

14 October 2021

ENFORCEABLE UNDERTAKING

Part 11

Work Health and Safety Act 2011

The commitments in this enforceable undertaking
are offered to SafeWork NSW

by

Arena Homes Pty Ltd

ACN: 164 870 651

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 www.SafeWork.nsw.gov.au

Enforceable Undertaking

Purpose

The purpose of this enforceable undertaking is to document the undertakings offered to 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**).

Section 1 – General information

a. Details of the person proposing the undertaking

Registered Address:	8 / 190 George Street Parramatta NSW 2150
Postal address:	Po Box 100 Warragamba NSW 2752
Telephone contact:	1300 465 284
Email address:	██████████@gnlsteel.com.au
Legal structure:	Private Company
Type of business:	Frame and Truss Manufacturing and Installation
Commencement date of the entity:	18 July 2013
Number of workers:	Full-time: 13 Part-time: 2 Casual: 14
Products and/or services:	Frames and Trusses
Comments:	

b. Details of the alleged contravention

It is alleged by SafeWork NSW that on 22 May 2018, Arena Homes 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.

c. Details of the events surrounding the alleged contravention

A worker was installing frames to the second storey at a job site. During works he stepped back and fell through a stair void. The worker fell to the concrete below and sustained injuries.

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

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

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

As a result of the above incident, the workers received an [REDACTED]

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

Were enforcement notices received?

Yes Please provide details in the table below.

Date issued	Notice type	Notice number	Contravention	Action taken in response to notice
23/5/2018	Prohibition Notice	7-331069	Cease work on level 1 of job site – void protection and edge protection required	24/5/2018 – Installation of scaffolding and penetration covers

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

Arena Homes 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.

When an alleged contravention is associated with an injury/illness

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

The Worker obtained workers compensation via Arena Homes Pty Ltd's workers compensation insurance.

i. 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 Arena Homes Pty Ltd at the time of the incident.

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

Date	Description of support	Comments
22/5/2018	Personal support	The Production Manager followed the ambulance to the hospital and attended emergency with the worker.
May 2018	Personal support	The Production Manager visited the worker in hospital after surgery to check on the wellbeing of the worker.
May 2018	Personal support - family	The Production Manager spoke to the worker's father to offer support
May 2018 – throughout claim period	Personal support / Organisational support	The worker was assisted with documentation and administrative duties to support him through the workers compensation

j. The details of any existing work health and safety management system (WHSMS) at the workplace including the level of auditing currently undertaken

Arena Homes Pty Ltd has an existing WHSMS compliant with AS/NZS 4801:2001. Third party auditing of the workplace against AS/NZS 4801:2001 is conducted on a quarterly basis.

k. The details of any consultation undertaken within the workplace regarding the proposal of an enforceable undertaking

Arena Homes Pty Ltd has consulted with various management and employees throughout the process of compiling our EU proposal. This has been done through meetings specifically designated to discussing ideas, giving employees in all areas of our business the opportunity to have their input into our submission.

We have also engaged our contracted business services for their input. These in particular being our liaison at the TTIA (Timber Trade Industrial Association) and our business advisory coaches.

l. A statement of regret that the incident occurred (i.e. not an admission of guilt)

Arena Homes Pty Ltd regrets that the incident on 22 May 2018 occurred and the Worker sustained injuries as a result of the incident.

m. Any rectifications made as a result of the alleged contravention

Description	\$ Amount
Became a member of Timber Trade Industrial Association for guidance in matters of WHS and HR	\$2,816.00
Engaged the services of the Safety Rep from our industry advisory association (Timber Trade Industrial Association). A full audit of our WHS documents was conducted. All staff were re-inducted, retrained in their appropriate Safety Operating Procedures. A full safety audit was conducted on our premises. A full Safety Systems Manual was provided. Membership and auditing have been ongoing.	\$2,200.00
Engaged the services of Business Coaches. They have provided management coaching to the directors and senior management, as well as providing workplace wide techniques to improve the team culture, with particular emphasis on safety. The services of the coaches have been ongoing.	\$3,850.00

TOTAL AMOUNT SPENT ON RECTIFICATIONS

\$8,866.00

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

Arena Homes 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.

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

Arena Homes Pty Ltd commits that it will exercise its best endeavours to the ongoing effective management of work health and safety risks.

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

Arena Homes 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.

q. The person is required to provide information regarding any prior work health and safety convictions

SafeWork NSW requests a list outlining details of any prior work health and safety convictions or findings of guilt under work health and safety legislation² or work health and safety related legislation.

Arena Homes Pty Ltd has had no prior work health and safety convictions.

2. Subject to any local legal constraints such as spent conviction legislation.

r. Statement regarding relationships with beneficiaries

Arena Homes Pty Ltd acknowledges there are no known current relationships with any of the beneficiaries outlined in the enforceable undertaking, other than the current employees of Arena Homes Pty Ltd and the injured worker.

s. Intellectual property licence

Arena Homes 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.

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

Arena Homes Pty Ltd acknowledges that the responsibility for demonstrating compliance with this undertaking rests with the person who has given this undertaking. Evidence to demonstrate compliance with the terms will be provided to SafeWork NSW by the due date for the term.

Arena Homes Pty Ltd acknowledges that SafeWork NSW may undertake other compliance monitoring activities to verify the evidence that is provided and compliance with the relevant term. The evidence provided to demonstrate compliance with the undertaking will be retained by the person who has given this undertaking until advised by SafeWork NSW that the undertaking has been completely discharged.

Arena Homes Pty Ltd acknowledges that SafeWork NSW may initiate additional compliance monitoring activities, such as inspections, as considered necessary at SafeWork NSW's expense.

Arena Homes Pty Ltd acknowledges that should there be any delay in the commencement/delivery of the Enforceable Undertaking based on current community and workplace health and safety concerns and related business continuity disruption caused by COVID-19, this will be subject to mutual agreement (confirmed in writing) between Arena Homes Pty Ltd and SafeWork NSW.

u. Acknowledgement of enforceable undertakings guidelines

Arena Homes Pty Ltd has read and understood SafeWork NSW Enforceable Undertakings Guidelines and Enforceable Undertakings Customer Service Standard.

Section 2 – Enforceable Terms

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

Arena Homes Pty Ltd acknowledges that the enforceable undertaking will be published on SafeWork NSW's internet site and may be referenced in SafeWork NSW's publications.

Arena Homes Pty Ltd will, within thirty (30) days of the date of acceptance of this enforceable undertaking, cause a public notice to be published in the Sydney Morning Herald, which will be drafted using the script provided in Annexure 1. The public notice will be 1/8 of a page in size and the script will 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

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

Arena Homes Pty Ltd is committed to ensuring that any promotion of a benefit arising from this enforceable undertaking will clearly link the benefit to the undertaking and that the undertaking was entered into as a result of the alleged contravention.

C. A commitment to disseminate information about the undertaking to workers, and other relevant parties (which may include work health and safety representatives), and in the annual report (if applicable)

Arena Homes Pty Ltd agrees to disseminate information about the enforceable undertaking within the workplace, including to the members of any health and safety committee, health and safety representatives and all subcontractors working for Arena Homes Pty Ltd. This information will be disseminated through email and toolbox talk and will be completed within two (2) weeks from the date of acceptance of the enforceable undertaking.

Arena Homes Pty Ltd commits that any strategies 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.

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

d. Strategies that will deliver workplace benefits

1. Working At Heights Course

Scope:

Arena Homes Pty Ltd proposes to enrol all installation employees in a one day nationally accredited working at heights course.

Target issue:

Working at heights is a key safety issue in our industry. This course will give our employees comprehensive training, with a practical element, in a purpose-built training environment. The training covered in this course is specifically relevant to the circumstances pertaining to the injury occurred which has instigated this EU process. Our goal is for all the Arena Homes' installation team, being Directors, Management and workers to be fully trained and have a complete understanding of correct working at heights procedures, risks involved and accident prevention methods

Tangible outputs / deliverables:

- One day working at heights course (nationally recognised units of competency RIIWHS204D) provided by a registered training provider for installation staff.
- A certificate of completion will be provided to each attendee who successfully completes the course.

Audience / beneficiaries:

- Arena Homes' Directors
- Arena Homes installation workers

Delivery method:

The training will be delivered in accordance with the below table.

Topic	Attended by	Duration	Delivered by
Working at heights (RIIWHS204D)	10 installation staff, defined as: 2 Directors 2 Management 6 Workers	1 day	A registered training organisation (RTO - 91227)

Timeframes:

Our aim is to have all relevant staff to have completed training within six (6) months of acceptance of the enforceable undertaking.

Those who do not complete the course successfully on the first attempt will be provided with another opportunity to complete the course within the following 12 months.

Work health and safety outcome:

The purpose of this strategy is to ensure all our installation staff are fully trained in this key industry safety area. We believe this training being done in an environment where the staff can engage on a practical level will help reinforce the procedures required to keep all our staff safe while working onsite.

Cost Breakdown:

Description	\$ Amount
Engaged external training provider for ten (10) staff. Costing for this includes:	
<ul style="list-style-type: none"> 8 hours training at external provider for ten (10) employees Wages for attending employees Coordination and relevant administration – 2 hours 	

Total estimated cost: \$6,257.50

2. Appointment of a Full-Time Safety/HR Manager

Scope:

Our aim by hiring a person for this position is that it will assist our workplace to be guided into a safety focused environment. This person will assist with the improvement and development of WHS documentation, procedures, and practices. The role will be an ongoing role for Arena Homes beyond completion of the enforceable undertaking. 60% of the role will be dedicated to work health and safety with the remaining 40% covering other HR functions within Arena Homes.

Target issue:

This strategy is aimed at developing a systematic approach to WHS in Arena Homes' workplace. As we are a growing business, employing a dedicated Safety Manager will assist Arena Homes' senior management to ensure all WHS practices are being consistently reviewed and updated, and that appropriate resources are being allocated to our WHS system.

Tangible outputs / deliverables:

- A Safety Manager position description outlining at a minimum the key responsibilities of the position, salary, reporting arrangements and qualifications required to undertake the role

- Advertisement for the Safety Manager position
- Evidence of the selection process including the date and time and number of people interviewed
- Evidence of an accepted offer of employment to the successful applicant
- A work plan developed by the Director together with the new Safety Manager for the first 12 months outlining the key WHS priorities to be completed for the role
- A work plan review completed by the Director at the end of the first 12 months for the Safety Manager addressing performance against the items contained in the plan

Audience / beneficiaries:

- Arena homes staff
- Subcontractors of Arena Homes

Delivery method:

- Advertisement of position
- Interviewing process for prospective applicants
- Hiring of applicant
- Development of a 12-month work plan for the Safety Manager role
- Review of the 12-month work plan

Timeframes:

We aim for this strategy to be implemented within 18 months of acceptance of the enforceable undertaking.

Action	Commencement	Completion
Advertise position	Upon acceptance of enforceable undertaking	Within 4 weeks of acceptance of enforceable undertaking
Read all applications and narrow down possible applicants for interview	Following receipt of all applications	Within 1 week of receipt of all applications
Interview prospective applicants	Following perusal of all applications	Within 2 weeks of perusal of all applications
Hire and commencement of applicant	Following completion of interviews of short-listed applicants	Within 4 weeks of completion of interview process (dependant of availability of applicant)
Develop a 12-month work plan for the applicant	Within 2 days of commencement in the role	Within 4 weeks of commencement in the role
Performance review of the 12-month work plan for the applicant	Within 12 months of the plan being put in place	Within 13 months of the plan being put in place

Work health and safety outcome:

The purpose of this strategy is to identify issues or gaps in Arena Homes' current WHS policy. It will assist with compliance with WHS legislation and with the implementation of required measures within the workplace.

Cost Breakdown:

Description	\$ Amount
Ad design and uploading to an online job seeking site	████████
Filter and peruse incoming applications – 6 hours	████████
Organise and conduct interviews (approx. 4 interviews @ 1 hour each) – 4 hours	████████
Hire applicant – documentation and administration	████████
Employee ongoings: <ul style="list-style-type: none"> • Salary up to ██████ per year (60% applicable – WHS relatable) • Employment extras (super, payroll tax, workers comp) – additional 25% • Total Salary (incl. extras) ██████ per year. • 60% of role applicable to WHS 	████████

Total estimated cost: \$83,300.00

3. Safety Signage Inside the Workplace

Scope:

This strategy will help to reinforce all safety messages, applicable to our workplace, in a highly visible manner.

Target issue:

We have run toolbox talks throughout our business and staff have highlighted six of the key WHS issues in our workplace. Signage throughout our workplace will help reinforce to all staff their responsibilities in maintaining a safe workplace. Our aim is that if these messages are read on a daily basis by all staff and they will become second nature. The signage will assist in the promotion of a safe work culture within the workplace.

Tangible outputs / deliverables:

- Evidence of consultation with Arena Homes employees to determine the key priorities for WHS signage
- Highly visible and consistent safety messages within the workplace as outlined in the table below in the “Delivery method”
- Evidence of toolbox talks completed following the installation of signage on each of the identified safety topics

Audience / beneficiaries:

- Arena homes employees
- Arena Homes subcontractors

Delivery method:

Arena Homes has consulted with its workforce to determine key WHS areas that require safety signage. Arena Homes will engage an external graphic designer / sign manufacturer to assist with the development of multiple safety signs for the workplace. Signs will be installed as outlined in the table below.

Safety Topic	Commencement	Associated Toolbox Talk	Verification For SafeWork NSW
Fall Protection	Within Six (6) months of	At the Ingleburn manufacturing facility and	Minimum of 10 signs to allow for coverage across all sites at any given point in

	acceptance of EU	on all Arena Homes active worksites	time. Evidence of toolbox talk following sign installation.
PPE	Within two (2) months following the first topic	At the Ingleburn manufacturing facility and on all Arena Homes active worksites	Minimum of 10 signs to allow for coverage across all sites and at our factory any given point in time. Evidence of toolbox talk following sign installation.
Housekeeping / Trip Hazards	Within two (2) months following the second topic	At the Ingleburn manufacturing facility and on all Arena Homes active worksites	Minimum of 10 signs to allow for coverage across all sites and at our factory any given point in time. Evidence of toolbox talk following sign installation.
Heavy Lifting	Within two (2) months following the third topic	At the Ingleburn manufacturing facility and on all Arena Homes active worksites	Minimum of 10 signs to allow for coverage across all sites and at our factory any given point in time. Evidence of toolbox talk following sign installation.
Safety around forklifts	Within two (2) months following the fourth topic	At the Ingleburn manufacturing facility	Minimum of 5 signs to allow for coverage across our factory. Evidence of toolbox talk following sign installation.
Safety around power tools	Within two (2) months following the fifth (5) topic	At the Ingleburn manufacturing facility and on all Arena Homes active worksites	Minimum of 10 signs to allow for coverage across all sites and at our factory any given point in time. Evidence of toolbox talk following sign installation.

After signage for each safety topic is rolled out a toolbox talk will be conducted informing all Arena Homes staff about the signage. The toolbox talk will also be used as an opportunity to discuss the particular safety topic and any related safety reference material or key messages. Evidence of the toolbox talks will include the date, time, topics discussed and details of attendees.

Timeframes:

We propose that this strategy will be completed within 18 months of acceptance of the enforceable undertaking.

Work health and safety outcome:

Our aim is that this strategy will work as a continual day-to-day reminder of key safety issues within the workplace.

Cost Breakdown:

Description	\$ Amount
Signage development and manufacture	██████████
Liaison and administration	██████████

Installation of signage

Total estimated cost:

\$3,600.00

4. WHS Coaching & Training

Scope:

Arena Homes will engage business coaches to engage in intensive training for senior management in leadership, due diligence and safety culture.

Target issue:

Arena Homes management understands that the development of strong leadership skills is an important step in improving the safety culture of the workplace. Training in this area will enable management to "lead by example" and allow for a positive safety culture to filter through the workplace.

Tangible outputs / deliverables:

A twelve (12) to eighteen (18) month targeted WHS program for Arena Homes' management team, which includes the following topics;

- Communication – Improving open and honest communication across the business
- Integrity – Lead by example
- Consistency – Safety first under all circumstances
- Strong Planning / Due Diligence – Develop better methodology for advanced planning
- Risk Assessment – On every job and task
- Safety Culture – Changing the mindset about safety awareness and safe work practices
- Systems – Ensuring to systemise the process with safety in mind

Audience / beneficiaries:

- Company directors
- Senior management

Delivery method:

All training will be provided by external business coaches. Meetings will be scheduled for each individual, either face to face, via Zoom or phone on a regular basis. We propose for this training to continue for an eighteen (18) month period. This will also include evaluation and feedback.

Timeframes:

Topic	Commencement	Verification For SafeWork NSW
Communication	Within one month after acceptance of enforceable undertaking	Minutes of meetings and/or training sessions completed showing date, time, topics completed and attendees will be provided to SafeWork NSW
Integrity	One month after completion of first topic	Minutes of meetings and/or training sessions completed showing date, time, topics completed and attendees will be provided to SafeWork NSW
Consistency	One month after completion of second topic	Minutes of meetings and/or training sessions completed showing date, time, topics completed and attendees will be provided to SafeWork NSW

Strong Planning / Due Diligence	One month after completion of third topic	Minutes of meetings and/or training sessions completed showing date, time, topics completed and attendees will be provided to SafeWork NSW
Risk Assessment	One Month after completion of fourth topic	Minutes of meetings and/or training sessions completed showing date, time, topics completed and attendees will be provided to SafeWork NSW
Safety Culture	One month after completion of fifth topic	Minutes of meetings and/or training sessions completed showing date, time, topics completed and attendees will be provided to SafeWork NSW
Systems	One month after completion of sixth topic	Minutes of meetings and/or training sessions completed showing date, time, topics completed and attendees will be provided to SafeWork NSW
Course Completion		Written confirmation of completion of the course to be provided by coaches, which will be made available to SafeWork NSW

Work health and safety outcome:

This strategy is designed to educate and guide the management of Arena Homes to lead the entire team to be safety driven workplace.

Cost Breakdown:

Description	\$ Amount
Engage external business coaches for intensive training - █████/month x 18 months	█████
2 Directors and 1 General Manager @ 1 hour each per week	█████

Total estimated cost: \$82,170.00

5. Installation Safety Manual

Scope:

This objective of this strategy is to develop a comprehensive training manual for the safe installation of steel frames and trusses. This will be incorporated into our induction process of workers and can also be used as a tool to refresh staff on safety procedures.

Target issue:

This strategy will target safety on work sites we attend. Our workers will be trained on all key safety issues they may be faced with while working on site. It will be made available to all Arena Homes installation staff and all of Arena Homes subcontractors for reference if and when required.

Tangible outputs / deliverables:

This strategy will produce a document that can be used by all staff as a comprehensive, step-by-step guide to the safe installation of frames and trusses. Deliverables available to be verified by SafeWork NSW include:

- Evidence of consultation on the development of the Installation Safety Manual (the Manual) including the engagement of an engineer, WHS representative, carpenters and Arena Homes workers
- A first draft of the Manual

- Evidence of consultation on the first draft of the Manual by an engineer, WHS representative, carpenters and Arena Homes workers
- A final Manual for SafeWork NSW to review prior to publishing
- Evidence of the Manual being published and made available to Arena Homes installation workers and subcontractors
- Evidence of training delivered in relation to the Manual (i.e. training material and training attendance records) to all Arena Homes installation workers, as defined in Strategy 1

Audience / beneficiaries:

- Management
- Workers
- Subcontractors engaged by Arena Homes Pty Ltd

Delivery method:

The newly recruited Safety Manager will oversee the development and implementation of the Manual. Arena Homes will engage the expertise of an engineer, WHS representative, carpenters and allow for the input of our workers to develop the Manual.

Arena Homes Directors will approve the Manual. Once published all installation staff will be inducted on the Manual. The Manual will be made available digitally and a copy will also be kept in all company vehicles to ensure that all on-site workers have access to the Manual at all times.

Refresher inductions on the Manual will be conducted at regular intervals.

Timeframes:

Action	Commencement	Completion
Part 1 – Development of Installation Safety Manual		
1. Consultation with qualified engineer, carpenters, WHS representative and workers	Four (4) months from acceptance of the enforceable undertaking	Within 26 weeks of commencement
2. Development of Installation Safety Manual	Following completion of Item 1	
3. Finalise first draft	Following completion of Item 2	
4. Issue first draft to consultation panel for review	Following completion of Item 3	
5. Finalise second draft	Following completion of Item 4	
6. Issue final Manual to SafeWork for review	Following completion of Item 5	
Part 2 – Implementation of Staff Training		
7. Document to be published	Following completion of Item 6	Within 4 weeks of commencement
8. All staff and subcontractors to be inducted on Installation	Following completion of Item 7	Within 4 weeks of commencement

Safety Manual via in-house training session		
9. Training register to be updated and made available to SafeWork	Following completion of Item 8	Within 1 week of commencement
10. Consultation with staff to ascertain the effectiveness of the training manual. Findings to be made available to SafeWork.	Following completion of Item 8	Within 2 weeks of commencement

Work health and safety outcome:

The main aim of this strategy is to provide a greater awareness of the safety procedures to be followed while working on site.

This manual will not only benefit our workers, but also our subcontractors. Our aim is that all of our site workers / subcontractors will be so acutely safety conscious that serious safety issues will not occur again on our job sites.

Cost Breakdown:

Description	\$ Amount
Consultation with qualified engineer	██████████
Consultation with WHS representative – 45 hours	██████████
Director (carpenter) consultation and liaison – 50 hours	██████████
Compiling document – 40 hours	██████████
Stationary and printing manuals (required copies)	██████████
Administration costs	██████████

Total estimated cost: \$23,425.00

Total estimated cost of workplace benefits: \$198,752.50

e. Strategies that will deliver industry and community benefits

6. Site amenities best practice video

Scope:

The objective of this strategy is to assist SafeWork NSW in the production of a short safety video that focusses on the requirements for site amenities, site security and signage on residential construction sites.

Target issue:

SafeWork NSW, together with the NSW Building Commissioner, has identified the need to provide further guidance material to industry in relation to site amenities, site security and signage on

residential construction sites. This will increase the levels of compliance on residential constructions site in relation to site amenities, security and signage.

Tangible outputs / deliverables:

Deliverables that will be made available for SafeWork NSW to verify the delivery of this strategy include:

- Evidence of the review by Arena Homes of a draft script for the video provided by SafeWork NSW for industry feedback
- The provision of a suitable site and people employed by Arena Homes to be involved in the filming of the video
- Evidence of any costs up to \$10,000 related to the production of the video
- Evidence of the promotion of the published video through Arena Homes' industry connections including industry associations, contractors, Arena Homes' website and social media accounts

Audience / beneficiaries:

All industry workers working in the home construction industry. Members of the community will also benefit from house construction sites being more secure.

Delivery method:

Arena Homes will provide the following support in the development and delivery of the video:

- review a draft script for the video, provided by SafeWork NSW, and provide comment from an industry perspective
- fund the development and production costs of the video up to a cost of [REDACTED]. This may include the cost to hire amenities or other equipment needed for the video
- provide a suitable site and people to be involved in the production of the video
- promote the video through its industry contacts including:
 - o any industry associations it is a member of
 - o industry contractors it has a relationship with
 - o its own website and social media accounts

Arena Homes agree the video is a SafeWork NSW branded product, and, that the copyright and all exhibiting and distribution rights in relation to the video are to be held exclusively by SafeWork NSW.

Timeframes:

Arena Homes is to provide comment on the draft video script within 14 days of receipt of the script from SafeWork NSW.

Arena Homes is to provide a suitable site and people to be involved in the production of the video within 3 months of being notified by SafeWork NSW the script for the video has been finalised and approved for production.

Arena Homes is to promote the video as outlined above within 3 months of receiving a final copy of the video from SafeWork NSW.

Work health and safety outcome:

Increased knowledge for industry relating to the requirements for site amenities, site security and signage on residential construction sites.

Cost Breakdown:

Description	\$ Amount
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Costs relating to the production of the safety video	██████████
Arena Homes indirect costs associated with staff involvement in the production of the video	██████████

Total estimated cost: \$12,500.00

7. Develop an animation on the risks associated with falls through stair voids in house construction

Scope:

The strategy aims to increase awareness of the risks of falls through stair voids during residential house construction through the development of an animation that will contain information that demonstrates the subject incident, and relevant safety information for industry.

Target issue:

Falls from heights remains one of the largest causes of death or serious injury in the construction industry. The animation aims to increase industry awareness of the risk of falls, particularly through stair voids.

Tangible outputs / deliverables:

- Fund the development of a de-identified educative animation. The animation is to highlight the subject incident including how the incident occurred, the risks associated, a suitable safe system of work that would have reduced the risk, and any other relevant safety information.
- Work in partnership with SafeWork NSW to develop and produce the animation. Specifically, this includes:
 - Agreement between Arena Homes Pty Ltd and SafeWork NSW on the appropriate external provider to be used to produce the animation, including agreement on any associated payment schedule
 - Review and feedback on draft animation scripts provided by SafeWork NSW to Arena Homes
 - Review and feedback on draft versions of the animation during development provided by SafeWork NSW
 - Review of the final version of the animation prior to publishing on the SafeWork NSW website
 - Promotion of the final published animation to all Arena Homes staff and subcontractors, and, through Arena Homes social media channels to increase reach into the industry.

The development and production of the animation, including the provider, will be managed by SafeWork NSW. The animation will bear the logo of SafeWork NSW and NSW Government branding. The copyright and all exhibiting and distribution rights in relation to the animation will be jointly held by SafeWork NSW and Arena Homes Pty Ltd.

Audience / beneficiaries:

The target audience of the strategy is workers in the construction industry, as well as members of the community who complete construction work on or near stair voids.

Delivery method & timeframes:

The strategy is to be implemented within 12 months of acceptance of the enforceable undertaking.

Action	Commencement	Completion
Agree on the external provider to be used to develop the animation, including any associated payment schedule	Within 2 months of acceptance of the EU	Within 3 months of acceptance of the EU
Review and provide feedback on draft animation scripts provided by SafeWork NSW	Within 3 months of acceptance of the EU	Within 6 months of acceptance of the EU
Review and provide feedback on draft versions of the animation during development provided by SafeWork NSW	Within 6 months of acceptance of the EU	Within 9 months of acceptance of the EU
Review final version of the animation provided by SafeWork NSW	Within 9 months of acceptance of the EU	Within 11 months of acceptance of the EU
Promote the final published animation to Arena Homes staff and subcontractors	Within 11 months of acceptance of the EU	Within 12 months of acceptance of the EU
Promote the final published animation via Arena Homes social media network.	Within 11 months of acceptance of the EU	Within 12 months of acceptance of the EU

Work health and safety outcome:

This strategy is designed to provide stimulating and lasting impression on the construction industry. Specifically targeting the promotion of safe work practices when working near voids in housing construction in line with the SafeWork NSW Work Health and Safety Road Map for NSW 2022.

Cost Breakdown:

Description	\$ Amount
Funding to produce animation	██████
Arena Homes indirect costs associated with staff involvement in the development of the animation	██████

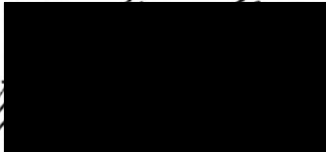
Total estimated cost: \$7,500.00

Total estimated cost of industry/community benefits \$20,000.00

TOTAL ESTIMATED VALUE OF THE UNDERTAKING \$218,752.50

Section 3 – Offer of undertaking

I offer this undertaking and commit to the terms herein.

Signed: 

[Person]

Name: 

Position: Director

Dated at Ingleburn this 14th day

of October, 2021

Section 4 – SafeWork NSW’s acceptance of undertaking

The duration of an enforceable undertaking is determined by the content of the agreed terms. An enforceable undertaking commences and is enforceable once accepted by SafeWork NSW. The enforceable undertaking will be concluded on written advice from SafeWork NSW when all requirements of the undertaking have been satisfactorily executed.

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

Signed: 

Name: Valerie Griswold

Position: Executive Director, Investigations and Enforcement.

Authorised delegate for SafeWork NSW, an agency within the Department of Customer Service.

Dated at Sydney this 20 day of October 2021
[suburb] [month] [year]

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 22nd May 2018, worker employed by Arena Homes Pty Ltd, suffered injuries due to a fall from heights while working on a job site.

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

This notice has been placed under the terms of an enforceable undertaking and acknowledges acceptance of an undertaking, that is enforceable under the Act, from Arena Homes Pty Ltd, ACN 164 870 651 as finalisation of the abovementioned alleged contravention.

The undertaking requires the following actions:

- Working at heights course
- Appointment of a full-time Safety/HR Manager
- Targeted safety signage inside the workplace
- WHS coaching and training
- The development and production of an Installation Safety Manual
- Development of a construction site amenities best practice video
- Development of an animation profiling the incident and learnings

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