

ENFORCEABLE UNDERTAKING

Part 11

Work Health and Safety Act 2011

The commitments in this enforceable undertaking
are given by

Colas New South Wales Pty Ltd

ACN 064 662 148

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 (NSW) (**WHS Act**) in connection with matters relating to alleged contraventions of the WHS Act or the Work Health and Safety Regulation 2017 (NSW) (**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:	Colas New South Wales Pty Ltd
ACN / ABN:	ACN 064 662 148
Registered Address:	U2, 3-5 Gibbon Road Winston Hills NSW 2153
Postal address:	NSW 2153
Telephone contact:	02 9624 0100
Email address:	[REDACTED]
Legal structure:	Pty Ltd
Type of business:	Asphalt Production and road maintenance
Commencement date of the entity:	5 May 1994
Number of workers:	Full-time: 91 Part-time: 15 Casual: 5

Products and/or services:

- **Asphalt Solutions**
 - Asphalt production and application
 - Mobile asphalt and crumb rubber blending plants
 - Spray seal and asphalt mix design
- **Road Maintenance and Preservation**
 - Spray sealing
 - Innovative road preservation methods
 - Asset condition assessments with recommendations for cost-effective maintenance solutions

b. Commencement

This Undertaking comes into effect when:

- i. the Undertaking is executed by Colas New South Wales Pty Ltd;
- ii. SafeWork NSW accepts the executed Undertaking.

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 Colas New South Wales 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 22 June 2022, Colas New South Wales Pty Ltd failed to discharge its obligations as a person conducting a business or undertaking under section s19(1) and s32 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 22 June 2022 the plant had been switched off to conduct a non-routine maintenance activity. During that activity a worker was seriously injured when his arm was caught in a moving conveyor that had been switched back on.

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

The injured worker's left arm was amputated just above the elbow.

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

It is acknowledged by Colas New South Wales Pty Ltd that SafeWork NSW has alleged that Colas New South Wales Pty Ltd has contravened sections s19(1) and s32.

e. A statement of regret that the incident occurred

Colas New South Wales Pty Ltd is committed to ensuring, as far as is reasonably practicable, the ongoing health and safety of its workers and other persons. Colas New South Wales Pty Ltd sincerely regrets the incident on 22 June 2022 occurred and extends its sympathy to the injured worker, their family, Colas New South Wales Pty Ltd workers and any others who have been affected by the incident. As a result of this tragic accident Colas New South Wales Pty Ltd made the decision to shut down all our operations at our Tomago asphalt plant until such time the plant and incident was fully investigated. The shut down lasted for four-months and Colas applied significant resources to conduct thorough assessments of our other sites, provide additional training to workers, and introduce a variety of upgrades to plants, machinery and equipment. A total of \$1.1 million was spent upgrading the Tomago facility with a specific focus on guarding and safe access to the pit (the location of the incident).

Note: the above is not an admission of guilt

f. Prior work health and safety convictions

Colas New South Wales 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 injured worker received [REDACTED] a detailed return to work plan (he remains employed with Colas as an Inventory and Allocations Coordinator, [REDACTED])

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

Does the alleged contravention involve injury to a person?

Yes The worker was employed by Colas New South Wales Pty Ltd at the time of the incident.

The following support has been provided to the worker:

Date	Brief description of support provided
June 2022	CEO and senior management visited the injured worker in hospital
June 2022	[REDACTED]
3 June 2022	Injured worker attained licence to operate a forklift truck
July 2022	Injured worker was provided with household items to support daily life such as various kitchen items.
July 2022	Injured worker was supplied garden and lawn care assistance as well as a mountain bike for leisure activities. The injured workers car was modified to allow him to drive again
September 2022	Injured worker returned to work on modified suitable duties (admin tasks)
April 2023	Injured worker returned to a production role undergoing re training into an alternate role. A work vehicle was modified to support his new role.
Ongoing	[REDACTED]
May 2025	[REDACTED]

Section 3 – Enforcement Notices and Rectifications

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

Were enforcement notices received?

Yes

Date issued	Notice type	Notice number	Contravention	Action taken in response to notice
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23/6/22	Prohibition	7-313-4YCSDI	Section 19	Site closed down and rectification works undertaken to ensure safe place of work including updating procedures
24/6/22	Prohibition	7-313-NJQ9VG	Section 19	As per above comment
27/6/22	Improvement	7-420829	Section 19	Site cleaned up and spillages from conveyors fixed during the shut
28/6/22	Improvement	7-420858	Section 19	All lanyard and E stops inspected and upgraded where necessary during the sites closure
1/8/22	Improvement	7-423136	Section 21	All lanyard and E stops inspected and upgraded where necessary during the sites closure
1/8/22	Improvement	7-423134	Section 19	Shut down works were carried out in accordance with notice

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

Description	\$ Amount
<i>The plant was shut for 4 months to rectify guarding, emergency stops etc</i>	1,100,000
All procedures such as LOTO, SWMS, IBMS, Training materials were reviewed and updated	
All workers were trained in Lockout tag out	

TOTAL AMOUNT SPENT ON RECTIFICATIONS

\$1,100,000

Section 4 – Statements, commitments, and acknowledgements

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

Colas New South Wales Pty Ltd commits that the behaviour that led to the alleged contravention has ceased and that it has taken and 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

Colas New South Wales 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

Colas New South Wales 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

Colas New South Wales 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

Colas New South Wales Pty Ltd with the full support of the Colas Australia Group 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. Additionally, the entire Senior Management Team is committed to devote time and provide resources to ensure the successful delivery of the EU.

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

Colas New South Wales Pty Ltd confirms that it has consulted within the workplace in relation to the development of the enforceable undertaking proposal, including consultation with the injured worker, Colas Senior Management Team and the NSW Operational Management team. Colas New South Wales Pty Ltd acknowledges that SafeWork NSW may request evidence to verify the consultation arrangements that have occurred in relation to the development of the enforceable undertaking.

g. Intellectual property licence

Colas New South Wales 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. However, this excludes any third-party intellectual property that may have been used in the creation of those materials.

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

Colas New South Wales Pty Ltd acknowledges that the responsibility for demonstrating compliance with this undertaking rests with Colas New South Wales 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.

Colas New South Wales 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 Colas New South Wales Pty Ltd until advised by SafeWork NSW that the undertaking has been completely discharged.

Colas New South Wales Pty Ltd acknowledges that SafeWork NSW may initiate additional compliance monitoring activities, such as inspections, as considered necessary.

Colas New South Wales 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 Colas New South Wales Pty Ltd and SafeWork NSW.

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

Colas New South Wales 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 Colas New South Wales Pty Ltd will include the following statement:

This (insert product or service) has been produced as part of an enforceable undertaking between Colas New South Wales Pty Ltd, ACN: (064 662 148), and SafeWork NSW.

Any variation to the above statement requires prior written agreement between Colas New South Wales Pty Ltd and SafeWork NSW.

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

Colas New South Wales Pty Ltd commits that any strategies to be implemented by Colas New South Wales Pty Ltd in compliance with this Enforceable Undertaking that involves 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.

k. Inconsistent Statements

Colas New South Wales 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.

l. Reliance on Commitments

Colas New South Wales 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 Colas New South Wales 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.

m. Withdrawal or variation

Colas New South Wales 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*.

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

Colas New South Wales Pty Ltd has read and understood SafeWork NSW Enforceable Undertakings Guidelines.

Colas New South Wales Pty Ltd acknowledges that if Colas New South Wales 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

Colas New South Wales 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:

Colas New South Wales 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>Colas New South Wales Pty Ltd will cause a public notice to be published in the Newcastle Herald using the script provided in Annexure 1.</p> <p>The notice in the Newcastle 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>General Manager Colas Contracting East Coast (QLD & NSW)</p> <p>WHSEQR Manager, Colas NSW</p> <p>Group WHSE Manager, COLAS</p>	<p>Within 7 days of placing the published notices Colas New South Wales Pty Ltd will provide SafeWork NSW with the following evidence of placement.</p> <p>A copy of the full page of the Newcastle Herald showing the public notice and the name and date of the publication.</p>

Strategy 2 – Dissemination of information about the enforceable undertaking

Summary:

Colas New South Wales Pty Ltd agrees to disseminate information about the enforceable undertaking with SafeWork NSW within its workplace, including its workers, the members of any health and safety committee, health and safety representatives and all subcontractors working for Colas New South Wales 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
Internal Communication - Colas Australia Group Safety Newsletter, mycolas.com intranet, Toolbox talk, safety Communication to be shared with Colas Group	Within 30 days of the Commencement Date of the enforceable undertaking	WHSE Unit	Supply copy of communications and attendance sheets for toolbox talks and Screen shot of the website Copy of the safety newsletter

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

Strategy 3 - DEVICE TO MINIMISE COLLISIONS BETWEEN PLANT AND WORKERS ON FOOT

Summary:

Colas has been undertaking very early-stage trials with a technology called Safety Shield Collision Avoidance System' (Safety Shield). Safety Shield offers a cutting-edge solution to prevent workplace incidents and ensure a secure environment for workers on foot (WOF). Safety Shield uses advanced radar technology and multiple sensors to proactively detect potential collisions and hazards, giving Operators visual and audio warnings to act.

The Safety Shield uses advanced AI detection technology to identify and protect workers. It uses high-definition camera sensors mounted on the powered mobile plant (PMP)/vehicle. The Safety Shield provides an immediate notification alert to operators of nearby WOF in the vicinity of the operating PMP which alerts the operator of the PMP to the hazard and risk. This allows for swift action on the part of the operator to prevent incidents.

Colas will establish a working group which will be made up of two operators, a site supervisor, a representative from the asset team and a representative from the WHSE team. At this early stage we expect the working group to meet once a month at the minimum and during testing phases more often. The working group will then report to the Directors of the company and make recommendations so that the Directors can make informed decisions.

As part of this EU project, Colas proposes to roll out and ramp up more testing and trials of the Safety Shield technology.

The effectiveness of the Safety Shield will be assessed against the following three criteria:

- **User Feedback:** Input from plant operators and workers on foot regarding the system's user-friendliness and effectiveness in live site conditions.
- **Access Control:** A measurable reduction in instances of workers on foot entering designated danger zones without prior approval from plant operators, based on real-time data and reporting software.
- **Safety Outcomes:** A decrease in high-potential near misses and reported incidents specifically involving interactions between workers on foot and mobile or moving plant, as captured in Donesafe data.

Once the Safety Shield technology has been confirmed as suitable and effective for use in the asphalt industry, Colas intends to roll out the system across all company-owned bobcats in Australia, which is approximately 15 units at the moment

WHS outcome and beneficiaries:

Globally, data across our construction group indicates that over 30% of incidents involving workers on foot (WOF) are related to interactions with mobile plant and machinery (PMP) or vehicles. At Colas, the risks associated with WOF working in proximity to operating PMP are highly significant. This project is not only relevant to our own operations, but to the broader road construction industry, where collisions between mobile plant and workers on foot remain a leading cause of serious injuries and fatalities in Australia.

Project evaluation will be continuous from the time of equipment installation through to the completion of the trial. Regular communication between operational supervisors, management, and the HSE team will ensure that all operational, hardware, and software feedback and issues are promptly addressed.

Formal evaluations will be conducted at key milestones throughout the project, as outlined below:

6-Month Review:

- Feedback from plant operators and workers on system performance and usability
- Assessment of the online data reporting system's functionality and ease of use
- Analysis of data trends from the first six months, including near misses and incident reports

12-Month Review:

- Evaluation of the overall performance of Safety Shield against established effectiveness criteria

- Review of near miss and incident data to confirm emerging trends
18-Month Review:
- Development and refinement of training packages for plant operators, supervisors, and managers
24-Month Review:
- Assessment of training completion rates across operational teams, supervisors, and management
- Re-evaluation of Safety Shield's overall performance to validate findings from the 12-month review

Details and learnings from the trial will be shared with the flexible pavement industry, including the Australian Flexible Pavement Association (AfPA), via several avenues such as the Board of Directors, the AfPA Safety Committee and at AfPA functions nationwide.

Should Colas decide to not go with safety shield technology, we will look at other options for collision avoidance to be used in plant across the site and will look to implement another technology. Colas will liaise with and seek approval from SafeWork NSW around a suitable alternative, which will be completed via a variation to the EU.

As a result of this strategy, measurable WHS improvements are anticipated not only within our workplaces but also across the broader industry and 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
Establishment of a working group	Form a working group including HR representation, staff, & Senior Manager, SafeWork technical representative	Within 2 months of the commencement date of the enforceable undertaking	2x Operators, 2x Supervisors, Representative for HSE, Representative from Plant and Equipment	Copies of minutes of working group
Retrieve the data from the bobcat that is currently fitted with the technology and analysis	Our project manager will download the data, and a working group put together to review that data	Within 2 months of the commencement date of the enforceable undertaking	WHSE Unit	Evidence of downloaded statistics
Based on the data decide on whether Safety Shield is the right application or look at another AI process i.e. Hit Not etc	Working group made up of senior management both operational and safety together with the operators of the bobcat to look at data and decided to go or no-go with Safety Shield	Within 4 months of the commencement date of the enforceable undertaking	WHSE Unit	Copies of minutes of working group and copy of the statistics Provide SafeWork with the review of trial data and decision framework

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
If we decide to go with Safety Shield it will be fitted across all 15 units, we have across the business	Asset team will work with the supplier to have the units installed	Within 18 months of the commencement date of the enforceable undertaking	WHSE team in conjunction with the Asset team	Invoicing for the fitting of the units and photographs of the fitted units.
If we decide to not go with safety shield, we will look at other options for collision avoidance to be used in plant across the site	As per steps 1, 2, 3	We will meet to same deadline 18 months of commencement of the enforceable undertaking	WHSE unit	Post trial analysis methodology, if the decision is to not go ahead with the rollout. Liaise with SafeWork and seek approval around a suitable alternative. Invoicing for the fitting of alternative units.
Share detail with industry groups Detail shared will be: <ul style="list-style-type: none"> Positives of trial Negatives of trial Recommendations to industry. 	Group WHSE Manager to share learnings and details of trial	Within 4 months of the commencement date of the enforceable undertaking	WHSE Unit	Obtain approval from SafeWork NSW prior to sharing information with industry Email correspondence.
Develop training material for all employees and supervisors in its application	Working group in conjunction with supplier to develop the material	Within 18 months of the commencement date of the enforceable undertaking	WHSE unit	Training material shared with SafeWork for review and approval.
Train all supervisors and employees	Management in conjunction with supplier to deliver training	Within 24 months of the commencement date of the enforceable undertaking	WHSE unit	Evidence of training records including attendance sheets

Cost:

Description	\$ Amount
Cost of Working groups time in wages	\$20,000

Unit installation costs for 15 units	\$180,000
Training costs for all operators and supervisors	\$150,000
Development of communication material including wages for social media	\$30,000
Full time project manager spilt over the 3 projects	\$50,000
Total estimated costs	\$430,000

Strategy No 4 - ENHANCING AWARENESS AND OPPORTUNITIES IN THE CONSTRUCTION INDUSTRY FOR PEOPLE WITH AUTISM SPECTRUM DISORDER.

Summary:

Colas will collaborate with an autism support organisation such as Autism Spectrum Australia (Aspect) and/or engage an autism specialist, along with a Registered Training Organisation (RTO) to design a tailored induction, onboarding, and training program for individuals with Autism Spectrum Disorder (ASD). This initiative will include a comprehensive review of existing HR processes and procedures, with updates made as necessary to ensure inclusivity and support. Colas will research the benefits of creating an adaptive working environment for both white collar and blue collar positions, this includes but is not limited to:

quiet zones, providing noise cancelling headphones, changing lighting conditions, providing high low desks, changing office layouts etc.

Colas will assess WHS training modules such as those relating to fixed machinery, mobile plant, and site safety to ensure accessibility for neurodiverse employees. Where necessary, training will be adapted with simplified language, visual aids, flexible delivery methods, or smaller learning segments. This ensures a safer learning experience and supports all workers to meet their WHS obligations confidently and effectively.

Additionally, the project will involve the development of an ASD awareness program specifically designed for our front-line leaders.

Colas will form an ASD working group including HR representation, staff and senior management. The working group will review the current HR policies, seek guidance and support from ASD organisations and advocate group(s) to give appropriate direction.

To further promote awareness, Colas will launch a communications campaign targeting the broader industry. This will be delivered through partnerships with AfPA, Roads Australia, and other channels, and will include newsletters, videos, and social media content. ie. sharing templates, resources and other learnings etc

WHS outcome and beneficiaries:

This project will not only enhance the development and delivery of our training and induction programs but also create meaningful pathways into the industry for individuals with ASD and other learning disorders. These improvements reduce psychosocial hazards such as isolation, sensory overload, and communication challenges. Embedding inclusive practices into recruitment, onboarding, and performance

management enables early intervention and reduces risk escalation. It also aligns with WHS obligations under psychosocial risk codes of practice and fosters stronger leadership behaviours, safer teams, and greater employee retention.

The strategy delivers WHS benefits by addressing key risk areas: psychosocial safety, inclusion, leadership, and work design. Frontline leader awareness training strengthens the ability to support diverse teams and identify early signs of stress. The strategy embeds safety into systems and culture, contributing to improved wellbeing, lower incidents, higher engagement, and more resilient teams.

Colas will share core ASD awareness training content including key learning summaries, videos, and best practice tools through existing partnerships with AfPA and Roads Australia, to promote broad industry understanding of ASD and foster inclusive WHS leadership across the flexible pavement industry and perhaps further abroad into other construction sectors.

Broader industry benefits include a practical and replicable model for aligning WHS with neurodiversity inclusion, benchmarking for psychosocial risk management, and tools to meet ESG objectives. It also builds capacity in the sector to support neurodiverse employees, creating safer and more inclusive workplaces industry wide.

By implementing this strategy, we anticipate positive WHS outcomes across our workplaces, the broader industry, and the wider community.

Strategy delivery and verification:

The strategy will be delivered and verified by SafeWork NSW in accordance with the table 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
<p>Outreach to ASD organisations: Partner with autism advocacy groups or supported employment services to reach candidates.</p>	<p>Project Manager to approach ASD and neurodivergent support groups to set-up a working relationship and/or partnership with Corporate Social Responsibility teams (CSR) to provide guidance and validate and endorsement of Colas' commitments. Examples of support organisations:</p> <ul style="list-style-type: none"> • Autism Advisory and Support Services (AASS) • Autism Community Network 	<p>Within 2 months of the commencement date of the enforceable undertaking</p>	<p>WHSE Unit</p>	<p>Partnership agreement/communication/Corporate Social Responsibility Emails between relevant industry/ advocacy groups, confirming consultation.</p>

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
Form an ASD awareness working group	Form a working group including HR representation, staff, & Senior Manager	Within 2 months of the commencement date of the enforceable undertaking	HR, WHSE Unit & Executive Committee (EXCO) – ASD working group	Copies of agenda and minutes of working group
Update and amend HR policies to include: inclusive hiring practices neurodiversity-friendly job descriptions. For example, use clear, concise language focused on essential skills, avoiding vague soft skill requirements (e.g., “team player”).	Working group to review the current HR policies, relevantly. Seek guidance and support from ASD organisations and advocate group(s) to give appropriate direction.	Within 12 months of the commencement date of the enforceable undertaking	HR & WHSE Unit, Executive Committee (EXCO), Autism Advisory and Support Services (AASS), ASD Working Group	Updated HR Policy Roll out guidance on the updated policy Emails between relevant industry/advocacy groups, confirming consultation.
Update and amend HR policies to include: Alternative interview formats. For example, offer practical assessments, job trials, or structured interviews over traditional conversational formats	Working group to produce a detailed management and interview guidance document giving examples and clear guidance on how to set-up and deliver alternative interview formats. Seek guidance and support from ASD organisations and advocate group(s) to give appropriate direction.	Within 12 months of the commencement date of the enforceable undertaking	HR & WHSE Units, Executive Committee (EXCO), Autism Advisory and Support Services (AASS) ASD Working Group	Updated HR interview procedures Roll out guidance note on the updated policy. Emails between relevant industry/advocacy groups, confirming consultation.
Update and amend HR policies to include: Clear onboarding plans. For example, provide written instructions, visual aids, and predictable	Working group to produce a detailed alternative onboarding programme. Seek guidance and support from ASD Organisations and	Within 12 months of the commencement date of the enforceable undertaking	HR & WHSE Units, Executive Committee (EXCO), Autism Advisory and Support Services (AASS), ASD Working Group	Updated onboarding procedures. Roll out guidance note on the updated policies. Emails between relevant industry/advocacy groups, confirming consultation.

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
schedules during onboarding	advocate group(s) to give appropriate direction.			
Engage an RTO to assist Colas to develop and deliver ASD – awareness training, educate staff, supervisors & managers about ASD to promote understanding and reduce stigma.	Work with an accredited training provider to produce an industry leading ASD awareness training course that can be delivered front line workers, supervisors and Senior Management. Work with ASD Organisations and advocate group(s) to seek validate and endorsement of the training. (CSR Partnership)	Within 14 months of the commencement date of the enforceable undertaking	ASD Working group, external training provider, AASS	Training program. Obtain approval of the training program from SafeWork prior to sharing with industry. Delivery and roll out to all Colas Group employees (CAG) employees, shared with Industry such as AfPA and Roads Australia and Colas Group. Emails between relevant industry/ advocacy groups, confirming consultation.
The ASD working group to research the benefits of relating an adaptive working environment for both white collar and blue collar positions.	Review our working environment starting with fixed locations and trial adaptive working practises	Within 18 months of the commencement date of the enforceable undertaking	WHSE Unit	Provide research report to SafeWork. Obtain approval from SafeWork prior to sharing with industry. Share the finding of the review within industry.
Develop a communication strategy that details what information will be shared, who this will be shared with and how this will be shared.	ASD working group to produce a communication strategy to share learning and outcomes internally within CAG, Colas Group, Industry via AFPA.	Within 12 months of the commencement date of the enforceable undertaking	ASD Working Group, communications team	Obtain approval of communication strategy from SafeWork. Communications to employee will appear on official Colas website and shared via email to industry groups and with SafeWork The purpose is to keep everyone informed of the progress.

Cost:

Description	\$ Amount
Partnership with ASD advocacy groups	\$20,000

Cost of working group's time in wages	\$30,000
Development of ASD awareness training	\$100,000
Training costs for all operators, supervisors and management	\$150,000
Development of communication material including wages for social media	\$30,000
Full time project manager spilt over the 3 projects	\$50,000
Total estimated costs	\$390,000

Strategy No 5 – DEALING WITH "OUT OF SIGHT OUT OF MIND" IN THE FLEXIBLE PAVEMENT INDUSTRY

Summary:

A comprehensive internal review will be carried out across all Colas sites, focusing on guarding in "out of sight, out of mind" areas and locations that are less visible or rarely accessed.

To support this initiative, a dedicated guarding checklist will be developed with a specific focus on these areas. The checklist will be integrated into Colas' preventive maintenance system (MEX), which is used to schedule maintenance activities, including inspections. Work orders will be generated and assigned to the relevant manager, and upon completion, evidence of the work will be uploaded to MEX and the task closed out.

The checklists will cover critical safety controls, including guarding, emergency stops, and lanyards.

To promote awareness and reinforce safety practices, a campaign will be developed and rolled out across the business. This will include posters, intranet communications, toolbox talks, safety alerts, training videos, and other supporting materials. These resources will also be shared with industry bodies such as AfPA, Roads Australia, Cement Concrete & Aggregates Australia (CCA), and Institute of Quarrying Australia (IQA) to encourage broader industry engagement.

WHS outcome and beneficiaries:

The key benefit of this project is that areas which are less visible or infrequently accessed will receive focused attention, ensuring their safety standards are brought into line with the rest of the plant. This proactive approach will help create a safer working environment for all personnel. As a result of this strategy, positive WHS outcomes are anticipated not only within our workplaces but also across the broader industry and community.

Strategy delivery and verification:

The strategy will be delivered and verified by SafeWork NSW in accordance with the table 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
Develop a scoping document to describe what constitutes an out of sight out of mind area	Form a working group made up of WHSE team members, operation staff and maintenance personnel.	Within 2 months of the commencement date of the enforceable undertaking	WHSE unit	Copy of the scoping document supplied to SafeWork that includes details of the working group members
Develop an inspection template	The assigned working group will use the scoping document to develop the audit/inspection template	Within 3 months of the commencement date of the enforceable undertaking	WHSE unit	Copy of Audit/inspection template supplied to Safe Work
Conduct a company wide internal review to identify and document out of sight out of mind areas.	Representatives from the working group to conduct this review.	Within 6 months of the commencement date of the enforceable undertaking	WHSE unit	Copy of identified areas per site to be kept on file and supplied to SafeWork.
Conduct the initial inspection of these identified areas per site.	Representatives from the working group and a site representative to conduct these initial inspections.	Within 6 months of the commencement date of the enforceable undertaking	WHSE unit	Copies of completed inspections to be supplied to Safe work at the completion of the initial round of audits
Following the inspection, implement control measures restricted access, gated areas and/or AI monitors	Where deemed appropriate install, signage, barricading, gates or AI technology to restrict or monitor access to out of sight areas.	Within 8 months of the commencement date of the enforceable undertaking	WHSE Unit	The site safety management plan and/or other site plans will be updated and include site all out of sight out of mind area and the control measure installed. This should include a site plan highlighting the out of sight out of mind area, photo and controls.
Add these identified areas to Colas' Mex system	Maintenance manager to add to system	Within 6 months of the commencement date of the enforceable undertaking	Maintenance Manager	Screen shot of system and associated work orders to be supplied to Safe work

Develop communication plan and material to be shared internally and externally	The assigned working group to develop communication plan in consultation with the communication team.	Within 6 months of the commencement date of the enforceable undertaking	WHSE unit	Communication plan and material to be provided to SafeWork NSW for approval prior to distribution
Share communication material internally, via social media and share with industry bodies	Communications team to share information via social media and Group WHSE manger to share via industry groups.	Within 12 months of the commencement date of the enforceable undertaking	WHSE unit/communications team	Communications will appear on official Colas' website and share email to industry group and with SafeWork

Cost:

Description	\$ Amount
Cost of Working groups time in wages	\$20,000
Cost of companywide identification exercise	\$30,000
Approximate estimate for the implementation costs after all inspections have been conducted	\$130,000
Development of communication material including wages for social media	\$30,000
Full time project manager spilt over the 3 projects	\$70,000
Total estimated costs	\$280,000

TOTAL ESTIMATED VALUE OF THE UNDERTAKING

\$1,100,000

Section 6 – Execution of Undertaking

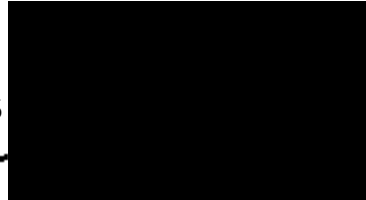
Signed:

Executed on behalf of [Colas New South Wales Pty Ltd](#) in accordance with section 127(1) of the Corporations Act 2001

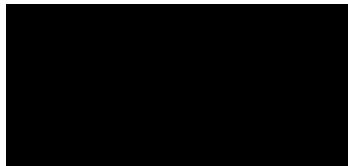
Name: Jean Francois Milleron

Position: CEO

Dated at Winston Hills this 3rd day of October, 2025



Signed:



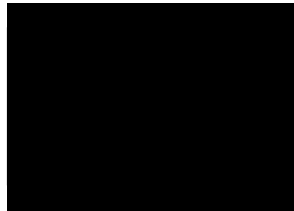
Executed on behalf of [Colas New South Wales Pty Ltd](#) in accordance with section 127(1) of the Corporations Act 2001

Name: Richard Bullock

Position: General Counsel and Company Secretary

Dated at Winston Hills this 3rd day of October, 2025

Witnessed in the presence of:



Signed:

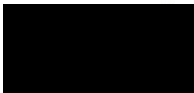
Name: Vincent Rauturier

Dated at Winston Hills this 3rd day of October, 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 Parramatta this 17th day of October 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 [22 June 2022](#), a worker employed by Colas New South Wales Pty Ltd suffered an amputation injury while carrying out maintenance activities on a conveyor system at its Kennington Drive premises Tomago

SafeWork NSW investigated the incident and subsequently alleged that [Colas New South Wales Pty Ltd](#) contravened section s19(1) and s32 of the Work Health and Safety Act 2011.

SafeWork NSW has accepted an enforceable undertaking from [Colas New South Wales Pty Ltd](#), 064 662 148 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 [Colas New South Wales Pty Ltd](#).

The undertaking requires the following actions:

- Trail and implement a technology to minimise collisions between plant and workers on foot
- Develop a program to enhance awareness and opportunities in the construction industry for people with autism spectrum disorder and share this program with industry.
- Undertake an internal review of and develop a detailed process to deal with, ‘out of sight out of mind’ areas in the flexible pavement industry and share this with industry.

[Colas New South Wales Pty Ltd](#) is committed to ensuring, as far as reasonably practicable, the ongoing health and safety of its workers and other persons. [Colas New South Wales Pty Ltd](#) sincerely regrets the alleged contravention and extends its sympathy to the injured worker and their family, [Colas New South Wales 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 [Colas New South Wales 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.