



16 November 2022

## **ENFORCEABLE UNDERTAKING**

Part 11

*Work Health and Safety Act 2011*

The commitments in this enforceable undertaking  
are given by

**Dragon Glass Lamination Pty Ltd**

ACN: 624 616 968

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 [www.SafeWork.nsw.gov.au](http://www.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

<b>Registered Address:</b>	560 Byrnes Road BOMEN NSW 2650
<b>Postal address:</b>	PO Box 5577 Wagga Wagga NSW 2650
<b>Telephone contact:</b>	02 6921 9585
<b>Email address:</b>	accounts@dragonglass.net.au
<b>Legal structure:</b>	Pty Ltd Company
<b>Type of business:</b>	Glass Lamination
<b>Commencement date of the entity:</b>	15 October 2018
<b>Number of workers:</b>	Full-time: 2 Part-time: 1 Casual: 2
<b>Products and/or services:</b>	Glass lamination

### b. Commencement

This Undertaking comes into effect when:

- i. the Undertaking is executed by Dragon Glass Lamination 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 Dragon Glass Lamination 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 27 November 2019, Dragon Glass Lamination Pty Ltd failed to discharge its obligations as a person conducting a business or undertaking under section 19(1) 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

The alleged contravention occurred when a worker was crushed by unsecured glass panels that fell from an A-frame they were being stored on.

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

The worker suffered multiple fractures to the lower areas of their body and other soft tissue injuries. Another worker sustained minor cuts as they jumped clear of the falling glass panels.

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

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

### e. A statement of regret that the incident occurred

Dragon Glass Lamination Pty Ltd regrets that the incident on 27 November 2019 occurred and the Workers sustained injuries as a result of the incident.

Note: the above is not an admission of guilt

### f. Prior work health and safety convictions

Dragon Glass Lamination 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 (if the injured person(s) is a worker of the person)

The injured worker was provided access to workers compensation payments and associated return to work services under the workers compensation policy of Dragon Glass Lamination Pty Ltd.

### 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 Dragon Glass Lamination Pty Ltd at the time of the incident.

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

Date	Brief description of support provided
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19 Nov 19	Called injured worker's father offering lift to Hospital.
19 Nov 19	Rang or text injured worker for the first 3 weeks checking on recovery
2 Dec 19	Visited injured worker in hospital offering help and computer
17 Dec 19	Visited injured workers family at their home with [REDACTED]
19 Dec 19	Visited injured worker in hospital [REDACTED]
19 Dec 19	Offered injured worker to come back to work on casual/restricted duties at any time in accordance with current workers compensation return to work plan.
Feb/Mar 20	Working with Rehab to get injured worker back to work

### Section 3 – Enforcement Notices and Rectifications

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

Were enforcement notices received?

No

Yes

Date issued	Notice type	Notice number	Contravention	Action taken in response to notice
27/11/2019	SafeWork NSW Prohibition Notice	40492 - 7-366427	Operation of the overhead crane and associated equipment cease	Ceased operation of crane and associated equipment

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

Description	\$ Amount
Service and Safety Inspection was carried out on the Crane on 30/11/2019 which identified the Crane as being safe for use.	\$756.25

**TOTAL AMOUNT SPENT ON RECTIFICATIONS**

**\$756.25**

### Section 4 – Statements, commitments, and acknowledgements

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

Dragon Glass Lamination 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

Dragon Glass Lamination 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**

Dragon Glass Lamination 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** Dragon Glass Lamination Pty Ltd acknowledges that the enforceable undertaking will be published on SafeWorkNSW'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**

Dragon Glass Lamination 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**

Dragon Glass Lamination Pty Ltd acknowledges that it has consulted within the workplace in relation to the development of the enforceable undertaking proposal, including consultation with employees, training providers and the Australian Glass and Window Association (AGWA).

**g. Intellectual property licence**

Dragon Glass Lamination 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.

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

Dragon Glass Lamination Pty Ltd acknowledges that the responsibility for demonstrating compliance with this undertaking rests with Dragon Glass Lamination 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.

Dragon Glass Lamination 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 Dragon Glass Lamination Pty Ltd until advised by SafeWork NSW that the undertaking has been completely discharged.

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

Dragon Glass Lamination 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 Dragon Glass Lamination Pty Ltd and SafeWork NSW.

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

Dragon Glass Lamination 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 Dragon Glass Lamination Pty Ltd will include the following statement:

*This (insert product or service) has been (produced, held) pursuant to an enforceable undertaking between Dragon Glass Lamination Pty Ltd, ACN: 624 616 968, and SafeWork NSW entered into on (insert DATE EU commenced).*

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

- j. A commitment to gain review and approval for industry and/or community safety information**  
Dragon Glass Lamination Pty Ltd commits that any strategies to be implemented by Dragon Glass Lamination 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.
- k. Inconsistent Statements**  
Dragon Glass Lamination 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**  
Dragon Glass Lamination 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 Dragon Glass Lamination Pty Ltd fails to comply with its workplace relations obligations in the future, including but not limited to any failure to comply with its obligations under this Undertaking.
- m. Withdrawal or variation**  
Dragon Glass Lamination 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**  
Dragon Glass Lamination Pty Ltd has read and understood SafeWork NSW Enforceable Undertakings Guidelines.  
Dragon Glass Lamination Pty Ltd acknowledges that if Dragon Glass Lamination 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

Dragon Glass Lamination 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:**

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

## Strategy 2 – Dissemination of information about the enforceable undertaking

### Summary:

Dragon Glass Lamination 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 Dragon Glass Lamination 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 by Dragon Glass Lamination Pty Ltd 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
A full staff toolbox talks will occur at which the CEO Dragon Glass Lamination Pty Ltd will provide all staff with an overview of the enforceable undertaking.	Within 14 days of the Commencement Date of the enforceable undertaking	CEO Dragon Glass Lamination Pty Ltd	A copy of the toolbox talk noting the content, date of delivery and the names of those in attendance.

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

### Strategy No.3 – Targeted audit strategy – Glass handling, storage and machinery operation

#### Summary:

Dragon Glass Lamination Pty Ltd will identify and detail gaps in the handling, storage, and transport of glass, and, in the operation of machinery by determining the level of conformance with and implementation of its current WHS management systems and procedures against WHS legislative and Dragon Glass Lamination Pty Ltd's operative requirements, focusing on the following areas:

- General handling and movement of glass including lifting, loading, unloading, and exclusion zones
- Storage of glass including securing glass, stock control and weight loadings
- Operation of machinery including training, operation, supervision and traffic management
- Documented procedures and systems of work
- WHS Training and supervision.



The audit will measure the level of compliance from Dragon Glass Lamination Pty Ltd against the following standards considering the tasks being completed and any other relevant industry specific reference material:

- SafeWork NSW Code of Practice – Managing the risks of plant in the workplace
- SafeWork NSW Code of Practice – Hazardous manual tasks
- SafeWork NSW Code of Practice – How to work manage health and safety risks

Dragon Glass Lamination Pty Ltd will identify and detail improvement suggestions (based on identified gaps) to assist in the development of a corrective action plan focused on improved performance across Dragon Glass Lamination Pty Ltd’s operations in:

- Glass handling and storage
- Operation of machinery.

**WHS outcome and beneficiaries:**

The audit and corrective action plan will provide clear direction for areas of improvement for Dragon Glass Lamination Pty Ltd and its workers in the safe handling and storage of glass and operation of machinery. This will ultimately result in a more educated and safer workplace for workers.

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

- Workplace
- Industry
- Community

**Strategy delivery and verification:**

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

What is happening	How is it occurring	When will it happen	Position Title(s) or Area responsible and/or involved	Evidence that will be provided to SafeWork NSW
Engage auditor and audit plan	Dragon Glass Lamination Pty Ltd will identify and engage a suitably qualified WHS auditor to complete the audit and assist in the development of the corrective action plan. An audit plan will be provided by the selected auditor outlining the scope of the audit (list of audit criteria, how the audit will occur and timeframes involved). The audit plan will be approved by SafeWork NSW prior to the audit commencing.	Within 1 month of the Commencement Date of the enforceable undertaking	CEO Dragon Glass Lamination Pty Ltd, Operations Manager Dragon Glass Lamination Pty Ltd	Evidence of auditor engaged including the relevant qualifications of the auditor  Copy of the initial audit plan outlining audit scope  Approval of audit plan by SafeWork NSW

Audit recommendations & development of a corrective action plan to address recommendations	Dragon Glass Lamination Pty Ltd, in consultation with the auditor, will develop a corrective action plan to address each of the recommendations outlined in the audit report. The corrective plan will outline what action is required and the timeframe to complete each action	Within 7 months of the Commencement Date of the enforceable undertaking	CEO Dragon Glass Lamination Pty Ltd, Operations Manager Dragon Glass Lamination Pty Ltd, selected auditor	Copy of the plan to action the audit recommendations including actions required, people responsible and timeframes
Follow up audit	Dragon Glass Lamination Pty Ltd ensure a secondary audit occurs to measure the level of implementation of the above corrective action plan.	Within 24 months of the Commencement Date of the enforceable undertaking	CEO Dragon Glass Lamination Pty Ltd, Operations Manager Dragon Glass Lamination Pty Ltd, selected auditor	Copy of follow up audit report certified by the auditor as an unaltered copy of the original

**Cost:**

Cost of external auditor	██████████
	██████████
<b>Total estimated costs</b>	<b>\$121,600</b>

## Strategy 4 – WHS training

### Summary:

Dragon Glass Lamination Pty Ltd will provide accredited training in the following areas to increase the level WHS knowledge and skills of its workforce:

- Machinery operations (for identified employees that do not currently have the relevant skills or relevant high-risk work licence, and refresher training for those who do) for:
  - forklift truck
  - scissor lift
  - overhead crane (bridge and gantry crane operation)
  - dogging
- WHS risk management training

### WHS outcome and beneficiaries:

Dragon Glass Lamination Pty Ltd fully understands it's WHS obligations to provide workers with the required training and instruction to complete their job roles. This strategy recognises the value of providing workers with a broader understanding of not only their own roles but the roles of others in the workplace, and the risks associated with those roles. Through providing the workforce with increased knowledge and exposure to information about the risks collectively across the workplace, Dragon Glass Lamination Pty Ltd is aiming to build a higher level of agility and the collective WHS capability of the business. In addition, employees that complete the training will acquire transferrable skills and knowledge that can be used across 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
Engage RTO to deliver forklift training (TLILIC0003)	Dragon Glass Lamination Pty Ltd to engage a selected RTO to deliver TLILIC0003	Within 6 months of the Commencement Date of the enforceable undertaking	Operations Manager, Dragon Glass Lamination Pty Ltd	Evidence of accredited RTO selected noting scope to deliver TLILIC0003, or, proof of enrolment for each staff member completing the training

Forklift training delivered	RTO to deliver forklift training course including all competencies included in course code TLILIC0003	Within 12 months of the Commencement Date of the enforceable undertaking	Involved: All Dragon Glass Lamination Pty Ltd employees excluding the CEO.	Training attendance records noting the names, positions held, dates and times of the training certified by the RTO. Copies of certificates and/or licences attained on completion of training.
Engage RTO to deliver scissor lift training (RIIHAN301E)	Dragon Glass Lamination Pty Ltd to engage a selected RTO to deliver RIIHAN301E	Within 6 months of the Commencement Date of the enforceable undertaking	Operations Manager, Dragon Glass Lamination Pty Ltd	Evidence of accredited RTO selected noting scope to RIIHAN301E, or, proof of enrolment for each staff member completing the training
Scissor lift training delivered	RTO to deliver scissor lift training course including all competencies included in course code RIIHAN301E	Within 12 months of the Commencement Date of the enforceable undertaking	Involved: All Dragon Glass Lamination Pty Ltd employees excluding the CEO.	Training attendance records noting the names, positions held, dates and times of the training certified by the RTO. Copies of certificates and/or licences attained on completion of training.
Engage RTO to deliver overhead crane training (TLILIC00016)	Dragon Glass Lamination Pty Ltd to engage a selected RTO to deliver TLILIC0016	Within 6 months of the Commencement Date of the enforceable undertaking	Operations Manager, Dragon Glass Lamination Pty Ltd	Evidence of accredited RTO selected noting scope to deliver TLILIC0016, or, proof of enrolment for each staff member completing the training
Overhead crane training delivered	RTO to deliver overhead crane training course including all competencies included in course code TLILIC0016	Within 12 months of the Commencement Date of the enforceable undertaking	Involved: All Dragon Glass Lamination Pty Ltd employees excluding the CEO.	Training attendance records noting the names, positions held, dates and times of the training certified by the RTO. Copies of certificates and/or licences attained on completion of training.
Engage RTO to deliver dogging training (CPCCLDG3001)	Dragon Glass Lamination Pty Ltd to engage a selected RTO to deliver CPCCLDG3001	Within 6 months of the Commencement Date of the enforceable undertaking	Operations Manager, Dragon Glass Lamination Pty Ltd	Evidence of accredited RTO selected noting scope to deliver CPCCLDG3001, or, proof of enrolment for each staff member completing the training

Engage RTO to deliver WHS risk management training	Dragon Glass Lamination Pty Ltd to engage a selected RTO to deliver risk management training	Within 6 months of the Commencement Date of the enforceable undertaking	Operations Manager, Dragon Glass Lamination Pty Ltd	Evidence of accredited RTO selected noting scope to deliver risk management training, or, proof of enrolment for each staff member completing the training
Evaluation of training delivered	Post training questionnaire to all participants to gauge the level of skill increase due to the training, including transfer of skills gained on-the-job. A questionnaire will be completed after each training topic with an overall evaluation report completed providing a summary for the entire training included in the strategy.	8 weeks after the completion of each training course  Final evaluation report completed within 3 months of delivery of the final topic of training.	Operations Manager, Dragon Glass Lamination Pty Ltd  Involved: all training participants	Copy of individual training evaluation questionnaires and final evaluation summary report

**Cost:**

Cost of forklift training for 4 Dragon Glass Lamination Pty Ltd staff	██████████
	██████████
Cost of overhead crane training for 4 Dragon Glass Lamination Pty Ltd staff	██████████

Cost of risk assessment training for 4 Dragon Glass Lamination Pty Ltd staff	
<b>Total estimated costs</b>	<b>\$27,190</b>

## Strategy No.5 – Industry safety videos

### Summary:

Dragon Glass Lamination Pty Ltd, in consultation with the Australian Glass and Window Association (AGWA), will produce a series of 4 educative safety training videos for industry. The videos will focus on the safe handling of glass. The specific topics covered in the videos will be:

- manual lifting of glass (one and two person lift)
- safe operation of an overhead crane or lifting equipment
- storage and accessing glass in racks
- A fourth topic to be determined in consultation with AGWA after the completion of the initial audit in strategy 3 of this enforceable undertaking

The videos will be produced using Dragon Glass Lamination Pty Ltd staff at the factory in Wagga Wagga. Dragon Glass Lamination Pty Ltd will engage an experienced Educational Designer and training resource developer to oversee the pedagogical, logistical and technical design aspects of the video productions. Dragon Glass Lamination Pty Ltd will purchase digital editing software and bring the post-production 'in-house' to reduce costs, facilitate greater flexibility and allow subsequent re-editing and processing as the digital media landscape evolves. The strategy will include the development, production and promotion of the videos.

The intellectual property of the videos will be held jointly with SafeWork NSW and AGWA to allow AGWA to use the videos on the AGWA website for its industry members and in AGWA training courses.

### WHS outcome and beneficiaries:

The industry currently has a lack of relevant glass industry safety videos that are appropriate and accessible. This strategy aims to address that issue and is supported by AGWA. The videos will provide general safety information in a format that is easily accessible and caters for workers from a non-English speaking background. Where applicable the videos will be produced in a style that promotes interaction between the teacher/trainer and learner to stimulate discussion and wider thinking about the risks involved with working with glass. Where applicable to the task being completed, the videos will reference and/or highlight existing safety material developed by industry or regulators to promote such safety material.

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

- ✓ Workplace

- ✓ Industry
- ✓ Community

**Strategy delivery and verification:**

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

What is happening	How is it occurring	When will it happen	Position Title(s) or Area responsible and/or involved	Evidence that will be provided to SafeWork NSW
Engage educational designer	Dragon Glass Lamination Pty Ltd will engage a suitable experienced educational designer to assist in the design and development of the safety videos	Within 3 months of the Commencement Date of the enforceable undertaking	CEO Dragon Glass Lamination Pty Ltd, Operations Manager Dragon Glass Lamination Pty Ltd	Accepted quote for service or agreement/contract with the educational designer
Develop project plan for the delivery of the safety videos	Dragon Glass Lamination Pty Ltd will produce a project plan that outlines the timeframes for the development, production and promotion of all safety videos	Within 6 months of the Commencement Date of the enforceable undertaking	CEO Dragon Glass Lamination Pty Ltd, Operations Manager Dragon Glass Lamination Pty Ltd	Copy of final project plan for delivery of the safety videos
Develop scripts for each video (draft, review, approve)	Dragon Glass Lamination Pty Ltd will develop scripts for each safety video in consultation with AGWA. Each script will need be provided to SafeWork NSW for review and approval prior to filming the video.	In line with the above project plan	CEO Dragon Glass Lamination Pty Ltd, Operations Manager Dragon Glass Lamination Pty Ltd AGWA	Draft script for each video provided to SafeWork NSW for comment and approval prior to being filmed.
Shoot videos	Dragon Glass Lamination Pty Ltd will film each safety video	In line with the above project plan	CEO Dragon Glass Lamination Pty Ltd, Operations Manager Dragon Glass Lamination Pty Ltd	Evidence of videos being shot on Dragon Glass Lamination Pty Ltd premises or work sites through actual video footage or still photos.
Review draft video content	Dragon Glass Lamination Pty Ltd will provide a draft of each video filmed to AGWA for review and endorsement. Each draft will then be supplied to SafeWork NSW to be reviewed	In line with the above project plan	CEO Dragon Glass Lamination Pty Ltd, Operations Manager Dragon Glass Lamination Pty Ltd AGWA	Evidence of video review by AGWA and endorsement by AGWA of each draft video
Approve final video (including look and feel)	Dragon Glass Lamination Pty Ltd will provide each video to SafeWork NSW for review and	In line with the above project plan	CEO Dragon Glass Lamination Pty Ltd, Operations Manager	Draft videos provided to SafeWork NSW and final approval provided by SafeWork NSW

Promote videos	Dragon Glass Lamination Pty Ltd to promote the safety videos in consultation with AGWA. Videos to appear on both Dragon Glass Lamination Pty Ltd's and AGWA's websites.	To occur within 3 months of any finalised video	CEO Dragon Glass Lamination Pty Ltd, Operations Manager Dragon Glass Lamination Pty Ltd	Evidence of videos posted on Dragon Glass Lamination Pty Ltd and AGWA websites

**Cost:**

Cost of educational designer	
Associated administration costs	
<b>Total estimated costs</b>	<b>\$104,000</b>

## Strategy No.6 – Educating industry through sharing lessons

**Summary:**

Dragon Glass Lamination Pty Ltd, in consultation with the Australian Glass and Window association (AGWA), will produce a 'lessons learnt' presentation that focuses on an overview of the incident that led to the enforceable undertaking, the risks involved, and the response (short and long term) and lessons learned by Dragon Glass Lamination Pty Ltd.

The presentation will be delivered at an AGWA industry event to ensure greater exposure to relevant industry participants.

**WHS outcome and beneficiaries:**

Sharing stories of real incidents with industry is a very powerful way to educate others and help to prevent similar incidents happening in the future. By sharing our story Dragon Glass Lamination Pty Ltd hope to contribute to making the industry safer for all workers.

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

- ✓ Workplace
- ✓ Industry
- Community



**Strategy delivery and verification:**

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

Produce presentation	Dragon Glass Lamination to develop a presentation that highlights the incident, the immediate action taken, the longer-term actions taken, including any lessons of information that can be shared with industry to prevent similar incidents, and, the enforceable undertaking and strategies included within it.	Within 20 months of the Commencement Date of the enforceable undertaking	CEO Dragon Glass Lamination Pty Ltd	Copy of draft presentation
Approve presentation	AGWA & SafeWork NSW to approve final presentation for delivery	Within 24 months of the Commencement Date of the enforceable undertaking	AGWA & SafeWork NSW	Evidence of AGWA approval of presentation

**Cost:**

Administration costs associated with the development of the presentation	
<b>Total estimated costs</b>	<b>\$13,000</b>

**TOTAL ESTIMATED VALUE OF THE UNDERTAKING**

**\$265,790**

## Section 6 – Execution of Undertaking

Dragon Glass Lamination Pty Ltd give this undertaking and commit to the terms herein.

Signed: 

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

Name: Katherine Maree Wendt

Position: CEO

Dated at Wagga Wagga this 21st day of November, 2022

Signed: 

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

Name: David James Marks

Position: Operations Manager

Dated at Wagga Wagga this 21st day of November, 2022

Witnessed in the presence of:

Signed: 

Name: Vicki Lee Matto

Dated at Wagga Wagga this 21st day of November, 2022

## 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: 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 30th day of November, 2022

## 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 27 November 2019, a worker employed by Dragon Glass Lamination Pty Ltd suffered serious injuries after being crushed by unsecured glass panels which fell from an A-frame at a factory in Goulburn. Another worker suffered minor injuries in the incident.

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

SafeWork NSW has accepted an enforceable undertaking from Dragon Glass Lamination Pty Ltd, ACN 624 616 968, 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 Dragon Glass Lamination Pty Ltd.

The undertaking requires the following actions:

- Targeted audit focussed on glass handling, storage and operation of machinery including the implementation of any corrective actions
- WHS training to increase staff skills and knowledge
- Development, production, and promotion of four industry safety videos
- Educating industry through sharing lessons learned

The full undertaking and general information about enforceable undertakings is available at [www.safework.nsw.gov.au](http://www.safework.nsw.gov.au).