

ENFORCEABLE UNDERTAKING

Part 11

Work Health and Safety Act 2011

The commitments in this enforceable undertaking
are given by

AnewX Pty Ltd

ACN: 618 312 566

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:	AnewX Pty Ltd
ACN / ABN:	618 312 566
Registered Address:	AnewX Pty Ltd [REDACTED]
Postal address:	PO Box 653 Emu Plains NSW 2750
Telephone contact:	[REDACTED]
Email address:	[REDACTED]@anewx.com.au; [REDACTED]@anewx.com.au; [REDACTED]@anwex.com.au
Legal structure:	Corporation
Type of business:	Piling and foundation organisation
Commencement date of the entity:	31 March 2017
Number of workers:	Full-time: 23 Part-time: 0 Casual: 0

Products and/or services: AnewX Pty Ltd is a leading piling and foundation organisation that installs, designs and constructs foundation systems, including associated temporary works in the building and engineering industry in New South Wales.

b. Commencement

This Undertaking comes into effect when:

- i. the Undertaking is executed by AnewX 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 AnewX 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 8 November 2022, AnewX 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 while at work.

b. Details of the events surrounding the alleged contravention

On 8 November 2022, the injured worker was performing work as a Piling Offsider in the vicinity of a piling rig at a Tier 1 site as part of the construction of the metro line to Western Sydney Airport.

While assisting a Piling Operator in drilling work, the injured worker moved to change the hose on a water tank located on an embankment approximately 1.75 metres from the piling rig. In doing so he used agreed hand signals to gain the attention of the Piling Operator and then informed him that he would be moving around the corner of the piling rig to change the hose connecting the pump and the water tank. The injured worker then moved into the plant operating zone of the piling rig.

On this occasion the piling rig was not immediately isolated prior to the injured worker entering the plant operating zone. The injured worker was struck by the counterweight of the piling rig.

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

The injured worker suffered multiple pelvic fractures.

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

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

e. A statement of regret that the incident occurred

AnewX Pty Ltd is committed to ensuring, as far as is reasonably practicable, the ongoing health and safety of its workers and other persons. AnewX Pty Ltd sincerely regrets the incident on 8 November 2022 occurred and extends its sympathy to the injured worker, their family, AnewX Pty Ltd workers and any others who have been affected by the incident.

Note: the above is not an admission of guilt

f. Prior work health and safety convictions

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

g. The details of the type of workers compensation provided

Following the incident, AnewX Pty Ltd consulted with its workers' compensation return to work provider regarding appropriate duties. AnewX Pty Ltd actively engaged with the assigned rehabilitation provider on a regular basis to ensure the injured worker had optimal care and resources for a full recovery and return to work.

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
November 2022 - January 2023	<p>AnewX Pty Ltd and its personnel immediately responded to the incident by providing support for the injured worker and his family. A support team was arranged to allow for communication and support to the injured and his family.</p> <p>AnewX Pty Ltd has continued to support the injured worker on an ongoing basis, including by engaging in regular communications with him and his family to support an appropriate return to work plan approved by his medical practitioner.</p>
December 2022 - January 2023	<p>The AnewX Pty Ltd Operations Manager regularly spoke directly with the injured worker after the incident to support his progress and return to work following the incident. This included consulting with the injured worker regarding suitable alternative duties that the injured worker might perform as part of a graduated return to work, including [REDACTED] while he continued his rehabilitation and recovery.</p> <p>AnewX Pty Ltd also consulted with its workers' compensation return to work provider regarding appropriate duties.</p>
December 2022 - January 2023	<p>The AnewX Pty Ltd Operations Manager has maintained ongoing contact with the injured worker and has continued to follow up his ongoing wellbeing. The Operations Manager maintained ongoing communication and support with the injured worker.</p>
March 2023 - July 2023	<p>The AnewX Pty Ltd Operations Manager continued with regular and consistent telephone conversations, text conversations and face to face catch ups with the injured</p>

	worker both inside and outside working hours and days to continue support for the injured worker.
8 August 2023 - current	<p>The injured worker resigned from his employment with AnewX Pty Ltd on 8 August 2023. At the time of resignation AnewX Pty Ltd offered re-employment should he reconsider his position, an offer which stands today.</p> <p>Post resignation, AnewX Pty Ltd (through The AnewX Pty Ltd Operations Manager) continued to reach out to the injured worker on a personal level both directly and indirectly through known friends and colleagues.</p>

Section 3 – Enforcement Notices and Rectifications

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

Date issued	Notice type	Notice number	Contravention	Action taken in response to notice
8 November 2022	Prohibition	7-430065	<p>Section 19 of the <i>Work Health and Safety Act 2011</i> (NSW)</p> <p>Direction to person with control over undertaking bored piling activities to stop the carrying on of the activity in the following way and to cease undertaking bored piling activities until an inspector is satisfied the risk has been remedied.</p>	<p>On 11 November 2022, AnewX Pty Ltd contacted SafeWork NSW to inform them that the following action had been taken in compliance with the Prohibition Notice:</p> <ol style="list-style-type: none"> 1. All piling activities at the Sydney Metro Site, Orchid Hills, were ceased. 2. A review of safety management systems for plant and person interaction in and around bored piling works was conducted in consultation with the crew at the site along with AnewX Pty Ltd's communication arrangement within the safety management system. 3. AnewX Pty Ltd consulted with all workers at the Site as part of the review process. 4. The outcome of this systems review and consultation process was the identification of a number of enhancements to their safety documents, which were provided to the Safework NSW inspector. <p>The Prohibition Notice was formally lifted on 25 November 2022.</p>

9 November 2022	Improvement	7-430079	<p>Section 19 of the <i>Work Health and Safety Act 2011</i> (NSW)</p> <p>Persons may be exposed to a risk to health and safety, such as being struck or crushed by moving plant (piling rig), due to the layout of the piling work area, specifically the location of the water tanks, pumps and hoses that are positioned on the 'blind side' of the piling rig within the slew radius, and out of view of the operator when workers need to access the area and equipment.</p> <p>In particular, an incident occurred on 8 November 2022 where a worker was struck and pinned between a piling rig and the soil embankment.</p>	<p>AnewX Pty Ltd complied with the notice by:</p> <ol style="list-style-type: none"> 1. Undertaking a consultation and review process of safety management systems for plant and persons interaction for the operations in and around the Bored Piling works at the site. 2. Enhancing risk management documentation. 3. Amending the Safe Work Method Statement. 4. Implementing enhanced supervision on the site. 5. Undertaking an enhanced communication approach, including regular re-assessment of the live work site layout and a mid-morning re-evaluation being conducted. Refresher toolboxes were also conducted, as well as an additional toolbox session. 6. AnewX Pty Ltd committed to ongoing review, consultation and training in regard to the safety controls. <p>The Improvement Notice was formally lifted on 25 November 2022.</p>
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b. Any rectifications or changes made to work health and safety systems and/or practices as a result of the alleged contravention

Description	\$ Amount
<p>Stopping work at the Site for ten days to allow for a comprehensive review of operational safety systems through extensive ongoing consultation with all workers at the Site. This included review of the Safe Work Method Statement and Risk Assessment prepared for bored piling at the Site, the plant operational risk assessment for the SR-35 piling rig and pre-start meeting information and arrangements.</p> <p>Ongoing consultation with the Principal Contractor whilst conducting the reviews described above.</p>	
<p>Enhanced supervision, communication and continued review, consultation and training were conducted for the remainder AnewX Pty Ltd.'s works at the site.</p>	

Immediately after the incident AnewX Pty Ltd consulted with its workers and conducted "Positive Communication" workshops with all AnewX Pty Ltd personnel working at the site and across the AnewX Pty Ltd business.	
<p>Trialling the Presien machine vision and learning (AI) "Blindsight" safety system for large piling machines (the first foundation company in Australia to do so). AnewX Pty Ltd began trialling the Blindsight AI system on piling machines, cranes, excavators and telehandlers.</p> <p>The Presien systems adopted by AnewX Pty Ltd include commencing a trial of the Blindsight AI system - a safety system incorporating an integrated sensor and AI software that after being installed on to mobile plant, sees, understands and alerts operators and ground workers as to potential hazards.</p>	
<p>Commencing and digitalising Quality, Safety and Environment (QSE) processes by integrating "SafetyCulture", the machine application programming interface (API) and the Track Unit platform. Newly digitized steps in this process were implemented after the incident. This was done by investigating, researching and analyzing digital format systems, including short-term trials resulting in the adoption of the SafetyCulture system, which can digitalize steps including:</p> <ul style="list-style-type: none"> (a) machine operators completing the daily machine prestart on smartphones, which can also create actions to report and subsequently manage any required maintenance. SafetyCulture also features WhatsApp-like chat rooms to engage work crews and regularly enhance consultation between supervisors, operators, work crews and management teams; (b) prestart, safe work method statement/task observations and subcontractor onboarding all performed on the same digital platform; and (c) tailored training available to all employees through the SafetyCulture platform. These training courses are available on the SafetyCulture platform and are sent out to workers to their smart phones. 	
Director and Operations Manager time spent investigating and reviewing / analysing AI technology and systems.	
External review and analysis of plant risk assessments (business wide).	
Senior management review with external plant expert.	
Piling Federation and AnewX Pty Ltd collaborated in the creation and distribution of the animation titled "Working safely around piling plant".	
TOTAL AMOUNT SPENT ON RECTIFICATIONS	\$274,568

Section 4 – Statements, commitments, and acknowledgements

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

AnewX 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

AnewX 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

AnewX 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

AnewX 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

AnewX 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

AnewX Pty Ltd acknowledges that it has consulted within the workplace in relation to the development of the enforceable undertaking proposal, including consultation with the following groups:

- Consultation session held and documented in the form of a toolbox talk with the AnewX Pty Ltd work crews including foundation workers, foundation operations, foundation supervisors, project managers and engineers.
- Consultation with Tier 1 contractors and their work health and safety senior management for improvement and innovative ideas associated directly with safety in the field.
- The AnewX Pty Ltd director attended international forums to consult with industry safety experts.
- AnewX Pty Ltd director assisted as an industry representative on the re-writing of the SafeWork NSW Code of Practice for working around plant.
- Actively engaged with innovative technological solutions through SafetyCulture and Presien consultation meetings to seek updates and ideas on their products next 12 - 24 months.

g. Statement regarding relationships with other parties

AnewX Pty Ltd advises that there is an existing relationship held the following parties in relation to the identified strategies:

Presien (Blindsight) – Strategy 3

- AnewX Pty Ltd has an existing relationship with Presien having spent the past approximately two years working closely with their technology development teams. The benefit is that AnewX Pty Ltd can more rapidly progress Strategy 3.

SafetyCulture – Strategy 6

- AnewX Pty Ltd is involved in trials of the product enhancement and is actively requesting improvements in the area of plant maintenance workflow.

Engineers Australia – Strategy 7

- AnewX Pty Ltd has an existing long-term relationship with Engineer's Australia which will assist with the fast deployment of Strategy 7.

Piling and Foundation Specialist Federation

- AnewX Pty Ltd is a long term member of the Piling Federation and the director sits on the board as a past president of the Piling Federation. Ongoing, strong working relationship with the current president and executive officer will consult and share with the industry any improvements from Strategy 1 to 6 throughout the next 18 months.

h. Intellectual property licence

AnewX 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

AnewX Pty Ltd acknowledges that the responsibility for demonstrating compliance with this undertaking rests with AnewX 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.

AnewX 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 AnewX Pty Ltd until advised by SafeWork NSW that the undertaking has been completely discharged.

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

AnewX 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 AnewX Pty Ltd and SafeWork NSW.

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

AnewX 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, AnewX Pty Ltd will include the following statement:

This (insert product or service) has been produced as part of an enforceable undertaking between AnewX Pty Ltd, (ACN) 618 312 566, and SafeWork NSW.

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

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

AnewX Pty Ltd commits that any strategies to be implemented by AnewX 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

AnewX 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 enforceable undertaking and will take steps to ensure its representatives, employees and officers do not make any such statements.

m. Reliance on Commitments

AnewX 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 AnewX 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 enforceable undertaking.

n. Withdrawal or variation

AnewX 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

AnewX Pty Ltd has read and understood SafeWork NSW Enforceable Undertakings Guidelines.

AnewX Pty Ltd acknowledges that if AnewX 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

AnewX 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:

AnewX 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>AnewX Pty Ltd will cause a public notice to be published in the Daily Telegraph using the script provided in Annexure 1.</p> <p>The notice in the Daily Telegraph 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>AnewX Pty Ltd, General Manager</p>	<p>Within 7 days of placing the published notices AnewX Pty Ltd will provide SafeWork NSW with the following evidence of placement.</p> <p>A copy of the full page of the Daily Telegraph showing the public notice and the name and date of the publication.</p>

Strategy 2 – Dissemination of information about the enforceable undertaking

Summary:

AnewX 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 AnewX 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
The enforceable undertaking will be noted as an agenda item at the quarterly board meetings (4 per year) with company Shareholders. The company directors will explain the EU purpose, strategies, and timeframes to all attendees. The EU progress and outcomes will be discussed during the Annual Safety Day with all AnewX Pty Ltd employees in attendance.	Next Board meeting scheduled for April 2025. Next Annual Safety Day Scheduled for December 2025.	General Manager of AnewX Pty Ltd Operations Manager of AnewX Pty Ltd	Copy of meeting agenda and minutes, noting date and attendance form will be provided as evidence to SafeWork NSW.

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

Strategy 3 - Implement Presien (Blindsight) AI camera technology on major plant items and training of AnewX Pty Ltd workforce to use the alert system proactively to enhance site safety

Summary:

AnewX Pty Ltd will implement and train its foundation work teams (engineers, piling supervisors, operators, offsideers) in Blindsight Safety Alert System and Reporting/Analysis processes following the completion of the current trial stage.

The purpose of this initiative is to enhance understanding of industry leading and rapidly advancing safety technologies within AnewX Pty Ltd's workforce as well as the piling and foundation industry more broadly, as AnewX Pty Ltd's learnings and future improvements plans would be shared with industry participants through a presentation to the Piling Federation.

AnewX has been conducting Blindsight trials on its first major plant item, the telehandler, since the beginning of March 2023. Since then, AnewX has also conducted trials on other major plant items, including piling rigs, a crane, and an excavator. This trial process has involved adding a new major plant item (and/or type of machine) to the trial approximately every three months, over the course of the last 18 months. AnewX notes that the trial of the latest enterprise reporting system commenced in the last approximately 9-12 months at a high level (senior management), as this is when it became an available function from the Blindsight team. The strategy costing of this strategy allows for the installation of the Blindsight system to a newly purchased forklift, along with the completion and integration of the trial of the full Blindsight system across the fleet into the business and workforce. Further detail of this implementation process is outlined in the 'strategy delivery and verification' table below.

WHS outcome and beneficiaries:

This project will directly enhance the effective understanding and use of advanced safety technologies as applicable to the piling and foundation 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.

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
AnewX Pty Ltd will install Blindsight camera technology on newly purchased forklift. AnewX Pty Ltd notes that Blindsight camera technology has already been installed on the following major plant items: 5 x piling rigs, 1 x crane, 1 x telehandler and 1 x excavator.	AnewX Pty Ltd to liaise with Blindsight to install this technology.	July 2025	Blindsight / AnewX Pty Ltd Operations Manager	Photographs of installed camera technology to be provided to SafeWork NSW. SafeWork NSW to inspect plant items as and when required.
AnewX Pty Ltd will integrate the Blindsight systems into an updated AnewX Pty Ltd Integrated Management System (IMS).	AnewX Pty Ltd to liaise with Blindsight to install this technology.	September 2025	Blindsight / AnewX Pty Ltd Operations Manager	Link to AnewX Pty Ltd IMS to be provided to SafeWork to demonstrate how the Blindsight system has been implemented. Demonstration to be provided to SafeWork NSW on request.
Prepare training course using Blindsight material on SafetyCulture App.	AnewX Pty Ltd to liaise internally to prepare a training course.	October 2025	Operations Manager	Summary of training course to be provided to SafeWork NSW.
Prepare training session with project work teams to enhance safe outcomes from Blindsight alerting system.	AnewX Pty Ltd to liaise internally to create project work teams. Employees involved in project work teams to be notified.	October 2025	Operations Manager	Summary of training course to be provided to SafeWork NSW.
Training of AnewX Pty Ltd's foundation works teams in the operation of the Blindsight systems, reporting and analysis processes and the updated AnewX Pty Ltd IMS.	AnewX Pty Ltd to notify project work team of training requirements and will conduct training.	October 2025	Engineers, Supervisors, Foundation Operators & Offsiders	Any minutes of the training sessions to be provided to SafeWork NSW. Summary of what occurred in the training sessions to be provided to SafeWork NSW. Any communication to employees regarding the training session to also be provided. Copy of attendance records to be provided to SafeWork NSW.
Follow up refresher training course, confirming	AnewX Pty Ltd to notify project work team of refresher	January 2026	Engineers, Supervisors,	Any minutes of the training sessions to be provided to SafeWork NSW. Summary of

understanding and implementation across all AnewX Pty Ltd sites.	training requirements and will conduct training.		Foundation Operators & Offsiders	what occurred in the training sessions to be provided to SafeWork. Any communication to employees regarding the training session to also be provided. Copy of attendance records to be provided to SafeWork NSW.
AnewX Pty Ltd to use the learnings and feedback from the system to Blindsight to continue future improvements of the technology in conjunction with Blindsight team.	AnewX Pty Ltd have already had conversations with Presien (Blindsight) Chief Technology Officer on the application of AI and analysis/reporting system to categorise and prioritise alerts for faster review and team analysis. Upon further advancements by Presien (Blindsight) AnewX Pty Ltd will continue to implement and adapt the updates into their systems and processes.	April 2026	Director, Operations Manager, Blindsight, Presien	Summary of learning and feedback to be provided to SafeWork, along with any proposed improvements.
AnewX Pty Ltd to develop a Case Study, to enunciate the selection process behind Blindsight (including research and alternatives). Case Study to include brief outline of the incident, why the technology was selected and how it works to reduce key risks.	AnewX Pty Ltd will share the advantages of the technology, learnings and on-going advancements via Presien & AnewX Pty Ltd LinkedIn profile, and further industry distribution as outlined above in the Piling Federation AGM. AnewX will allow Blindsight to utilise the Case Study to support industry example and growth.	April 2026	Director & Operations Manager	The Case Study will be a safety presentation show in the format of a PowerPoint presentation. Copies of the Case Study to be provided to SafeWork NSW to review and approve. It will include live video examples from the system and will be utilised as part of the presentation to the piling federation. It can be utilised to give future presentations should other companies, industries or the like be interested in the technology and system. The Piling Federation AGM Meeting Minutes and records of presentation will be distributed to all members of the piling federation. A copy of the distribution email will be provided to SafeWork NSW as evidence.

AnewX Pty Ltd to share the learnings through a presentation at the Piling Federation AGM on the Blindsight system and process.	AnewX Pty Ltd to liaise with Piling Federation and organise presentation.	October/November 2026.	Director, Piling Federation	Presentation to be provided to SafeWork NSW, including extract from Piling Federation AGM minutes as confirmation of occurrence of presentation. Invitation to SafeWork NSW to attend the presentation will be provided.
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Cost:

Description	\$ Amount
Prepare training course using Blindsight material on SafetyCulture App	
Prepare training session project work teams to enhance safe outcomes from Blindsight alerting system	
Conduct initial training session all field staff AnewX Pty Ltd	
3 months later conduct follow up refresher, confirming understanding and implementation across all AnewX Pty Ltd sites	
Cost of venues - external cost	
Blindsight Enterprise Reporting System - 2 years of subscription – all items of plant associated with blindsight.	
Install latest blindsight system to forklift in depot	
Prepare Case Study, publications for Presien, AnewX Pty Ltd & Piling Federation	
Total estimated costs	\$120,350.00

Strategy 4 - Review and enhance hazard identification and recognition

Summary:

AnewX Pty Ltd proposes to enhance hazard identification and recognition within the workplace by reviewing its existing documentation and processes and applying the approaches derived from the article "*Moving beyond TRIR: Measuring and monitoring safety performance with high-energy control assessments*", Oguz Erkal, E.D. & Hallowell, M.R. (2023, May).

WHS outcome and beneficiaries:

This project would directly enhance hazard identification and recognition capabilities within AnewX Pty Ltd's workplace.

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
The Safety Wheel concept will be integrated into existing SafetyCulture Task Observation form, including SafetyCulture training plan.	AnewX Pty Ltd will amend the SafetyCulture Task Observation form where appropriate.	July 2026	Operations Manager / Trainer	A copy of the amended SafetyCulture Task Observation form will be provided to SafeWork within 1 month of its amendments.
The Safety Wheel concept will be introduced to the Anew team.	This will be done through a series of toolbox meetings and hazard recognition training.	July 2026	Engineers, Supervisors, Foundation Operators & Offsiders	A copy of toolbox talks held including information about the timing and attendees of the toolbox talks will be provided to SafeWork NSW. Attendance records and a summary of the hazard recognition training course will be provided to SafeWork NSW.
Review of plant risk assessments, Safe Work Method Statements, and incorporation hazard recognition and direction control concepts (amongst others).	AnewX Pty Ltd will engage a third party consultant to undertake these reviews.	May 2026	Consultant	A copy of the relevant review outcomes provided by the consultants will be provided to SafeWork NSW after the reviews have been conducted along with demonstration and evidence of implementation where applicable.
Review of the IMS, performing a gap analysis and updating as appropriate.	AnewX Pty Ltd will engage a third party consultant to perform a gap analysis of the IMS and update as appropriate.	May 2026	Consultant	A copy of the relevant review outcomes provided by the consultants, including a full list of identified gaps and recommendations, and any evidence that demonstrates actions to address identified gaps will be provided to SafeWork NSW as evidence after the reviews have been conducted.

Introduce the energy wheel concept into AnewX Pty Ltd systems and documentation as appropriate.	AnewX Pty Ltd will incorporate the energy wheel concept into relevant and best documentation/procedural processes (IMS Manual and sub-systems).	June 2026	Director / Operations Manager	AnewX Pty Ltd to provide SafeWork with a list of documents and procedures of how the energy wheel concept has been incorporated within 1 month of introduction.
Review of implementation of updated energy wheel concept including evaluation of its effectiveness.	AnewX will perform a review of the implementation of the energy wheel concept through its systems and documentation as well as an internal audit conducted focusing on its effectiveness. Survey will be conducted among workforce to assess the effectiveness and utility of the energy wheel as a tool.	September 2026	Operations Manager	AnewX Pty Ltd to provide SafeWork NSW with the internal audit and summary of review conducted. Workforce survey to be provided to SafeWork NSW.

Cost:

Description	\$ Amount
Integrate Safety Wheel concept into existing SafetyCulture Task Observation form, including SafetyCulture training plan	
Introduce to AnewX Pty Ltd team through a series of toolbox meetings, including undertaking training - 0.33 of a shift	
Review existing SWMS & RA, and IMS, integrate Safety Wheel/Energy concept into existing AnewX Pty Ltd IMS, and safety documentation, by Consultant	
Total estimated costs	\$18,850.00

Strategy 5 - Enhance AnewX Pty Ltd induction through digitalisation and animation

Summary:

AnewX Pty Ltd proposes to update AnewX Pty Ltd's existing online company induction to incorporate "in field" video clips and animations. AnewX Pty Ltd proposes to enhance training and reinforce safety critical hazards and controls in the piling workplace through these enhanced video clips and animations covering a minimum of three (3) topics. These topics may include, but are not limited to:

- (a) machine isolation between Operators and Offsiders;
- (b) positive communication, hand signals, approach process; and
- (c) psychosocial hazards with a focus on checking on mates and a focus on providing care both in and out of the workplace

Final topics will be selected based on initial reviews of current induction processes by AnewX Pty Ltd Senior Management in consultation with the workforce.

WHS outcome and beneficiaries:

"In field" video clips will include video demonstrations of certain sections of safe work method statements by video clipping the actual hazard and control measures from field work (existing projects or in the AnewX Pty Ltd yard) using AnewX Pty Ltd workers in the footage. The intent is to improve the engagement of the workforce with real and live examples even using our own personnel.

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
Preparation of animation topics.	<p>AnewX Pty Ltd in consultation with the workforce will research animation topics and prepare the relevant scripts and storyboards.</p> <p>Consultation with the workforce will be regarding the topics they would most benefit from.</p>	September 2025	AnewX Pty Ltd Operations Manager & Director	<p>AnewX Pty Ltd to provide SafeWork NSW with a copy of the scripts and storyboards for their records and opportunity to review and provide comment prior to the development of the animations.</p> <p>AnewX Pty Ltd will provide to SafeWork NSW evidence of consultation with the workforce and any relevant additional research behind the selection process of topics.</p>

	Results of the research will inform the topics of the animations.			
External provider to shoot AnewX Pty Ltd work teams and prepare short training clips to include into AnewX Pty Ltd online induction.	AnewX Pty Ltd will work with external provider to produce the short training clips and final content.	October 2025	AnewX Pty Ltd Operations Manager & Director and external provider	Evidence of engagement of external provider company provided to SafeWork NSW. Final training clips to be provided to SafeWork NSW for their records in the form of video and audio files, not for distribution.
AnewX Pty Ltd to update online induction platform.	AnewX Pty Ltd IT team to implement the changes.	November 2025	AnewX Pty Ltd IT team	Links to online induction platform to be provided to SafeWork NSW, along with a demonstration (on request from SafeWork NSW) to show updated online induction platform.
AnewX Pty Ltd to update all actions into AnewX Pty Ltd IMS. At the completion of the update to AnewX inductions and creation of videos, animations, digitalisation of the induction, AnewX will update the Company IMS system to capture any change so that the IMS speaks to and is accurately associated with the process.	AnewX Pty Ltd IT team to implement the changes.	November 2025	AnewX Pty Ltd IT team	Links to AnewX Pty Ltd IMS to be provided to SafeWork NSW. A copy of the specific updates to the IMS system will be provided to demonstrate the change.
AnewX Pty Ltd to provide refresher training to all AnewX Pty Ltd on 1/3 shift.	Meeting invitations to be sent to staff members to complete the training. Invitations to cite that training is compulsory.	December 2025	AnewX Pty Ltd Operations Manager	AnewX Pty Ltd to provide copies of invitations to training sessions to SafeWork, as well as any meeting minutes from training sessions, noting details of attendees and training topics.

Cost:

Description	\$ Amount
Prepare animation topics	

External provider to shoot AnewX Pty Ltd work teams, prepare short training clips to include into AnewX Pty Ltd online induction	
Update AnewX Pty Ltd online induction	
Psychosocial hazards External Consultant for review and gap analysis	
Update all actions into AnewX Pty Ltd IMS	
Refresher to all AnewX Pty Ltd employees 1/3 shift	
Total estimated costs	\$40,317.00

Strategy 6 - Digitalisation of safety leadership and compliance systems

Summary:

AnewX Pty Ltd propose to design and implement enhanced dashboards, reports and alerts that use the information coming from the digital tools to provide Senior Management (engineers, supervisors, management) more timely and digestible information to ensure compliance with controls and effectiveness of controls have leading indication of problems. This digitalisation of safety leadership and compliance systems will apply the relevant requirements and principles set out in O'Neill, S & Wolfe, K, *Measuring and reporting on work health & safety*, Canberra, Safe Work Australia, 2017, and O'Neill, S, *Measuring and reporting WHS information*, SafeWork NSW, NSW Government, Sydney, 2020.

AnewX Pty Ltd have in place digital tools that are used for the implementation of the safe system of work, including the controls that keep people and plant separated. They include:

- (a) SafetyCulture used primarily for project, site and plant inspections;
- (b) Complyflow used to keep plant and people compliant;
- (c) various plant telemetry systems to monitor plant usage and maintenance; and
- (d) Blindsight which records video of and classifies events of people coming near plant.

These digital tools produce data relating to:

- (a) ensuring that proper site planning and controls are in place to manage the risks and hazards;

- (b) ensuring that site controls (barriers, delineation and exclusion zones etc) that separate people and plant are in place and effective;
- (c) ensuring that high visibility clothing and other PPE is being worn appropriately;
- (d) ensuring that plant is properly maintained and inspected daily, and that the warning devices, cameras, machine vision systems are always functional (effective and active); and
- (e) ensuring full compliance with training and qualifications.

A focus will be on leading indicators coming from the following sources:

- (a) project safety checklists (inspections);
- (b) task/safe work method statement observations;
- (c) plant servicing and critical maintenance workflows; and
- (d) plant onboard telemetry.

WHS outcome and beneficiaries:

If Senior Management can be more responsive to the site teams due to enhanced and digitalized safety leadership and compliance systems, it is believed the site teams will be more encouraged to report safety issues more frequently creating a feedback loop and enhanced connection between the site and management.

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

Customised dashboards, reports and alerting tools will be developed.	Digital construction services provider to project manage, design in collaboration with AnewX Pty Ltd, develop, implement, host and maintain new tools.	May 2025 – November 2025	Expert provider [REDACTED]	Screenshots of tools to be provided to SafeWork NSW and a demonstration of the tools can be made available to SafeWork NSW on request.
AnewX Pty Ltd to develop and plan KPI lead indicators to be monitored and reported using new tools.	AnewX Pty Ltd to internally consider KPI's in conjunction with new systems.	June 2025	AnewX Pty Ltd Site Supervision and Leadership team supported by [REDACTED]	Documented definitions of KPI lead indicators to be provided to SafeWork NSW. Evidence of periodic reporting based on KPIs developed to be provided to SafeWork NSW on a six-monthly basis throughout the duration of the EU.
AnewX Pty Ltd to provide due diligence training on the new systems.	AnewX Pty Ltd to notify impacted employees of new training requirements and conduct training sessions.	During implementation phase of new tools (fifth month) November -December 2025	AnewX Pty Ltd General Manager supported by [REDACTED]	Notification emails, attendance records of training sessions, and any minutes from training sessions to be provided to SafeWork NSW.

Cost:

Description	\$ Amount
Digital Construction Services provider's fees including construction process expert, project manager, data engineer, software developer, software licensing, 3 rd party API services and cloud hosting	
AnewX Pty Ltd team to collaborate during design process, participate in workshops, review prototypes, assist debugging, and oversee expert provider	
AnewX Pty Ltd team to develop, plan and deliver KPI lead indicators	
Due diligence training continuous	
Total estimated costs	\$96,500.00

Strategy 7 - Community and industry

Summary:

AnewX Pty Ltd will engage with Engineer's Australia to provide funding and ongoing support for different student programs. These programs include:

- the “Engineering your Future – Girls Conference” to support Women in Engineering and Construction pathways (**Experience Engineering**). The program encourages female and non-binary students in Year 7-10 to challenge themselves and believe in their ability to make a difference in their world through engineering; and
- the Autumn and Summer School Student support is a program that supports year 11 and 12 female or non-binary students over the course of two years to attend the Autumn School of Engineering and Engineering Summer School per year. Teacher will request students whose family is facing hardship and cannot attend due to financial reasons,

(the Programs)

WHS outcome and beneficiaries:

In supporting female and non-binary students to study engineering, diversity and inclusion is encouraged and facilitated in the male-dominated field of engineering and construction. Supporting greater diversity in the field is a positive investment in the future of this industry, as diversity creates a more positive culture, and provides new, invaluable perspectives and experiences to industry developments and projects.

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

AnewX Pty Ltd to support the Experience Engineering program through attending events throughout the year as industry leaders. These events have 250-330 students in attendance.	AnewX Pty Ltd director and/or operations manager will attend the events, show support for the Experience Engineering program, and network with students and other industry leaders.	The event occurs twice a year. (2025 and 2026)	AnewX Pty Ltd Director/Operations Manager	After each event, AnewX Pty Ltd to provide a summary of what occurred at each event and attendance records.
Invest money in the Experience Engineering program.	Money will go towards items such as (but not limited to): <ul style="list-style-type: none"> continued complimentary offering to schools across NSW; coach transport bursaries for student groups from Greater Sydney and Regional NSW; and overnight accommodation bursaries for student groups from Regional/Remote areas on application. 	Investment per year (for 2 years) (2025 and 2026)	AnewX Pty Ltd Director	When each donation is made, AnewX Pty Ltd will provide a summary to SafeWork NSW of the amount donated and what the money went towards.
Invest money in Autumn and Summer School Student support.	The money donated by AnewX Pty Ltd will go towards supporting attendance by a number of students over the course of 2 years.	Investment per year (for 2 years) (2025 & 2026)	AnewX Pty Ltd Director	When each donation is made, AnewX Pty Ltd will provide a summary to SafeWork NSW of the amount donated and what the money went towards.

Cost:


Description	\$ Amount
Donations	\$30,000.00
Total estimated costs	\$30,000.00

TOTAL ESTIMATED VALUE OF THE UNDERTAKING

\$306,017.00 (EX GST)

Section 6 – Execution of Undertaking

AnewX Pty Ltd give this undertaking and commit to the terms herein.

Signed: 

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

Name: Eddie Shanley

Position: General Manager

Dated at Penrith on 19th day of May, 2025.

Witnessed in the presence of:

Signed: 

Name: Samiullah Razak

Dated at Penrith on 19th day of May, 2025.

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 Sydney this 21st day of May, 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 8 November 2022, a worker employed by AnewX Pty Ltd suffered injuries after being struck by a piling rig.

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

SafeWork NSW has accepted an enforceable undertaking from AnewX Pty Ltd, (ACN 618 312 566) 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 AnewX Pty Ltd.

The undertaking requires the following actions:

- implementation of Presien (Blindsight) AI camera technology on major plant items and training of AnewX Pty Ltd workforce to use the alert system proactively to enhance site safety;
- review and enhancement of hazard identification and recognition;
- enhancement of AnewX Pty Ltd's induction through digitalisation and animation;
- digitalisation of safety leadership and compliance systems; and
- engagement with Engineer's Australia to provide funding and ongoing support for different student programs.

AnewX Pty Ltd is committed to ensuring, as far as reasonably practicable, the ongoing health and safety of its workers and other persons. AnewX Pty Ltd sincerely regrets the alleged contravention and extends its sympathy to the injured worker and their family, AnewX Pty Ltd 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 AnewX Pty Ltd and its workforce, the industry and local community.

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