. This will lead to a safer workplace environment for its workers.

As a result of this strategy WHS benefits are expected in the:

- Workplace
- Industry
- Community

Strategy delivery and verification:

The strategy will be delivered and verified by SafeWork NSW in accordance with the below table.

What is happening	How is it occurring	When will it happen	Position Title(s) or Area responsible and/or involved	Evidence that will be provided to SafeWork NSW
An appropriate auditor will be identified and engaged by Connect Traffic Management Pty Ltd	Contact to be made with appropriately qualified company/individual	Within 6 months of the Commencement Date of the enforceable undertaking	Operations Manager	Evidence of auditor engaged including the relevant qualifications of the auditor

An audit of Connect Traffic Management's systems, procedures and processes in the following; <ul style="list-style-type: none"> - Traffic Management - Interaction of people and mobile plant 	Systems to be audited against AS 1742.3:2019 Manual of uniform traffic control devices, NSW Code of Practice – How to Manage work health and safety risks, SafeWork Australia Workplace traffic management guidance material, Austroads Guide to Temporary Traffic Management and Transport for NSW Traffic control at work sites Technical Manual.	Within 9 months of the Commencement Date of the enforceable undertaking	Operations Manager	Copy of final audit plan certified by the auditor as an unaltered copy of the original.
Review of the audit recommendations & development of a plan to address these	Review of the recommendations made by the auditor and any corrective actions required. Development of a plan to implement corrective actions outlined in the audit.	Within 12 months of the Commencement Date of the enforceable undertaking	Operations Manager	Copy of the implementation plan to action the audit recommendations including actions required, people responsible and timeframes
Connect Traffic Management commits to fully implementing the intended actions arising from the audit unless otherwise agreed by SafeWork NSW	Implement actions outlined in the corrective actions implementation plan.	Within 20 months of the Commencement Date of the enforceable undertaking	Operations Manager	Quarterly updates provided to SafeWork NSW including evidence for the completion of each recommendation

Cost:

Description	\$ Amount
Cost of external auditor	██████████
Estimated costs to action audit recommendations	██████████
Total estimated costs	\$15,000.00

Strategy 5 – Traffic control safety videos

Summary:

Connect Traffic Management Pty Ltd will work with a video production company to produce a series of short videos that will be shared with SafeWork NSW to provide to registered training organisations (RTOs) that deliver traffic control training in NSW and the wider industry. The aim of the videos is to provide ‘real life’ stories and lessons learnt from the Connect Traffic Management Pty Ltd incident. The videos will be developed to complement the existing competencies delivered by RTOs during traffic control training. The videos will be produced in a way where the collective series of videos can be used to tell the story of the incident, the impact such an incident can have, highlight the risks that occurred in the incident, as well as other risks associated with traffic control work, and, real life examples of how such risks can be mitigated.

The videos will include messages from the following people to highlight the impacts of such incidents:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

WHS outcome and beneficiaries:

The aim of these videos is to provide some ‘real life’ situations and stories to the existing traffic control training. The videos are to be developed to align with current training modules so that course participants can relate their training more to real-life situations that can occur. It is envisaged these videos will raise the awareness and impacts of the risks involved in traffic control to new people entering the industry, and to existing traffic controllers in the industry.

As a result of this strategy WHS benefits are expected in the:

- ✓ Workplace
- ✓ Industry
- Community

Strategy delivery and verification:

The strategy will be delivered and verified by SafeWork NSW in accordance with the below table.

What is happening	How is it occurring	When will it happen	Position Title(s) or Area responsible and/or involved	Evidence that will be provided to SafeWork NSW
Engage video production company	Appropriate company to be sourced and engaged by Connect Traffic Management	Within 6 months of the Commencement Date of the enforceable undertaking	Operations Manager	Letter of engagement with production company

Development of video plan	Review of current modules with current RTO ([REDACTED]) and appropriate areas for video to be identified. With feedback from the RTO and the injured worker a plan for the production of the videos will be produced. The plan will identify at a high level: the purpose or issue to be covered in each video who will be involved in each video high level description of what content will be recorded for each video	Within 8 months of the Commencement Date of the enforceable undertaking	Operations Manager	Video production plan developed for review by SafeWork NSW
Development of video scripts and shot lists	Scripts and list of shots to be captured for each video to be developed in consultation with the RTO, injured worker and video production company.	Within 10 months of the Commencement Date of the enforceable undertaking	Operations Manager	Copy of video scripts and shot lists
Approval of scripts & shot lists by SafeWork NSW	SafeWork NSW to review scripts & shot lists	Within 12 months of the Commencement Date of the enforceable undertaking	Operations Manager and SafeWork NSW	Approval by SafeWork NSW of video scripts & shot lists
Filming of videos	Filming of videos in accordance with the above video production plan and approved scripts and shot lists.	Within 16 months of the Commencement Date of the enforceable undertaking	Operations Manager	Review of filming schedule, attendance at site
Review and approval of videos by SafeWork NSW	First cut of videos to be provided to SafeWork NSW	Within 20 months of the Commencement Date of the enforceable undertaking	Operations Manager	Receipt of first cut videos for review
Delivery of final videos to SafeWork NSW for dissemination to RTOs	Final cut of videos provided to SafeWork NSW	Within 24 months of the Commencement Date of the enforceable undertaking	Operations Manager	Receipt of final videos

Other promotion of videos	Connect Traffic Management Pty Ltd to share links to final videos with contractors and other industry contacts.	Within 26 months of the Commencement Date of the enforceable undertaking	Operations Manager	Evidence of sharing links with contractors and any other industry contacts.
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Cost:

Description	\$ Amount
Video production costs (script development, filming, editing, etc)	
Payment to injured worker and other third parties involved	
Internal administrative costs related to production and promotion of the videos	
Total estimated costs	\$50,000.00

TOTAL ESTIMATED VALUE OF THE UNDERTAKING

\$85,000.00

Section 6 – Execution of Undertaking

Signed:



[Executed on behalf of Connect Traffic Management Pty Ltd in accordance with section 127(1) of the Corporations Act 2001]

Name: Gregg Clarkson

Position: Operations Manager

Dated at Mount Annan this 18th day of December, 2024

Witnessed in the presence of:

Signed:



Name:

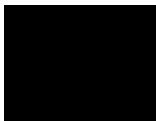


Dated at Mount Annan this 18th day of December, 2024

Section 7 – SafeWork NSW’s acceptance of undertaking

I accept this undertaking as an enforceable undertaking under section 216 of the WHS Act.

Signed:



Name: Mary Snell

Position: Executive Director, Operations and Enforcement.

Authorised delegate for SafeWork NSW.

Dated at 8th day of January, 2025

Annexure 1 – Public Notice of SafeWork NSW’s acceptance of undertaking

Notice of Acceptance of an Enforceable Undertaking under Part 11 of the Work Health and Safety Act 2011.

On 17 January 2022, a traffic control worker employed by Connect Traffic Management Pty Ltd was struck by an excavator while completing traffic control duties for a Connect Traffic Management Pty Ltd civil contractor.

SafeWork NSW investigated the incident and subsequently alleged that Connect Traffic Management Pty Ltd contravened section 19(1) and 32 of the Work Health and Safety Act 2011.

SafeWork NSW has accepted an enforceable undertaking from Connect Traffic Management Pty Ltd, 634 657 104 in accordance with Part 11 of the Work Health and Safety Act 2011 in relation to the abovementioned alleged contravention. This notice has been placed under the terms of the Enforceable Undertaking and acknowledges acceptance of the Enforceable Undertaking by Connect Traffic Management Pty Ltd.

The undertaking requires the following actions:

- A fitness for work / mental health initiative for Connect Traffic Management Pty Ltd workers
- An independent audit of Connect Traffic Management Pty Ltd’s management of the risk of people interacting with mobile plant
- A series of lessons learnt videos to be provided to registered traffic control trainers as a tool to be used during training new traffic controllers entering the industry.

Connect Traffic Management Pty Ltd is committed to ensuring, as far as reasonably practicable, the ongoing health and safety of its workers and other persons. Connect Traffic Management Pty Ltd sincerely regrets the alleged contravention and extends its sympathy to the injured worker and their family, its workers and any others who have been affected by the incident.

This undertaking provides the ability to make further improvements in relation to health and safety within Connect Traffic Management Pty Ltd and its workforce, the industry and community.

The full undertaking and general information about enforceable undertakings is available at safework.nsw.gov.au.