

26 February 2020

ENFORCEABLE UNDERTAKING

Part 11

Work Health and Safety Act 2011

The commitments in this enforceable undertaking
are offered to SafeWork NSW

by

Growthbuilt Pty Limited

ACN 115 132 020

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* (NSW) (**WHS Act**) in connection with matters relating to alleged contraventions of the WHS Act or the *Work Health and Safety Regulation 2011* (NSW) (**the Regulations**).

Section 1 – General information

a. Details of the person proposing the undertaking

Registered Address:	KPMG Level 8, 91 Phillip Street Parramatta NSW 2150
Postal address:	Level 9, 100 William Street Sydney NSW 2000
Telephone contact:	[REDACTED]
Email address:	[REDACTED]
Legal structure:	Private Company
Type of business:	Building Design & Construction Company
Commencement date of the entity:	5 July 2005
Number of workers:	Full-time: 133 Part-time: 4 Casual: 1
Products and/or services:	Building Design and Construct Company

b. Details of the alleged contravention

It is alleged by SafeWork NSW that on 12 September 2016, Growthbuilt failed to discharge its obligations as a person conducting a business or undertaking under sections 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

On 12 September 2016, Growthbuilt was the principal contractor at a residential construction site located at [REDACTED], Lane Cove in NSW.

As part of the construction work, Growthbuilt required the loading of scaffolding material onto a truck by a remotely controlled tower crane approximately 30 metres tall. The loading of the truck was undertaken by a tower crane operator who was employed by a labour hire company and the truck was being driven by a truck driver for a scaffolding subcontractor.

During the course of loading, the chains of the tower crane came within close proximity of overhead powerlines. This resulted in arcing between the overhead powerlines and the chains, causing minor property damage. No workers or other persons were injured.

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

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

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

No persons were injured as a result of the incident.

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
20 September 2016	Improvement Notice	7 - 296276	Section 19 of the WHS Act and clause 166 of the Regulations	<ul style="list-style-type: none"> Reviewing Growthbuilt's Integrated Management System for the construction project; Reviewing the contractor Safe Work Method Statement for the work; Running Toolbox Talks following the incident to ensure workers were aware of the incident and the proper procedures to follow to avoid similar incidents from arising in the future; and Dismantling the crane the weekend after the incident to eliminate the risk created by the crane.

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

Growthbuilt 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 undertaking.

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)

No persons were injured as a result of the incident.

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?

No ☒

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

Growthbuilt has an existing WHSMS compliant with ISO 45001:2018. Third party auditing of the workplace against ISO 45001:2018 is conducted on a yearly basis by [REDACTED].

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

Consultation was undertaken with Growthbuilt's Directors and HSE team in relation to the incident as well as the proposal to enter into an enforceable undertaking. Growthbuilt's leadership and HSE team (including the Head of HSE and HSE Manager) have had active involvement in developing the strategies in conjunction with the Joint Directors and Chief Financial Officer.

Various departments within Growthbuilt have also had input in putting together the enforceable undertaking proposal, for example, Finance, HSE, People & Culture and Marketing. The enforceable undertaking has also been discussed as part of the HSE Participative Leadership Committee (HSEPLC).

In developing the strategies, consultation has been undertaken with several external parties, including registered training organisations, legal publishers, construction industry associations and safety institutes. The consultation has been for the purposes of collaborating and obtaining feedback on potential strategies.

Growthbuilt will continue to undertake consultation on the strategies of the enforceable undertaking through its quarterly HSE meetings as well as its executive reviews.

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

Growthbuilt deeply regrets that the incident on 12 September 2016 occurred and is grateful that no workers sustained injuries as a result of the incident.

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

Description	\$ Amount
Participating in SafeWork NSW's intensive engagement program, including site inspections across Growthbuilt sites throughout 2017 and 2018	\$19,950
Achieving ISO 45001:2018 accreditation	\$10,428
Undertaking a WHS Legal Compliance Audit	\$49,907
Developing and providing training on a Growthbuilt-specific WHS Certificate IV course	\$124,614.60
Developing and providing risk management training to Project Managers, Site Managers, Contract Administrators and Foremen	\$20,091.82

Developing and providing incident management training to Project Managers, Site Managers, Contract Administrators and Foremen	\$12,450
Reviewing all critical risks at the site, including involvement by the site management team, HSE Manager and Director	\$24,900
Additional toolbox talks in relation to the incident and on critical risks for the site	\$4,500
Reviewing all SWMS, SWMS Review Checklists and Task Observations undertaken on the Site by the HSE Manager, Project Manager, Construction Manager and Director	\$24,900
Hiring an experienced WHS professional to head Growthbuilt's WHS function	\$239,000 p/a
Implementing Growthbuilt's STEM (Stop, Think, Eliminate, Mitigate) program	\$14,100
Implementing a site-safety leadership program (delivered across four modules: (1) safety leadership and incident investigation / management; (2) identifying and managing risk; (3) due diligence, workers' rights & duties and workplace consultation; (4) working with regulators, right of entry and a Mock Trial)	\$18,800
Developing GB Induct, a web interface system designed to make Growthbuilt's global and site-specific induction processes more effective and efficient	\$83,500
Developing a HSE reporting dashboard for all projects and company performance, including weekly leadership HSE reports, monthly HSE dashboards and quarterly HSE executive reviews	\$9,400
Developing and publishing Growthbuilt's HSE Due Diligence Policy and Due Diligence Framework	\$18,800
Developing and publishing Growthbuilt's risk profile and developing an HSE risk register	\$18,800
Developing a new major incident management plan, including running a major multiagency emergency management exercise at a major project	\$9,400
Verifying contractor and subcontractor competency across Growthbuilt sites, including verification of competency by an external assessor	\$6,000
Implementing a contractor management qualification process to improve the quality of contractors and subcontractors who work across Growthbuilt sites through Cm3 qualification	\$14,100
Producing site-specific induction training videos and videos addressing standard risks across all Growthbuilt sites	\$14,100
Developing the Growthbuilt HSE Strategic Plan 2018 – 2020	\$18,800
Starting a HSEPLC, a participative forum, to oversee, monitor and review the implementation of Growthbuilt's IMS, HSE Strategic Plan and its associated procedures	\$9,400
Hosting a Safety Conference to educate Growthbuilt's workforce further in relation to key HSE issues in the construction industry and awarding Safety Awards at the Safety Conference	\$5,700

TOTAL AMOUNT SPENT ON RECTIFICATIONS

\$771,641.42

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

Growthbuilt 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

Growthbuilt 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

Growthbuilt 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.

No ☒ Growthbuilt 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

☒ Growthbuilt acknowledges there are no known current relationships with any of the beneficiaries outlined in the enforceable undertaking, other than the current employees of Growthbuilt.

s. Intellectual property licence

Growthbuilt 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

Growthbuilt 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.

Growthbuilt acknowledges that SafeWork NSW may undertake other compliance monitoring activities to verify the evidence that is provided and compliance within 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.

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

u. Acknowledgement of enforceable undertakings guidelines

Growthbuilt has read and understood SafeWork NSW's 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

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

Growthbuilt 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.

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

Growthbuilt 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)

Growthbuilt 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 Growthbuilt. This information will be disseminated through the HSEPLC and will be completed within 3 months from the date of acceptance of the enforceable undertaking.

Growthbuilt commits that it will publish details of the enforceable undertaking in the first annual report due after the date the undertaking is accepted. Growthbuilt's annual report is published in or around December each year.

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

d. Strategies that will deliver workplace benefits

1. Positive Investigation Methodology and Smartphone Application

Scope:

1. To adopt and roll out the positive investigation methodology (**PIM**) as part of Growthbuilt's internal investigation processes following any work health and safety related incidents;
2. To provide training to Growthbuilt's workers on PIM investigations; and
3. To develop a smartphone application (**PIM App**) to facilitate the implementation of PIM investigations.

In 2018, Growthbuilt experienced 9 notifiable incidents and 13 near misses. Based on these figures, Growthbuilt commits to undertaking a minimum of 30 PIM investigations (and reports) during the 2 year enforceable undertaking period.

Target issue:

Traditional investigation methodology focuses on identifying what went wrong in an organisation's systems and processes as the causal events giving rise to the incident. In adopting PIM, Growthbuilt will supplement existing investigation processes by also focusing on what went right to avoid a fatality or serious injury before one occurs, thereby ensuring processes are in place to continually improve Growthbuilt's Integrated Management System (**IMS**) to eliminate and minimise risks to health and safety (in line with SafeWork NSW's "Building and Construction Sector Plan to 2022").

Framing investigations positively has the added benefit of on-boarding key stakeholders (including workers and contractors) into the investigation process and facilitating worker consultation by having meaningful discussions and debate on the control measures adopted across the organisation – thereby achieving greater insight into the incident. Doing so means Growthbuilt has a system for continuous improvement of its IMS and ensures that incidents are investigated and action items are closed out.

Further, the PIM App will enable PIM investigations to be conducted on the ground in the immediate aftermath of an incident. Growthbuilt's project managers, site managers and officers will be trained in PIM as part of the implementation of the methodology across Growthbuilt.

Tangible outputs / deliverables:

This strategy will deliver the following outputs:

- Development of PIM App to facilitate any PIM investigations undertaken;
- Piloting, testing and troubleshooting of PIM App with a focus group;
- Documented key learning outcomes based on the training needs analysis;
- Development of a training delivery program;
- Documented training materials (including participant guide, mock scenarios and post training competency assessment);
- Delivery of training via face to face group sessions in accordance with the final training delivery program;
- Post training competency assessment;
- PIM report template which is submitted to the HSE team following each PIM investigation using the PIM App;
- Delivery of PIM App to the Australian Institute of Health and Safety (AIHS), including handover meeting between Growthbuilt and [REDACTED] (or equivalent application developer) prior to completion of the 2 year enforceable undertaking period;
- PIM App to be promoted by Growthbuilt at industry events and conferences, including PIM Case Study presentation, and available for download from the Apple and Android App Stores; and
- Evaluation Report of the PIM App to be provided 24 months from the date of the enforceable undertaking.

Audience / beneficiaries:

- Training on PIM will be provided to Growthbuilt's Health, Safety and Environment (HSE), and project and site management teams to ensure implementation of PIM within the organisation.
 - The number of Growthbuilt workers who will attend the training is estimated to be approximately 40 people (including Project Managers, Site Managers, Construction Managers, Contract Administrators, Foremen and members of the HSE team).
- The industry and community more broadly (cross-sectors) will be advantaged from the development of the PIM App, as follows:
 - The PIM App will be open-source software that is not-for-profit and free for organisations to download, use and implement into their investigation methodologies.
 - The materials and tools developed to facilitate the PIM App training will also be made publically available for organisations to download and use as part of their training on PIM.
- The AIHS to take stewardship of the PIM App following completion of the enforceable undertaking (including associated intellectual property rights). The PIM App will be made available on a not-for-profit basis.

Delivery method:

1. Engage a specialist application developer, such as [REDACTED] (or equivalent) to develop the PIM App;
2. Consult and work with [REDACTED] (or equivalent application developer) in the development, testing deployment and monitoring of the PIM App, as well as obtaining feedback on the App's user experience from users;
3. Obtain and receive training on how to do PIM to ensure workers are trained on how to undertake PIM investigations;
4. PIM to become a standing agenda item as part of Growthbuilt's HSEPLC meetings to ensure information on PIM is consistently communicated and disseminated to all of Growthbuilt's workers;
5. Adopt a 2-step implementation program for the roll out of PIM as follows:

- a. Step 1: only incidents which have resulted in notification to SafeWork NSW will be investigated using PIM; and
- b. Step 2: once Growthbuilt's workers become familiar with PIM (after a period of 1 year), the scope of the PIM investigation and PIM App training will be extended to include all incidents, forming the second phase of the roll out;
6. Results from PIM investigations to be incorporated into Growthbuilt's existing HSE Weekly Leadership Reports, HSE Monthly Reporting Dashboard, and Quarterly HSE Executive Reviews;
7. Delivery of the PIM App to the AIHS; and
8. PIM App to be available for download from the Apple and Android App Stores (free-of-charge) and the cloud based server will be hosted on Amazon Web Services.

An evaluation of the success of the PIM App strategy will be outlined in the Evaluation Report and will cover, inter alia:

- Number of participants that complete the PIM training;
- Number of PIM investigations undertaken in a 2 year period;
- Lessons learnt as a result of the PIM investigations;
- Changes and improvements to Growthbuilt's work health and safety management system, policies and procedures or methods of work as a result of PIM;
- Analysis of post-PIM implementation HSE statistics benchmarked against Growthbuilt's Quarterly HSE Executive Review reports and HSE Performance Score Cards from 2018 and 2019; and
- Feedback from senior management on the use and assistance of PIM reports.

Timeframes:

A forecast of the strategy activities and timeline is outlined in the table below.

(A= Date of Acceptance of the EU)

Activity	Commencement	Completion
Consult with [REDACTED] (or equivalent application developer)	A + 1 month	A + 1 months
Development of PIM App	A + 1 months	A + 7 months
Testing of PIM App (and troubleshooting)	A + 8 months	A + 10 months
Solution Deployment of PIM App	A + 11 months	A + 12 months
Official Launch Date	A + 13 months	A + 13 months
Delivery of PIM Training	A + 1 months	A + 6 months
Monitoring of PIM App	A + 14 months	A + 16 months
Evaluation Report to SafeWork NSW	A + 23 months	A + 24 months
Delivery of PIM App to AIHS, including handover meeting with Growthbuilt and [REDACTED] (or equivalent application developer)	A + 23 months	A + 24 months

Work health and safety outcome:

For Growthbuilt, the successful implementation of PIM will:

- Ensure Growthbuilt has a robust and responsive IMS by identifying and systematising alternative control measures following an incident to prevent future near misses or worse;
- Improve consultation and engagement between Growthbuilt, its workers and contractors;
- Improve attitudes towards incidents within Growthbuilt, its contractors and the industry by promoting a positive safety culture of open communication and dialogue;

- Take steps towards ensuring that workers are engaged and have input into the measures to ensure their own health and safety while at work; and
- Improve organisational safety capability and practice.

More generally, the PIM App and PIM training benefits the broader building and construction industry as it:

- Improves existing investigation methodologies and processes within organisations by identifying opportunities for continuous improvement in safety management;
- Improves cultural and industry attitudes towards investigations by promoting openness, transparency and cooperation through celebrating the worker's or company's success in preventing what could have been a dire situation; and
- Facilitates information sharing across all levels of an organisation.

Cost Breakdown:

Description	\$ Amount
Development and testing of the PIM App	
Pilot programme for PIM App	
Development and delivery of PIM training program	
Implementation costs of PIM	
Hosting Services Fee being annual AWS Large Instance server with SSL certificate (for the 2 year duration of the Enforceable Undertaking)	
Annual Support Services Fee (for the 2 year duration of the Enforceable Undertaking)	
Distribution costs following completion of the Enforceable Undertaking	
Total estimated cost:	\$202,200

2. Electrical Safety Upskilling of Workers – Training and Verification Program

Scope:

1. To sponsor all of Growthbuilt's on-site supervisors (as well as Growthbuilt's key repeat contractors) to obtain Statements of Attainment for UETDREL14A "Working safely near live electrical apparatus as a non-electrical worker";
2. To develop and deliver an electrical safety training program to Growthbuilt's Site Foremen, Site Managers, Project Managers, Construction Managers, Contract Administrators and HSE officers to ensure they are equipped with the knowledge and tools to identify and control electrical risks;
3. To implement a verification program in the form of periodic internal and external audits to support the electrical safety training program:
 - a. Internal Audits:
 - i. To check and verify that the training sessions are being run, and that the skills and teachings covered by those sessions are being implemented in practice, against the learning outcomes and competency requirements; and
 - ii. To assess how successfully workers are applying their learnings from the electrical safety training in practice;
 - b. External Audits:
 - i. To undertake a performance audit focusing on Growthbuilt's approach to electrical safety across its sites more generally;
 - ii. To determine whether there has been improvement in overall electrical safety by assessing and reviewing incidents of non-compliance, near misses or electrical safety incidents;

- iii. To assess the format, delivery, efficiency of the electrical safety upskilling training against Growthbuilt's HSE Strategic Plan, policies and procedures; and
- iv. To determine whether there are areas for improvement in the electrical safety training program and provide recommendations accordingly.

Target issue:

Being one of the critical risks in the construction industry, electrical safety considerations must be at the forefront of our workers' minds at all times. The incident brought home the importance of ensuring electrical safety at Growthbuilt's workplaces. As part of the rectification measures, Growthbuilt's site management team and Directors undertook a critical risk review following the incident, which identified amongst other things, electrical safety as a critical risk. Accordingly, worker safety was elevated as a priority for Growthbuilt. Growthbuilt is committed to ensuring that workers are appropriately trained in proactively identifying, controlling and managing electrical safety risks throughout the lifecycle of a project.

Tangible outputs / deliverables:

The Statement of Attainment will deliver the following outputs:

- Statements of Attainments for UETTDREL14A "Working safely near live electrical apparatus as a non-electrical worker" (or a similar overhead power line safety awareness course) for all of Growthbuilt's on-site supervisors and Growthbuilt's key repeat contractors.

The electrical safety training program will deliver the following outputs:

- Consultation with workers in relation to gaps in the existing training framework;
- Identifying areas of improvement as they relate to electrical hazards and risks in construction work that occur on Growthbuilt's projects (including for example, overhead power lines, underground power lines, inappropriate wiring, electrical faults, exposed electrical parts, overloaded circuits, improper grounding, damaged tools and equipment, the interaction of plant and electrical sources, and contractor management of electrical risks);
- Clear learning outcomes and competency assessments in line with the results derived from the consultation process;
- Development of Growthbuilt's training calendar curriculum for 2020/2021;
- Delivery of training through face to face seminars or classroom style sessions to Growthbuilt's workers;
- Development of a communication plan to workers not undertaking the training (including, for example, non-key contractors and labour hire workers). The communication plan will summarise the information from the electrical safety training program and outline the delivery of this information to workers;
- Course feedback completed by participants following the training;
- Refresher courses for any Growthbuilt workers requiring further training identified as a result of internal audits; and
- Evaluation Report to be provided to SafeWork NSW 24 months from the date of the enforceable undertaking.

The verification program will deliver the following outputs:

- Audit plan developed for internal audits by the HSE team, in accordance with Growthbuilt's IMS Auditing policy;
- Internal audits to be undertaken by the HSE team (scheduled in accordance with project milestones) across a representative sample comprising 30% of Growthbuilt's sites (as at the time of the first internal audit), verifying that training is provided by Growthbuilt and learning outcomes are being implemented by Growthbuilt's workers;
- External audits by an independent assessor (on a yearly basis for the duration of the enforceable undertaking) undertaking a performance audit of Growthbuilt's electrical

safety risk management procedures across a representative sample comprising 30% of Growthbuilt's sites (as at the time of the first external audit); and

- The internal and external audit reports will be provided to SafeWork NSW within 30 days of receipt by Growthbuilt as evidence of completion of the audit component of the strategy. These reports will outline the corrective actions to be taken and also form part of the Evaluation Reports provided to SafeWork NSW at the conclusion of the enforceable undertaking.

Audience / beneficiaries:

Statement of Attainment

- All Growthbuilt's on-site supervisors (as well as Growthbuilt's key repeat contractors) will obtain a Statement of Attainment for UETTDREL14A "Working safely near live electrical apparatus as a non-electrical worker" (or a similar overhead powerline safety awareness course) from a Registered Training Organisation. This is estimated to be 50 persons.
- Growthbuilt's workers include:
 - Site Foremen;
 - Site Managers;
 - Project Managers;
 - Construction Managers; and
 - HSE Officers.

These workers have been identified as they are likely to have supervisory roles or responsibilities across Growthbuilt's sites;

- Growthbuilt's "key repeat contractors" will include representatives from each of the following organisations:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]

Growthbuilt-Specific Electrical Safety Training

- The training program on electrical risks in construction will be delivered to the following Growthbuilt on-site workers:
 - Cadets;
 - Apprentices;
 - Site Engineers;
 - Project Engineers;
 - Leading Hands;
 - Contract Administrators;
 - HSE Officers;
 - Site Foremen;
 - Site Managers;
 - Project Managers; and
 - Construction Managers.
- The total number of participants undertaking the training program will be approximately 102 workers.
- The key messages from the electrical risks in construction work training program will also be reiterated as part of a communication plan to Growthbuilt's contractors and subcontractors at each site;
- Growthbuilt will also benefit from this investment in worker capability. The personal and professional development of its workers allows Growthbuilt, as an organisation, to operate more effectively; and
- In setting a high bar, Growthbuilt aims to be an exemplar to its peers on worker safety and to elevate the standard of worker safety and investment in the industry. Information

and resource sharing will result in the construction industry more broadly benefitting from this strategy.

Delivery method:

Statement of Attainment

1. Partner with a registered training organisation to deliver the course on UETTDREL14A "Working safely near live electrical apparatus as a non-electrical worker" (or a similar overhead powerline safety awareness course) to its employees and repeat contractors;
2. Participants to obtain a Statement of Attainment following the training from the registered training organisation; and
3. The Statement of Attainment to be included in all site training and competency registers as part of the verification of competency.

Growthbuilt-Specific Electrical Safety Training

1. Consult with Growthbuilt's workers to determine areas that workers believe require greater attention and focus, as well as seek feedback on optimal training styles;
2. Develop a training program that will best enable workers to understand, adopt and implement the learning outcomes;
3. SafeWork NSW (at its discretion) to review and endorse the training package prior to implementation;
4. The training to form part of Growthbuilt's comprehensive training calendar;
5. Roll out the electrical safety training to Cadets, Apprentices, Site Engineers, Project Engineers, Leading Hands, Site Foremen, Site Managers, Project Managers, Construction Managers, Contract Administrators and HSE officers;
6. Obtain feedback following the initial training program to ensure that any areas of improvement are actioned for future sessions; and
7. Develop a communication plan, in addition to the face to face training, to ensure Growthbuilt's contractors and subcontractors also obtain the benefit of the key takeaways from the training. This will be delivered to contractors and subcontractors through site inductions and toolbox talks.

Internal Audit Program

1. Develop an audit plan outlining the audit scope, frequency, evaluation criteria and audit evidence requirements;
2. Growthbuilt's HSE team to assess and evaluate the takeaways from workers who participated in the Growthbuilt-Specific Electrical Safety Training and ensure the training is being provided in accordance with the audit plan;
3. Internal audits to be scheduled in accordance with following key project milestones and trigger points across a representative sample comprising 30% of Growthbuilt's sites (as at the time of the first internal audit):
 - a. Key project milestones include, for example, 1 month after site establishment, midway during the project (as part of the operations phase of a project) and at the end of the project (on completion). The internal audit program will be run concurrently with Growthbuilt's performance audits on sites, which occur during the project milestones outlined above;
 - b. Trigger points include, for example, following any incidents or serious near hit/miss events, or PIM investigation;
4. Deliver an audit report with reference to the learning outcomes and competency requirements of the training program; and
5. In circumstances where the internal auditor determines that specific workers have room for improvement, workers will be requested to undergo refresher training, in line with Growthbuilt's ethos of continuous improvement.

External Audit Program

1. To be undertaken by [REDACTED] (or equivalent independent auditor) on an annual basis for the duration of the enforceable undertaking across a representative sample comprising 30% of Growthbuilt's sites (as at the time of the first external audit); and
2. [REDACTED] (or equivalent independent auditor) to deliver a performance audit report to Growthbuilt to inform Growthbuilt's risk management strategy. The report is also a means by which to benchmark Growthbuilt's progress on managing electrical safety risks.

Timeframes:

A forecast of the strategy activities and timeline is outlined in the table below.

(A= Date of Acceptance of the EU)

Activity	Commencement	Completion
Identify a registered training organisation to deliver the UETTDREL14A "Working safely near live electrical apparatus as a non-electrical worker" training course	A + 1 month	A + 3 months
Obtain Statements of Attainment for UETTDREL14A "Working safely near live electrical apparatus as a non-electrical worker"	A + 4 months	A + 6 months
Undertake stakeholder consultation in relation to training content, gaps in Growthbuilt's training framework and areas of improvement	A + 1 month	A + 3 months
Develop training presentation on electrical safety in the construction context	A + 4 months	A + 8 months
Deliver electrical safety training to workers	A + 9 months	A + 10 months
Obtain feedback from workers	A + 11 months	A + 12 months
Internal audits (in accordance with project milestones)	A + 12 months	A + 24 months
Independent external audits (on an annual basis for the duration of the enforceable undertaking)	A + 12 months	A + 24 months
Refresher course training for any workers identified as a result of internal audits	A + 12 months	A + 24 months
Evaluation Report to SafeWork NSW	A + 23 months	A + 24 months

Work health and safety outcome:

The workers who are on the front line of managing electrical risks within Growthbuilt's business (that is, Growthbuilt's workers and key repeat contractors) will benefit most from the Statements of Attainment and electrical safety training program. Work health and safety outcomes for these workers include:

- Receiving training on UETTDREL14A "Working safely near electrical apparatus as a non-electrical worker";
- Obtaining a Statement of Attainment in recognition of this training; and
- Learning and raising awareness on the risks to health and safety arising from electricity; the sources of electrical hazards in the workplace; how to manage them; inspection and testing requirement for electrical equipment; as well as first aid and emergency response requirements.

For Growthbuilt, the Statements of Attainment and electrical safety training program will ensure:

- Better worker safety in relation to electrical risks while at worksites;
- Learning outcomes from the training are being captured on an ongoing basis;

- Electrical safety risks across Growthbuilt's worksites and projects are being appropriately managed; and
- Growthbuilt is maintaining its commitment to health and safety.

Further, the audits for the electrical safety training form the assurance mechanism, allowing Growthbuilt and its workers to, collectively, achieve success. In particular:

- The verification process ensures the relevant skills learned are understood and implemented in practice at various milestones throughout its projects;
- The internal audit ensures that the electrical safety training is taking place, and workers are benefitting from the training; and
- The external audit evaluates and identifies areas of improvement to the electrical safety training.

Cost Breakdown:

Description	\$ Amount
Statement of Attainment: Training by a registered training organisation on UETTDREL14A "Working safely near live electrical apparatus as a non-electrical worker"	
Growthbuilt-Specific Electrical Safety Training: <ul style="list-style-type: none"> • Delivery by Growthbuilt of training program for workers; and • Development and delivery of internal auditing program 	
Independent external auditing program	
Lost opportunity cost for Growthbuilt workers and key repeat contractors attending Statement of Attainment training	
Lost opportunity cost for Growthbuilt workers attending Growthbuilt-Specific Electrical Safety Training	
Total estimated cost:	\$137,250
Total estimated cost of workplace benefits:	\$339,450

e. Strategies that will deliver industry benefits

3. Electrical Safety and Construction Forum

Scope:

1. To organise and facilitate a one day conference in partnership with [REDACTED] (or an equivalent) on electrical safety risks in the construction industry, called the Electrical Safety and Construction Forum;
2. To deliver panel and group discussions, with guest speakers (ranging from regulators, industry associations, industry peers, electricity distributors, electrical contractors and members of the legal profession) being invited to present on a range of topics;
3. The conference to take place in late 2020 or early 2021; and
4. To develop a statement of commitment at the conclusion of the conference for participants, committing to ensuring continuous improvement in electrical safety in the construction industry.

Target issue:

Electricity has been identified as a leading cause of traumatic injury fatality in the building and construction industry for some time. SafeWork NSW's Building and Construction Sector Plan to 2022 identifies contact with electricity as a priority harm. Further, Safe Work Australia's "Work-related Traumatic Injury Fatalities, Australia 2017" report (published in December 2018) determined an average of 30 fatalities in the construction industry each year, based on a review

of statistics from the previous 5 years.¹ In terms of mechanism of incident, contact with electricity accounted for nearly 10% of fatalities.

Tangible outputs / deliverables:

This strategy will deliver the following outputs:

- Delivery of a 1 day conference in late 2020 or early 2021 with over 300 members of the construction industry, consisting of panel and group discussions, guest speakers, and opportunities for questions and answers;
- Record conference panels and upload the sessions online to facilitate further dissemination of conference content for those unable to attend;
- Partnering with [REDACTED] (or an equivalent) in order to develop and promote the conference to ensure reach to the target audience, including construction companies, and electrical/utilities providers;
- SafeWork NSW is invited to participate (at its discretion) in the conference steering committee as a non-binding member (for example, as an observer to provide assistance and guidance to the steering committee/Forum);
- Develop a communication plan and strategy to assist with marketing of the conference and also to ensure longevity of the conference's key messages and action items;
- Take home material to be distributed amongst the network and target audience to promote the conference's key messages and action items;
- A statement of commitment to making the construction industry safer at the end of the conference, which participants can become signatories to; and
- Evaluation Report of the conference to be provided 24 months from the date of the enforceable undertaking.

Audience / beneficiaries:

- Tier 2 and tier 3 construction companies have been identified as the target audience for the Electrical Safety and Construction Forum. They are likely to have the most opportunity for improvement (in terms of health and safety) while also having the resources and commitment to invest in, and follow through with, those improvements.
- The primary beneficiaries of the conference include executives, HSE officers and supervisors (such as project managers and site managers) in the building and construction industry.
- Utility organisations (including electricity service providers and network operators), government bodies and regulatory authorities will also be invited to attend and speak at the forum.
- Secondary beneficiaries of the conference include the wider building and construction industry (including people associated with those industries, such as families), the safety profession and SafeWork NSW.

Delivery method:

1. Partner with [REDACTED] (or an equivalent) to deliver and host the conference;
2. Form conference steering committee (e.g. SafeWork NSW (at its discretion), [REDACTED], Growthbuilt and other key stakeholders);
3. Develop communication plan which:
 - a. defines the objectives of the conference;
 - b. clarifies the target audience; and
 - c. identifies appropriate marketing and advertising strategies (such as tapping into existing networks and promoting the conference through mailing lists with scheduled correspondence pre- and post-conference, collateral, newsletters, LinkedIn, thought leadership and website content);
4. Plan and prepare conference panels and group discussions, including:
 - a. panel topics; and

¹ There were 153 worker fatalities in the construction industry in Australia from 2013 to 2017.

- b. shortlisting and finalising guest speakers and panellists;
5. Collateral in the form of conference booklets will be developed for dissemination to ensure the longevity of the conference's safety message;
6. Establish a LinkedIn community and forum to share opinion pieces and thought leadership articles pre- and post-conference;
7. SafeWork NSW (at its discretion) to review and endorse forum objectives and collateral/material;
8. Organise a roundtable inviting the executives of organisations that participated in the conference to come together and develop a statement of commitment to promote and ensure electrical safety in the construction industry;
9. Share the statement of commitment with all organisations who attended the conference, with the opportunity for those participants to become signatories; and
10. Compile and disseminate a feedback form for the purposes of evaluating the conference, identifying any areas of success and seeking recommendations for improvement.

Timeframes:

A forecast of the strategy activities and timeline is outlined in the table below.

(A= Date of Acceptance of the EU)

Activity	Commencement	Completion
Diarise and schedule periodic conference steering meetings	A + 1 month	A + 24 months
Reach out to potential industrial associations and bodies to collaborate as partners	A + 1 month	A + 4 months
Growthbuilt and [REDACTED] (or an equivalent) to plan: <ul style="list-style-type: none"> conference theme; panel sessions and key takeaways; communication plan/strategy; and date and location. 	A + 5 months	A + 8 months
Reach out to potential guest speakers and panellists	A + 9 months	A + 12 months
Finalise panel session topics, guest speakers and panellists	A + 13 months	A + 19 months
Conference and executive roundtable commitment	A + 20 months	A + 21 months
Evaluation Report to SafeWork NSW	A + 23 months	A + 24 months

Work health and safety outcome:

The key outcome as a result of the conference is to increase awareness amongst, and influence the behaviour of, the building and construction industry in relation to the risks associated with electricity. The aim is to reduce the number of workplace injuries and fatalities arising from electrical risks.

Cost Breakdown:

Description	\$ Amount
Audio-Visual Costs	[REDACTED]
Venue Hire and catering (included in any minimum spend)	[REDACTED]
Preparation of conference materials and content	[REDACTED]
Lost opportunity cost arising from Growthbuilt HSE team	[REDACTED]

4. PIM Case Study Presentation

Scope:

1. To present a case study on PIM at the Master Builders Association Construction Conference in 2021 (or equivalent industry association conference);
2. The presentation will cover:
 - a. an introduction to PIM (including theory);
 - b. potential benefits and strategy in support of PIM;
 - c. an introduction and step-through of the PIM App; and
 - d. case studies on Growthbuilt's experience adopting and implementing the PIM methodology, including, in particular:
 - i. the lessons learnt from implementing PIM at Growthbuilt;
 - ii. the uptake of PIM by Growthbuilt's workers;
 - iii. the benefits to Growthbuilt's systems; and
 - iv. barriers to implementation of PIM (if any).

Target issue:

PIM and the PIM App promote a new school of thought around incident investigation, allowing organisations to reformulate existing traditional investigation methodologies to focus on reinforcing positive behaviour within the workplace. The presentation aims to highlight the positive improvements that can be made to work health and safety management systems by learning from, systematising, and reinforcing, positive actions by workers.

Tangible outputs / deliverables:

This strategy will deliver the following outputs:

- Presentation at the Master Builders Association Construction Conference (or equivalent industry association conference); and
- Conference presentation material and photographs of presentation

Audience / beneficiaries:

- The primary beneficiaries of the PIM case study presentation are participants of the conference.
- Secondary beneficiaries include workers and related organisations associated with participants of the conference who adopt and implement PIM within their workplaces as a result of the PIM case study presentation.
- These lessons learnt are being shared within the industry to elevate health and safety standards as a whole.
- There is also a benefit to public safety more broadly, particularly for neighbours and other persons who may otherwise be affected.

Delivery method:

1. The presentation will be given at the conference by the Head of HSE and a Director of Growthbuilt through a lessons learnt format;
2. Growthbuilt will seek to deliver the presentation with other organisations who have implemented PIM across their organisation (if available) as well as the developer of the PIM App to provide insight into the development, pilot and testing process for the app; and
3. Audience feedback will be obtained following the presentation and case study evaluating each section of the presentation (that is, theory, benefits and strategy to the organisation, implementation in practice and lessons learnt).
 - a. In particular, the feedback will be aimed at improving future delivery of presentations on PIM, as well as identifying any key areas of concern to the audience for the purposes of improving the PIM strategy more broadly.

Timeframes:

A forecast of the strategy activities and timeline is outlined in the table below.

(A= Date of Acceptance of the EU)

Activity	Commencement	Completion
Reach out to co-presenters (including, for example, other organisations which have adopted PIM, if available, and the developers of the PIM App)	A + 1 month	A + 4 months
Implement PIM within the organisation and document case studies and reporting for PIM to be incorporated into the PIM Case Study Presentation	A + 1 month	A + 24 months
Participate in conference steering meetings	A + 12 months	A + 24 months
Develop PIM Case Study Presentation	A + 18 months	A + 19 months
Finalise PIM Case Study Presentation	A + 20 months	A + 21 months
Delivery of PIM Case Study Presentation	2021	2021

Work health and safety outcome:

Further building on the work health and safety outcomes outlined as part of the PIM App strategy above, dissemination of PIM and the PIM App through the conference provides the opportunity to:

- change worker attitudes towards investigations by promoting openness, transparency and cooperation by celebrating a worker's or a company's success in preventing what could have been a dire situation;
- facilitate information sharing across all levels of an organisation;
- ensure greater reach in communicating the lessons learnt and benefits of PIM by utilising the Master Builder Association's platform and networks; and
- highlight novel ways of innovating within the construction industry to streamline and reduce the reliance on paper-based processes and procedures.

Cost breakdown:

Description	\$ Amount
Preparation of presentation and case study	
Presentation of case study	

Total estimated cost: \$6,000

Total estimated cost of industry benefits: \$111,100

f. Strategies that will deliver community benefits

5. Certificate IV in WHS Course – Aboriginal and Torres Strait Islanders

Scope:

1. To provide sponsorship to approximately 8 – 12 members of the Aboriginal and Torres Strait Islander community in the construction industry to attend and obtain qualifications for a tailored Certificate IV in WHS Course in early 2021.

Target issue:

The 2016 Australian census revealed that there was a disparity of 20% between non-indigenous Australians and Aboriginal and Torres Strait Islanders in terms of the likelihood of gaining employment. Sponsorship of the Certificate IV in WHS aims to address this inequality by ensuring accessibility to work health and safety training for Aboriginal and Torres Strait Islander construction workers. The intention is to facilitate and provide opportunities to access education

and training in order to overcome existing barriers to Australia's job market, and provide a pathway to employment, in an effort to close the gap.

The strategy focuses on developing the skills of Aboriginal and Torres Strait Islanders in the workforce in a highly personalised way through training and accreditation to enable skilled workers to look out for each other and thereby ensure good safety practices. The intent therefore is to ensure workers have appropriate skills and positive attitudes to work safely to ensure they are sufficiently supported and protected.

The tailored Certificate IV in WHS Course addresses this with the following points of differentiation from conventional WHS courses:

- Free and tailored Certificate IV in WHS Course targeted to Aboriginal and Torres Strait Islander construction workers;
- Development of tailored course program and training material;
- Extended training period from 8 days to 12 days, over a 4 month period;
- Reduced student-teacher ratios to ensure participants are appropriately supported; and
- Retention of an Aboriginal and Torres Strait Islander Course Co-ordinator to be an additional point of contact and liaison officer between trainers and participants.

Tangible outputs / deliverables:

This strategy will deliver the following outputs:

- Development of a tailored Aboriginal and Torres Strait Islander construction worker Certificate IV in WHS Course, including tailored course materials;
- Delivery of a Certificate IV in WHS Course, run over 12 days;
- Aboriginal and Torres Strait Islander construction workers obtaining a Certificate IV in WHS;
- Certificate IV in WHS Course competency assessments;
- Certificate IV in WHS Course participant feedback;
- Mentorship by Growthbuilt employees and workers; and
- Evaluation Report to SafeWork NSW.

Audience / beneficiaries:

The beneficiaries from sponsoring a Certificate IV in WHS course are Aboriginal and Torres Strait Islanders construction workers, as well as the building and construction industry and the safety profession more broadly.

Delivery method:

1. Growthbuilt to consult with [REDACTED] (or an equivalent registered training organisation) on the development and delivery of a Certificate IV in WHS Course for Aboriginal and Torres Strait Islanders;
2. Contact tertiary education providers including, for example, TAFE NSW, to determine how to target and promote the Certificate IV in WHS for Aboriginal and Torres Strait Islanders;
3. Identify and source participants who would be interested in attending and meet the course pre-requisites (namely, 2 years construction industry experience, IT literacy and general literacy and numeracy skills);
4. Seek applications and expressions of interest to participate in the Certificate IV course;
5. Shortlist applications and select 8 – 12 participants to undertake the Certificate IV course;
6. Identify and invite guest speakers to come and speak to participants, including, for example:
 - Safety Officers;
 - Work Health and Safety Lawyers; and
 - Growthbuilt's HSE personnel.

Growthbuilt also invites SafeWork NSW inspectors to participate in the Certificate IV in WHS Course as guest speakers or mentors to course participants.

7. [REDACTED] (or an equivalent registered training organisation) to develop a Certificate IV in WHS Course tailored to Aboriginal and Torres Strait Islander participants;

8. [REDACTED] (or an equivalent registered training organisation) to ensure that the delivery and format of the course (including course duration and content) is suitable to participants so that key learning outcomes can be achieved;
9. An Aboriginal and Torres Strait Islander Course Co-ordinator to form part of the Certificate IV in WHS Course to provide additional guidance to participants for the duration of the course and as a point of contact;
10. Prior to the course beginning, a Welcome to Country to be performed by the Local Traditional Owners;
11. [REDACTED] (or an equivalent registered training organisation) to provide the 12 day Certificate IV in WHS Course training over a 4 month period in early 2021;
12. Concurrently, Growthbuilt to provide participants with mentors (whether it be from Growthbuilt or partner organisations) for the duration of the Certificate IV in WHS Course;
13. Develop a post-course competency assessment;
14. Obtain course feedback from participants;
15. Evaluation Report of the Certificate IV in WHS Course to be provided to SafeWork NSW 24 months from the date of the enforceable undertaking; and
16. Following completion of the course, Growthbuilt will employ 2 course participants as Site Foremen or HSE officers/co-ordinators (or equivalent).

The Certificate IV WHS Course will comprise of 4 modules, of which each has units of competency that participants must satisfy in order to obtain their Certificate IV, as follows:

1. WHS Fundamentals:
 - a. Unit of Competency: Assist with compliance with WHS and other relevant laws;
 - b. Unit of Competency: Contribute to WHS Hazard Identification, Risk Assessment and Risk Control;
 - c. Unit of Competency: Contribute to implementing and maintaining WHS consultation and participation processes; and
 - d. Unit of Competency: Implement and monitor WHS policies, procedures and programs to meet legislative requirements;
2. WHS Management Systems:
 - a. Unit of Competency: Contribute to implementing and maintaining WHS Management Systems; and
 - b. Unit of Competency: Assist with effective WHS Management of Contractors;
3. Managing Incidents:
 - a. Unit of Competency: Ensure workplace emergency prevention procedures, systems and processes are implemented; and
 - b. Unit of Competency: Assist with responding to incidents;
4. Effective Communication:
 - a. Unit of Competency: Write complex documents; and
 - b. Unit of Competency: Make a presentation.

Course participants will be assessed based on the following assessment tasks (mapped against each unit of competency):

1. Group discussions;
2. Scenarios/case studies;
3. Written assessments/quizzes;
4. Trainer questions;
5. Observations, checklists, self-assessments;
6. Reports; and
7. Role play and oral presentations.

An evaluation of the Certificate IV in WHS Course for Aboriginal and Torres Strait Islanders will be achieved through an Evaluation Report outlining:

- Statistics on the number of participants;
- Summary of post-course competency assessments (de-identified); and
- Course feedback summary from participants (de-identified).

Timeframes:

A forecast of the strategy activities and timeline is outlined in the table below.

(A= Date of Acceptance of the EU)

Activity	Commencement	Completion
Consult with [REDACTED] (or an equivalent registered training organisation) to determine how to target and promote the Certificate IV in WHS in Aboriginal and Torres Strait Islander communities	A + 1 month	A + 5 months
Seek applications or expressions of interest to participate in the Certificate IV course	A + 6 months	A + 8 months
Shortlist applications and select 8 – 12 participants to undertake the Certificate IV course	A + 9 months	A + 10 months
Develop a post-course competency assessment	A + 11 months	A + 12 months
Provide training through [REDACTED] (or an equivalent registered training organisation)	A + 12 months	A + 13 months
Obtain course feedback from participants	A + 12 months	A + 13 months
Evaluation Report to SafeWork NSW	A + 23 months	A + 24 months

Work health and safety outcome:

To remove barriers to obtaining WHS qualifications, education and training in the Aboriginal and Torres Strait Islander community and promote safe work practices more broadly.

Cost Breakdown:

Description	\$ Amount
Sponsorship for 8 – 12 Aboriginal and Torres Strait Islanders to obtain a Certificate IV in WHS, including: <ul style="list-style-type: none"> Developing tailored training material; Delivering training to participants; and Hiring an Aboriginal and Torres Strait Islander Course Co-ordinator. 	[REDACTED]
Employment of two participants upon completion of course	[REDACTED]*

*This amount is based on two workers employed on a full-time basis.

Total estimated cost:	\$280,000
Total estimated cost of community benefits:	\$280,000
TOTAL ESTIMATED VALUE OF THE UNDERTAKING	\$730,550

g. A commitment to provide a copy of each finalised audit report to SafeWork NSW

Growthbuilt acknowledges that audit reports received from the auditor in respect of Strategy 2: Electrical Safety Upskilling of Workers – Training and Verification Program will be sent to SafeWork NSW, within 30 days of the audit along with a letter certifying that the report has not been altered from the copy provided to the person by the auditor.


Growthbuilt acknowledges that within 30 days of receipt of the auditor's written report, SafeWork NSW will be advised of the intended action in addressing each of the report's recommendations.

h. A commitment to implement the recommendations from these audits (unless otherwise negotiated with SafeWork NSW)

Growthbuilt commits to fully implementing the intended actions arising from the audit within 6 months from receiving the audit report from the auditor in respect of Strategy 2: Electrical Safety Upskilling of Workers – Training and Verification Program unless otherwise agreed by SafeWork NSW.

Section 3 – Offer of undertaking

As a duly authorised person of Growthbuilt, I offer this undertaking and commit to the terms herein.

Signed:


Name: 

Position: Joint Director

Dated at Sydney this 26th day of February, 2020

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, Operations, SafeWork NSW

Dated at Sydney this 6th day of March 2020
[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 12 September 2016, the chains of a crane being used at a construction site in Lane Cove North arced with overhead powerlines and caused damage to property. No workers or other persons were injured as a result of the incident.

SafeWork NSW investigated the incident and subsequently alleged that Growthbuilt contravened sections 19(1) and 32 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 Growthbuilt, ACN 115 132 020 as finalisation of the abovementioned alleged contravention.

The undertaking requires the following actions:

- Developing a Positive Investigation Methodology smart phone application and providing training to workers of Positive Investigation Methodology;
- Developing and providing an Electrical Safety Upskilling of Workers – Training and Verification Program;
- Convening an Electrical Safety and Construction Forum;
- Presenting a lessons learnt case study on the implementation of the Positive Investigation Methodology; and
- Developing and delivering a Certificate IV in WHS Course for Aboriginal and Torres Strait Islander construction workers.

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

