



Government
of South Australia

SafeWork SA

Application for proposed **ENFORCEABLE UNDERTAKING**

The commitments in this undertaking are offered to the regulator by

GL HAUSLER PTY LTD

ABN 96 153 946 804

The information provided in this document is for the purpose of an undertaking given to the regulator under Part 11 of the *Work Health and Safety Act 2012* (SA). This information will be managed within the requirements of the current State Government privacy regime.

The terms of an accepted enforceable undertaking are a matter of public record.

When an enforceable undertaking is accepted, notice of the decision to accept it and reasons for that decision will be published by the regulator on the SafeWork SA website within 14 days of the date of the decision.

Enforceable undertakings will not be removed from the public register and will remain on the register after a company or individual has discharged all obligations of the undertaking.

COMMENCEMENT OF UNDERTAKING

This enforceable undertaking is given on the day and date that it is accepted and signed by the regulator. The undertaking and its enforceable terms will commence to operate as a legally binding commitment on the part of the person from the date it is given.

SECTION 1: GENERAL INFORMATION

1.1 Details of the person proposing the undertaking

Nominated person:	Scott McDonald
Street address:	347 Lovers Lane, Morgan SA, 5320.
Postal address:	PO Box 19, Morgan SA, 5320.
Telephone:	0427 788 100
Email address:	Scott.mcdonald17@bigpond.com
Legal structure:	Limited liability company
Type of business:	Civil construction
Commencement date:	October 2011
Workers: Full time:	4
Part time:	
Casual:	
Products and services:	Earth Moving/Excavation
Comments:	GL Hausler Pty Ltd (the Company) is a South Australian Owned and operated earth moving and excavation business operating out of Morgan, South Australia.

1.2 Details of the alleged contravention

The Work Health and Safety Regulator of South Australia has alleged that on 8 August 2022 GL Hausler Pty Ltd committed an offence pursuant to section 32 of the *Work Health and Safety Act 2012 (SA) (Act)* to ensure, so far as was reasonably practicable, the health and safety of workers while they were at work at the workplace in that:

Particulars of offence

1. The defendant had a health and safety duty:

- 1.1. At all material times, the defendant was a body corporate conducting a business of earth moving and excavation at 347 Lovers Lane, Morgan, in the State of South Australia (the workplace).

- 1.2. At all material times, the defendant engaged workers including the injured worker (the worker).
 - 1.3. *The defendant had a health and safety duty prescribed by section 19(1)(a) of the Act to ensure, so far as was reasonably practicable, the health and safety of workers it engaged while they were at work at the workplace.*
2. The defendant failed to comply with the s 19(1)(a) duty:
- 2.1. While at work at the workplace, a worker engaged by the defendant was exposed to a risk to his safety because:
 - 2.1.1. The worker was working in isolation at the workplace.
 - 2.1.2. The worker was required to repair an excavator bucket (**the task**).
 - 2.1.3. The task involved welding repair work and removing the slag from the weld with the use of a pneumatic chisel.
 - 2.1.4. There was a persistent and/or common practice of workers moving excavator buckets with the use of forklift tines to assist in making the task easier to perform.
 - 2.1.5. It was possible that to perform the task the excavator bucket would need to be lifted off the ground.
 - 2.1.6. It was possible that the worker would use a forklift (**the plant**) to lift the excavator bucket off the ground.
 - 2.1.7. It was consequently possible that the use of a pneumatic chisel on the bucket would result in a rotating force causing the bucket to suddenly move and fall off the plant.
 - 2.1.8. It was possible for the bucket to strike the worker to his back and legs.
 - 2.1.9. It was consequently possible for the worker to suffer significant and serious leg and back injuries.
 - 2.1.10. The defendant knew (or ought reasonably have known) of the unsafe practice identified at [2.1.4].
3. The defendant failed to provide and maintain, so far as was reasonably practicable, a safe system of work for the task, because it failed to perform an adequate hazard identification and risk assessment process specific to the task and to then ensure that measures were in place to eliminate and/or minimise the identified risk because it:
- 3.1. Failed to identify the hazard and assess the risks presented by working in isolation and/or remotely and to eliminate and/or minimise the risks by

maintaining an appropriate safe work procedure in relation to working in isolation and/or remotely.

- 3.2. Failed to identify the hazard and assess the risks presented by the worker undertaking the task, including that the task might involve suspending the bucket in some manner which may move whilst being worked on and to eliminate and/or minimise the risks by the taking of adequate steps to ensure that workers did not engage in unsafe practices (for instance, by prohibiting workers from using the plant to suspend an excavator bucket in order to perform tasks on the bucket).
4. The defendant failed to provide, so far as was reasonably practicable, information, training, instruction or supervision that was necessary to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of the business because:
 - 4.1. The worker was not trained adequately or at all in relation to the safe use of plant.
 - 4.2. The worker did not have the appropriate licence to operate the plant.
 - 4.3. The worker was not provided with an appropriate safe work procedure in relation to the safe completion of the task.
 - 4.4. The worker was not supervised sufficiently or at all in relation to the safe completion of the task.
5. The defendant's failure exposed an individual to a risk of death or serious injury:
 - 5.1. The worker was exposed to a risk of serious injury when he sustained a serious and significant back and leg injury as a result of being struck by the bucket.

1.3 Detail the events surrounding the alleged contravention

On 8 August 2022 an excavator bucket that had been raised from the ground using a forklift fell and struck a worker on the back and legs at GL Hausler's premises at 347 Lovers Lane, Morgan, SA 5320.

1.4 Details of any enforcement notices issued that relate to the alleged contravention

Tick if there were no notices issued by SWSA in relation to the contravention

Date issued	Notice type	Notice number	Contravention or prohibited activity	Action taken in response to notice
8.9.2022	Improvement Notice	WHSIN 222877	No evidence of forklift operators holding the	Covered the cost of an employee to complete

			required high risk work licence.	forklift licence course. [associated cost to the Company was \$1,250].
8.9.2022	Improvement Notice	WHSIN 222879	No evidence of pre-start inspections being carried out on forklifts prior to each day of use.	Implemented temporary pre-start inspections whilst waiting for pre-start books to arrive. [\$66.60].
8.9.2022	Improvement Notice	WHSIN 222893	No evidence of lifting equipment being inspected by a competent person on a regular basis.	LiftQuip Australia engaged to carry out inspection and testing. Faulty equipment taken out of service and replaced with new equipment [\$3,325.35].
8.9.2022	Improvement Notice	WHSIN 222918	First aid kit not inspected following 2/4/2014 and incomplete.	New first aid kit purchased from Dave's Work N' Safety [\$216.95].
8.9.2022	Improvement Notice	WHSIN 222919	No evidence of any workers being trained to administer first aid.	Alert First Aid and Training engaged to provide first aid training to three employees [\$1,500].
8.9.2022	Improvement Notice	WHSIN 222920	No evidence of a system for checking the health, safety and welfare of workers who undertake isolated or remote work.	Prepared and implemented a SWMS.
8.9.2022	Improvement Notice	WHSIN 222923	No evidence of contractors receiving information, instruction and training on workplace risks and reporting requirements before commencing work.	Prepared and implemented an induction checklist specifically for contractors.
1.9.2022	Prohibition Notice	WHSPN 310903	PCBU to ensure that the Hyundai Forklift marked 25DF-7 is not	Hyundai Forklift not used until a service and safety inspection was

			<p>operated until the PCBU:</p> <ul style="list-style-type: none"> engages a competent person to inspect and conduct repairs as required provides evidence of same to SafeWork SA 	<p>carried out by Warner Fork Trucks [\$1,191.20].</p>
1.9.2022	Prohibition Notice	WHSPN 310904	<p>PCBU to ensure that the excavator bucket is not operated until the PCBU:</p> <ul style="list-style-type: none"> engages a competent person to inspect and conduct repairs as required provides evidence of same to SafeWork SA 	<p>Excavator Bucket taken out of service and scrapped. New bucket ordered from Komatsu Australia [\$13,497].</p>
1.9.2022	Prohibition Notice	WHSPN 310905	<p>PCBU to ensure the suspending excavator bucket on forklift tines is stopped and the risk of an object falling on a person is minimised by providing adequate protection against the risk.</p>	<p>Lifting jib for the forklift purchased from Warner Fork Trucks. New lifting chains from Lift Quip Pty Ltd utilised [\$1,650].</p>

1.5 Detail the injury sustained or illness suffered by worker/s or other/s as a consequence of the alleged contravention detailed above

The worker suffered the following injuries:

- L1 Compression fracture
- T11-L3 crush injury with Dural Tear
- Spinal retroperitoneal hematoma
- Bilateral lower leg crush injury
- Left foot crush injury

- Left 12th rib fracture

1.6 Detail the employment status and the workers' compensation or other insurance status regarding the person who sustained injury or suffered illness as detailed in 1.5

The injured person is:

- an employee of the entity
- a self-employed person
- other - Please provide details
- not applicable

Status: The worker's compensation claim was accepted by Return to Work SA. The worker is not fit to return to work.

1.7 Detail the support provided or proposed by the person to the injured person and/or family or other/s

Date	Description of support	Comments
Immediately post-incident and ongoing	Attendance and assistance	Employees of the Company attended on the worker in hospital and maintained contact during their recovery period to check on their welfare, and to provide emotional and social support. Phone calls and face to face conversations with the injured person's partner and son were conducted.
April 2022	Assistance	The Company contributed \$500 towards concrete for an access ramp at the worker's home.

1.8 Detail any current work, health and safety systems at the workplace

The Company has a WHS system that includes:

1. Documented induction programs
 - An induction checklist specifically for contractors that outlines key points of knowledge for contractors working on site for the Company. Areas addressed in

the checklist include, but are not limited to, site rules, emergency evacuation procedures, first aid/medical emergency procedures and incident reporting processes.

- An induction checklist for workers that outlines key points of knowledge for new starters. Areas addressed in the checklist include, but are not limited to, the industry, nature and structure of the Company, roles of key people, tasks and responsibilities, and demonstrations on how to complete jobs safely.

2. A suite of WHS-related policies

- A Health and Safety Policy that sets out the inherent risks associated with the Company's operations. The policy contains a commitment to complying with WHS legislation and sets measurable objectives and targets regarding reducing the risk of work-related injuries.
- An Incident Reporting Policy that requires incidents to be reported immediately in accordance with an incident report form with submission required to the manager prior to the end of shift. The policy sets out a clear flow chart outlining what level of reporting is required in what circumstances.
- An Environmental Policy that addresses environmental sustainability and its application in civil construction. The policy includes a commitment to the protection of the environment, the establishment of measurable objectives and a commitment to monitor and measure the Environmental Management System.

3. The preparation of Safe Work Method Statements prior to the commencement of high-risk work.

4. On-the-job training and ongoing supervision and assessment of competency.

1.9 Detail the level of auditing currently undertaken on the work, health and safety systems referred to in term 1.8, including compliance audits and audit frequency

The Company does not engage auditors on the work health and safety systems outlined in section 1.8. The officers of the Company conduct and review WHS responsibilities.

Internally, periodic general safety and operation inspections on major plant and equipment (i.e. trucks) are carried out by the Company and external providers, as required and as per manufacturer specifications.

The Company is committed to increasing the level of auditing as detailed in this undertaking at clause 3.8.

1.10 Detail the consultation undertaken or proposed to be undertaken, in relation to this undertaking

The Company commits to communicate and consult with all employees regarding the proposals within this undertaking. The proposed undertaking has been a matter for discussion at the workplace and the Company also proposes to engage in ongoing consultation with workers about the progress of the undertaking.

1.11 Detail the rectifications to the workplace or work practices made as a result of the alleged contravention and the enforcement notices issued

In addition to the rectification activities outlined at section 1.4, the Company:

- Engaged Pressure Vessel Inspections to carry out an internal and external inspection of the S.R. Industrial Co Ltd. 125L compressor, serial number 7390 in response to WHSIN 222898 (\$770)
- Purchased and installed chains and securing mechanisms to guard the mechanic's pit in response to WHSIN 222906 (\$700)
- Purchased and implemented industry specific safe operating procedure documentation from Safety Docs to address the risks associated with the use of the mechanic's pit, and painted yellow lines around the edge of the pit to delineate the edge in response to WHSIN 222907 (\$800)
- Engaged Riverland Fire and Safety to audit fire extinguishers and replaced out of service fire extinguishers with new ones, as required, in response to WHSIN 222909 (\$2,556.62)
- Purchased a new first aid kit from Dave's Work N' Safety in response to WHSIN 222918 (\$216.95)
- Engaged Alert First Aid to provide first aid training to three employees of the Company in response to WHSIN 222919 (\$1,500)
- Undertook a clean-up of the chemical decanting area and designated a bench for decanting oils in response to WHSIN 222921. Prepared labels for containers and purchased a Chemical SWMS from Safety Docs (\$600)
- Purchased a Lock Out Tag Out plan from Safety Docs and provided training to all Company employees in response to WHSIN 222922 (\$450)
- Prepared and implemented induction checklists for new workers and contractors in response to WHSIN 222923 and 222936

Total amount spent on rectifications \$ 28,573.72

SECTION 2: GENERAL TERMS

The person acknowledges and commits to the general terms set forth in the sub-terms below.

2.1 Acknowledgement that the regulator alleges a contravention occurred as detailed in term 1.2

It is acknowledged that the Regulator has alleged that on 8 August 2022 the Company committed an offence pursuant to section 32 of the Act in that it had a duty prescribed by section 19 of the Act to ensure, so far as is reasonably practicable, the health and safety of workers while they were at work at the workplace.

2.2 Statement of regret that the alleged contravention occurred and the reasons the person considers this undertaking is a more appropriate response to the alleged contravention than a court imposed sanction

The Company sincerely regrets the alleged contravention and has taken, and will continue to take, such steps as are necessary to ensure that a similar incident does not occur again.

The Company considers this undertaking as an opportunity to direct its energy and resources into WHS system improvements, benefitting its workers, its industry, and the community more broadly. For this reason, the health and safety outcomes to be derived from this undertaking present a more appropriate response to the alleged contravention than a court-imposed sanction.

2.3 Statement of commitment that the behaviour, activities and other factors which caused or led to the alleged contravention has ceased and will not reoccur

The Company commits that the behaviour, activities, and other factors that cause or led to the alleged contravention have ceased and will not recommence. The Company is committed to ongoing compliance with its obligations under WHS legislation. Since the incident, the Company has implemented actions (outlined in this undertaking) and continues to strengthen its processes to ensure health and safety requirements are implemented effectively.

2.4 Acknowledgment of the guidelines published by the regulator for the acceptance of an undertaking

I have read and understood the **Guidelines for the acceptance of an enforceable undertaking**

Version: 2

Dated: July 2023

2.5 Acknowledgement that this undertaking may be published and publicised

2.5.1 The Company acknowledges that the undertaking may be published on the SafeWork SA website and referenced in SafeWork SA material.

2.5.2 The Company acknowledges that the undertaking may be publicised.

2.6 Statement of the person's ability to comply with the terms of this undertaking and meet the projected costs of the activities

2.6.1 The Company has the financial ability to comply with the terms of this undertaking.

2.6.2 In the event of impending liquidation or sale of the entity, the Company will advise SafeWork SA of the relevant circumstances and its capacity to comply with the outstanding terms of this undertaking.

2.7 Statement regarding person's relationship with any corporations, officers, employees, contractors, proposed beneficiaries of donations or scholarship or other recipient of financial benefit contained in this undertaking

The Company confirms that there are no relationships with any corporations, officers, employees, contractors, proposed beneficiaries of any donations or scholarship or other recipients of financial benefits contained in this undertaking, other than those expressly identified.

2.8 Statement regarding Intellectual Property Licence

The Company grants SafeWork SA a permanent, irrevocable, royalty-free, world-wide, non-exclusive licence to use, reproduce, publish, distribute, electronically transmit, electronically distribute, adapt and modify any materials developed as a result of this undertaking.

2.9 Acknowledgement that the person may be required to provide a statutory declaration

Has SafeWork SA requested a statutory declaration outlining details of any prior work health and safety convictions¹, subject to any local legal constraints such as spent conviction legislation, or findings of guilt under work health and safety legislation or work health and safety related legislation?

¹ Subject to any local legal constraints such as spent conviction legislation

YES NO

The statutory declaration is attached (if applicable)

YES NO

2.10 Statement of commitment from the person to participate constructively in all compliance monitoring activities for this undertaking

- 2.10.1 It is acknowledged that the regulator will conduct compliance monitoring to ensure compliance with the terms of this undertaking.
- 2.10.2 Cooperation will be given to allow the regulator's officers to assess compliance including giving access to relevant material (evidence of compliance).
- 2.10.3 It is acknowledged that the regulator may initiate additional compliance inspections as considered necessary at the regulator's expense.
- 2.10.4 An update, together with supporting evidence, in relation to compliance with each of the enforceable terms of this undertaking will be provided to the regulator at six monthly intervals during the course of the undertaking.

2.11 A commitment by the person to perform activities that will ensure the ongoing effective management of risks to health and safety in the future conduct of its business or undertaking

The Company is committed to discharging its obligations under the Act and this commitment is reinforced by the:

- rectifications referred to in clause 1.11 above; and
- undertakings made within this document.

2.12 A commitment regarding linking the promotion of benefits by the person to this undertaking

The Company is committed to promoting the benefits contained within this undertaking and to the undertaking itself.

SECTION 3: ENFORCEABLE TERMS

The person acknowledges all activities set forth in the enforceable terms below must be auditable and include a date for completion and a minimum cost for each activity.

The person commits to performing the activities below diligently, competently and by the respective completion date.

3.1 A commitment to disseminate information about this undertaking to workers, and other relevant parties, and in the annual report (if applicable)

(This may include dissemination to work health and safety representatives and in the annual report, if applicable)

Dissemination will be achieved by doing the following:

- The Company will print and provide a copy of the executed undertaking to all full time and casual workers.
- A copy of the undertaking will be placed on the Company's notice board at its premises in Morgan.

Dissemination will occur by: Within 14 days after the beginning of this undertaking

3.2 Activities to be undertaken to promote the objects of the *Work Health and Safety Act 2012 (SA)* that will deliver benefits for workers/others

Activities	Minimum cost	Timeframe
<p>3.2.1 Membership to Civil Contractors Federation (CCF SA), which provides up to date safety and certification information and advice on best practice in the industry.</p> <p>The Company will meet with CCF SA annually to discuss training standards and relevant industry learnings. The Company will disseminate key learnings to its workers via a minimum of two workshop meetings during the period of the agreement.</p> <p>An invoice for the CCF SA membership fee will be produced to the regulator in addition to attendance records of the workshop meetings (including attendee names, positions and signatures) where</p>	<p>\$2,310 per annum (\$4,620 in total over duration of undertaking)</p>	<p>6 months from acceptance</p>

	learnings obtained from CCF SA are disseminated.		
3.2.2	<p>The Company will provide its current manager with additional WHS training to be conducted with the intention of him becoming the Company's Health and Safety Representative. The course (Health and Safety Representative Training Level 1 by TAFE SA) will cover understanding the objects and principles of the WHS Act. This includes:</p> <ul style="list-style-type: none"> • How to identify various elements of the legislative framework. • Understanding the role and functions of the regulator. • How to understand the safe work approach to work health and safety issues. • How to understand the context of WHS legislation and practice. <p>The Company will provide the regulator with evidence of course completion.</p>	\$961	12 months from acceptance
3.2.3	<p>The Company will provide training to its employees on each of the existing Job Safety Analysis (JSA) templates, which will be evidenced by signed attendance records at each training session.</p> <p>The Company will adopt a minimum of 10 new JSAs during the period of the undertaking, which will be available for the regulator to inspect upon request.</p>	\$1,000	12 months from acceptance
3.2.4	<p>The Company will purchase Take 5 Safety booklets to be provided to its employees and any contractors engaged by it on a regular basis for use when performing work for the Company. Take 5 Safety booklets are a practical way of implementing WHS practices and the aim will be to create a mutual understanding between employees and contractors on expected safe work practices.</p> <p>Recipients of the Take 5 Safety booklets (minimum 5 individuals) will sign off as</p>	\$1000	3 months from acceptance

	<p>having received a copy and that the intended use has been explained to them.</p> <p>The completed Take 5 Safety booklets will be retained by the Company and will be available for the regulator to inspect, upon request.</p>		
3.2.5	<p>The Company will employ a plant operator who will be enrolled in the Civil Train Certificate III in Civil Construction, which is a three-year program. The aim will be to develop a worker with specific civil construction training that has a focus on WHS compliance. The training course covers:</p> <ul style="list-style-type: none"> • Risk management processes • Communication • Working safely and following WHS policies and procedures • Manual handling • Traffic management • Conducting local risk control when trenching • Working safely at heights <p>Evidence of completion of each WHS related unit will be provided to the regulator throughout the course of the agreement.</p> <p>20% of this role will be WHS related.</p>	<p>Wages over 3-year span of training course: \$240,000</p> <p>\$32,000 included within this EU</p>	18 months from acceptance
Total minimum cost of benefits for workers/others		\$39,581.00	

3.3 Activities to be undertaken to promote the objects of the *Work Health and Safety Act 2012 (SA)* that will deliver benefits for industry

Activities	Minimum cost	Timeframe
3.3.1	<p>Facilitate a minimum 4-hour foundational work health and safety workshop hosted by Alex Thomas Pty Ltd (independent WHS consultant), which will be attended by management and employees and promoted to local members of the local construction industry via email.</p>	<p>\$ 5,749 plus GST</p> <p>18 months from acceptance</p>

	<p>The workshop will be attended by a representative(s) from no less than three civil construction operations.</p> <p>The purpose of the workshop is to empower participants to take practical, meaningful action within their businesses to a) conduct risk assessments and identify hazards b) manage identified risks to health and safety to as low as reasonably practicable and c) provide a pathway for compliance with relevant WHS legislation.</p> <p>The Company will produce the invoice and/or Service Agreement from Alex Thomas Pty Ltd to the regulator in addition to an attendance sheet for the workshop (including attendee names, company, positions, and signatures).</p>		
3.3.2	<p>The Company will engage a professional production company to prepare an approximate 3-minute video/animation setting out: (1) the risks associated with the use of forklifts (2) learnings from the incident (3) how to correctly secure/raise equipment for construction tasks. The script for the video/animation will be provided to SafeWork SA for vetting and approval prior to production commencing. The completed video/animation will be provided to SafeWork SA and uploaded to the CCF (SA) website to facilitate access for industry members.</p>	\$ 15,000	12 months from acceptance
3.3.3	<p>Offer Nationally Accredited Work Safety at Heights training by a Registered Training Organisation to be delivered to no less than five students currently studying relevant courses (i.e., relevant trade courses, VET course via Waikerie High School etc.) or similar within the Riverland region. If numbers are lower, the Company will extend to offer to regional students beyond the Riverland with a view to increasing safety awareness when work at heights is being performed in regional SA.</p> <p>The Company will produce evidence of payment for the training courses to the applicable RTO to the regulator.</p>	\$5,000	
Total minimum cost of benefits for industry		\$25,749	

3.4 Activities to be undertaken to promote the objects of the *Work Health and Safety Act 2012 (SA)* that will deliver benefits for community

Activities	Minimum cost	Timeframe
<p>3.4.2</p> <p>The Company will:</p> <ul style="list-style-type: none"> • donate \$20,000 to the Morgan Ambulance Station, which is a voluntary ambulance service, as a contribution to the cost of equipment and/or training for ambulance officers that will improve the safety and welfare of first responders (i.e., PPE); OR • consult with Morgan Ambulance Station regarding required equipment and/or training that will improve the safety and welfare of first responders and purchase same (to the value of \$20,000) for donation to the Morgan Ambulance Station. <p>The Company will produce evidence of payment / purchase to the regulator (including any evidence of consultation with Morgan Ambulance Station regarding required goods / services and confirmation of donation).</p>	<p>\$20,000</p>	<p>12 months from acceptance</p>
<p>3.4.3</p> <p>A representative of the Company will deliver a trade safety presentation focusing on general construction work to secondary students attending Waikerie High School. The school offers vocational education programs. The aim will be to promote general trade safety to students who are interested in taking up an apprenticeship following completion of secondary school.</p> <p>The Company will obtain written confirmation from the school that the presentation has occurred, which will be provided to the regulator.</p>	<p>\$2,500</p>	<p>12 months from acceptance</p>
<p>Total minimum cost of benefits for the community</p>	<p>\$22,500</p>	

3.5 Agreement to pay the regulator's costs

3.5.1 Agreement is given to paying the regulator's costs associated with this undertaking, as itemised below, and it is acknowledged that payment is due 30 days after receipt of the regulator's invoice:

Recoverable costs	Amount
Investigation, legal & administrative costs associated with the alleged contravention & proposed undertaking	\$1,200.00
Compliance monitoring costs	\$4,945.00
Publication costs	\$0
Total Amount	\$6,145.00

3.6 Minimum spend

3.6.1 The Company acknowledges the minimum spend for this undertaking will comprise of the:

(The amounts below should correspond with total amounts from terms 3.2–3.5 above)

Estimated total value of	Minimum spend
Benefits to workers/others	\$39,581
Benefits to industry	\$25,749
Benefits to community	\$22,500
Regulator costs	\$6,145.00
Estimated total minimum spend for the undertaking	\$93,975.00

3.6.2 The Company agrees to spend any residual amount arising from the total minimum spend value not being met. Agreement on how to spend this residual will be sought from the regulator.

3.7 A commitment to establish and maintain (or maintain if a system already exists) a work, health and safety management system (WHSMS)

The Company is committed to maintaining a WHS management system that is compliant with the Act and to making continual improvement to the system.

3.8 A commitment to ensure the WHSMS is audited by third party auditors

The Company is committed to ensuring a review of WHS is conducted by an independent WHS professional. Details of the WHS professional's qualifications will be provided with the report submitted to the regulator.

3.9 A commitment to provide a copy of each finalised WHSMS audit report to the regulator

- 3.9.1 The Company commits to provide a copy of the finalised WHS review report to the regulator.
- 3.9.2 It is acknowledged that the review report received from the independent WHS professional will be sent to the regulator within 30 days of the finalisation of the report along with a letter certifying that the report has not been altered from the copy provided to the person by the WHS professional.
- 3.9.3 It is acknowledged that within 30 days of receipt of the WHS professional's written report, the regulator will be advised of the intended action in addressing each of the report's recommendations.

3.10 A commitment to implement the recommendations from these audits (unless otherwise negotiated with the regulator)

- 3.10.1 The Company commits to implement the recommendations from the WHS professional's review (unless otherwise negotiated with the regulator).
- 3.10.2 The recommendations resulting from the WHS review will be implemented within 12 months of receiving the review report, unless the regulator offers a variation of the undertaking due to the actions being unreasonable.

SECTION 4: OFFER OF UNDERTAKING

EITHER

I offer this undertaking and commit to the terms herein.

Signed: 
[Person]

Graham Hausler
[Print name]

Director
[Position]

Dated at 1030am this 2nd day of July 2024

OR

As a duly authorised person of GL Hausler Pty Ltd I offer this undertaking and commit GL Hausler to the terms herein.

Signed: _____
[Duly Authorised Person]

[Print name]

[Position]

Dated at _____ this _____ day of _____ 20____

SECTION 5: ACCEPTANCE OF UNDERTAKING

I accept this undertaking as an enforceable undertaking under section 216 of the *Work Health and Safety Act 2012* (SA).

Signed: 
[Person]

Glenn Farrell

[Print name]

Executive Director

[Position]

Dated at KESWICK this 23rd day of July 2024



1300 365 255



help.safework@sa.gov.au



safework.sa.gov.au



@safeworksa



safeworksa



Government of South Australia
SafeWork SA