



ACT
Government

Chief Minister, Treasury and
Economic Development

Freedom of Information Publication Coversheet

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

FOI Reference: CMTEDDFOI 2019-271

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	Published
4. Additional information identified	No
5. Fees	Waived
6. Processing time (in working days)	29
7. Decision made by Ombudsman	N/A
8. Additional information identified by Ombudsman	N/A
9. Decision made by ACAT	N/A
10. Additional information identified by ACAT	N/A

From: [REDACTED]
To: [CMTEDD FOI](#)
Subject: Freedom of Information request
Date: Sunday, 1 December 2019 11:55:35 AM

Please find online enquiry details below. Please ensure this enquiry is responded to within fourteen working days.

Your details

All fields are optional, however an email address OR full postal address must be provided for us to process your request. An email address and telephone contact number will assist us to contact you quickly if we need to discuss your request.

Title:
First Name:
Last Name:
Business/Organisation
Address:
Suburb:
Postcode:
State/Territory:
Phone/mobile:
Email address:

A large grey rectangular box redacting the contact details provided in the form.

Request for information

(Please provide as much detail as possible, for example subject matter and relevant dates, and also provide details of documents that you are not interested in.)

Under the Freedom of Information Act 2016 I want to access the following document/s (*required field):

Any documents, including inspection reports, held by WorkSafe ACT in relation to our property at [REDACTED] since February 2019. The builder of our property has advised us "Delays due to Worksafe notices to check scaffold stability (3 weeks) 3 inspections carried out until it was safe & sound to be used in windy conditions."

I do not want to access the following documents in relation to my request::

Thank you.
Freedom of Information Coordinator



ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI 2019-271

[REDACTED]

[REDACTED]

Dear [REDACTED]

FREEDOM OF INFORMATION REQUEST

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 2 December 2019, in which you sought access to documents held by WorkSafe ACT.

Specifically, you are seeking:

- *Any documents, including inspection reports, held by WorkSafe ACT in relation to our property at [REDACTED] since February 2019. The builder of our property has advised us "Delays due to WorkSafe notices to check scaffold stability (3 weeks) 3 inspections carried out until it was safe & sound to be used in windy conditions."*

Authority

I am an Information Officer appointed by the Director-General under section 18 of the Act to deal with access applications made under Part 5 of the Act.

Timeframes

In accordance with section 40 of the Act, CMTEDD is required to provide a decision on your access application by 23 January 2020.

Decision on access

Searches were completed for relevant documents and 14 documents were identified that fall within the scope of your request.

I have included as **Attachment A** to this decision the schedule of relevant documents. This provides a description of each document that falls within the scope of your request and the access decision for each of those documents.

I have decided to grant access in full to 13 documents relevant to your request. I have decided to grant partial access to one document as I consider it to be:

- information that would, on balance, be contrary to the public interest to disclose under the test set out in section 17 of the Act.

My access decisions are detailed further in the following statement of reasons and the documents released to you are provided as **Attachment B** to this letter.

In accordance with section 54(2) of the Act a statement of reasons outlining my decisions is below.

Statement of Reasons

In reaching my access decisions, I have taken the following into account:

- the Act;
- the content of the documents that fall within the scope of your request;
- the *Human Rights Act 2004*.

Exemption claimed

My reasons for deciding not to grant access to the identified components of these documents are as follows:

Information that would, on balance, be contrary to the public interest to disclose under the test set out in section 17 of the Act

Public Interest

The Act has a presumption in favour of disclosure. As a decision maker I am required to decide where, on balance, public interest lies. As part of this process I must consider factors favouring disclosure and non-disclosure.

In *Hogan v Hinch* (2011) 243 CLR 506, [31] French CJ stated that when ‘used in a statute, the term [public interest] derives its content from “the subject matter and the scope and purpose” of the enactment in which it appears’. Section 17(1) of the Act sets out the test, to be applied to determine whether disclosure of information would be contrary to the public interest. These factors are found in subsection 17(2) and Schedule 2 of the Act.

Taking into consideration the information contained in the documents found to be within the scope of your request, I have identified that the following public interest factors are relevant to determine if release of the information contained within these documents is within the ‘public interest’.

Factors favouring disclosure in the public interest:

- (a) *disclosure of the information could reasonably be expected to do any of the following:*
- (xiii) *contribute to the administration of justice generally, including procedural fairness.*

Having considered the factors identified as relevant in this matter, I consider that release of the information contained in the document may contribute to procedural fairness by allowing you to have details of the actions taken by WorkSafe ACT against the builder and the rectifications performed by ArchiBuild Constructions.

Factors favouring nondisclosure in the public interest (Schedule 2.2(a)):

(a) *disclosure of the information could reasonably be expected to do any of the following:*

(ii) *Prejudice the protection of an individual's right to privacy or other rights under the Human Rights Act 2004.*

However, when considering this finding against the factors favouring non-disclosure, I am satisfied that the protection of an individual's right to privacy, especially in relation to the Safe Work Method Statement (SWMS) is a significant factor as the parties involved have provided their personal information (including signature) for the purposes of ensuring compliance with the SWMS. This, in my opinion, outweighs the benefit which may be derived from releasing the personal information of these individuals. These individuals are entitled to expect that the personal information they have supplied as part of this process will be dealt with in a manner that protects their privacy.

Having applied the test outlined in section 17 of the Act and deciding that release of personal information contained in the documents is not in the public interest to release, I have chosen to redact this specific information in accordance with section 50(2). Noting the pro-disclosure intent of the Act, I am satisfied that redacting only the information that I believe is not in the public interest to release will ensure that the intent of the Act is met and will provide you with access to the majority of the information held by CMTEDD within the scope of your request.

Charges

Pursuant to *Freedom of Information (Fees) Determination 2018* processing charges are applicable for this request because the total number of pages to be released to you exceeds the charging threshold of 50 pages. However, the charges have been waived in accordance with section 107(2)(b) of the Act.

Online publishing – Disclosure Log

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a disclosure log. Your original access application, my decision and documents released to you in response to your access application will be published in the CMTEDD disclosure log after 22 January 2020. Your personal contact details will not be published.

You may view CMTEDD disclosure log at

<https://www.cmtedd.act.gov.au/functions/foi/disclosure-log>.

Ombudsman Review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in CMTEDD disclosure log, or a longer period allowed by the Ombudsman.

We recommend using this form *Applying for an Ombudsman Review* to ensure you provide all of the required information. Alternatively, you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

Via email: actfoi@ombudsman.gov.au

ACT Civil and Administrative Tribunal (ACAT) Review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal
Level 4, 1 Moore St
GPO Box 370
Canberra City ACT 2601
Telephone: (02) 6207 1740
<http://www.acat.act.gov.au/>

Should you have any queries in relation to your request please contact me by telephone on 6207 7754 or email CMTEDDFOI@act.gov.au.

Yours sincerely



Daniel Riley
Information Officer
Information Access Team
Chief Minister, Treasury and Economic Development Directorate

(5 January 2020



ACT
Government

Chief Minister, Treasury and
Economic Development

FREEDOM OF INFORMATION REQUEST SCHEDULE

NAME	WHAT ARE THE PARAMETERS OF THE REQUEST	Reference NO.
[REDACTED]	Any documents, including inspection reports, held by WorkSafe ACT in relation to our property at [REDACTED], since February 2019.	CMTEDDFOI 2019-271

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1-2	Email – Re: WITHDRAWAL OF THE INFRINGEMENT NOTICE - REQUEST	17 Jul 2019	Full		Yes
2	3-4	Email - Workplace Visit Report Combined, ARCHIBUILD CONSTRUCTIONS GROUP PTY LTD, 4WYP77 – Smartform notification, photos and attachments listed below.	11 Jun 2019	Full		Yes
3	5-7	Improvement notice IN-W-P32682-VIUKZO-1 as attachment A to above email	11 Jun 2019	Full		Yes
4	8-10	Improvement notice IN-W-P32682-VIUKZO-2 as Attachment B to above email	11 Jun 2019	Full		Yes
5	11-12	Improvement notice IN-W-P32682-VIUKZO-3 as Attachment C to above email	11 Jun 2019	Full		Yes
6	13-15	Prohibition Notice PN-W-P32682-VIUKZO-1 as Attachment D to above email	11 Jun 2019	Full		Yes
7	16-19	Attachment E: Initial information report and Finalisation details	11 Jun 2019	Full		Yes
8	20-35	Email with Safe Work Method Statement (SWMS)	19 Jun 2019	Partial	Schedule 2 s2.2(a)(ii)	Yes
9	36-40	Email with photos of scaffolding rectification	19 Jun 2019	Full		Yes
10	41-43	Email – Smartform and infringement notice	19 Jun 2019	Full		Yes
11	44-46	Email re notice on worksite	28 Jun 2019	Full		Yes
12	47-51	Workplace Visit Report Combined, Archibuild Pty Limited, X8XZ3Z including initial information and finalisation details	09 Jul 2019	Full		Yes
13	52	Email: WITHDRAWAL OF THE INFRINGEMENT NOTICE – REQUEST plus attachment	10 Jul 2019	Full		Yes
14	53-54	Infringement Notice as attachment to above email	10 Jul 2019	Full		Yes

Total No of Docs	14
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From: info@archibuild.com.au
To: [Denver, Joseph](#)
Cc: [Worksafe Notices](#); [Davis, MattE](#)
Subject: Re: WITHDRAWAL OF THE INFRINGEMENT NOTICE - REQUEST
Date: Wednesday, 17 July 2019 1:00:47 AM

Dear Joseph,

Thank you for the instructions; we would like to **APPLY FOR WITHDRAWAL OF THE INFRINGEMENT NOTICE** based in following grounds:

- Principle contractor engaged a qualified scaffold installer company to install scaffold all around front & side walls (higher than 3m) for Bricklayer & Renderer.
- When roofer came on board the principle contractor arranged for a site meeting on 6/6/19 & invited both roofer & scaffold contractor to discuss required new locations for all fall protection requirements.
- on 7/6/19 (Friday for Queen's birthday long weekend) the scaffold & roofer we're not available to commence work due to under staffing
- The roofer decides to start prepping for roof battens without the knowledge of principle contractor & scaffold contractor as he believed will only install low sides using his ladder for all heights within 3m.
- The roofer believe that he was't less than 2m from roof edge & he believed was doing the right thing by also using his own planks to form a platform around his workspace.
- The roofer must have waited for scaffold to be amended from bricklaying layout to roof fall protection after the long weekend.
- The roofer & principle contractor have actioned the scaffold rectification as per requirements.
- We request the withdrawal as principle contractor & roofer always tried to do the right things but we don't deny that we should have blocked access completely until after the long weekend but never thought roofer will start on a Friday just before the long weekend knowing the site wasn't ready for him after bricklayer & rendered just finished their job.

We look forward for you to reconsider & give us another chance after we learnt a good lesson from was discussed on site with Worksafe inspector.

Thank you

Regards,

ArchiBuild Constructions Group Pty Ltd

ABN: 16169046422

Ph: 02-6166 8551

PO Box 352

Mitchell, ACT 2911

On 11 Jul 2019, at 8:50 am, Denyer, Joseph <Joseph.Denyer@act.gov.au> wrote:

APPLY FOR WITHDRAWAL OF THE INFRINGEMENT NOTICE.

From:smartforms@act.gov.au

Sent:11/06/2019 2:45 PM

To:"Denyer, Joseph" <Joseph.Denyer@act.gov.au>

Cc:"Worksafe Notices" <WorksafeNotices@act.gov.au>

Subject:Workplace Visit Report Combined, ARCHIBUILD CONSTRUCTIONS GROUP PTY LTD, 4WYP77

Attachments:Notice 1.pdf, Notice 2.pdf, Notice 3.pdf, Notice 4.pdf, 20190607-WPV-P32682-VIUKZO-190611-000696-ARCHIBUILD CONSTRUCTIONS GROUP PTY LTD- [REDACTED] Non-compliant.pdf,

Archibuild-1.jpg, Archibuild1-2.jpg



WORKPLACE VISIT REPORT COMBINED

Please see attached PDFs to view a copy of your Workplace Visit report and issued notices.

Inspection number	WPV-P32682-VIUKZO
Lead inspector	Joseph Denyer
Company name	ARCHIBUILD CONSTRUCTIONS GROUP PTY LTD
Submission ID	20190611142394
Tracking number	4WYP77

For any further information please contact WorkSafe on:

Telephone: [\(02\) 6207 3000](tel:(02)62073000)

Facsimile: [\(02\) 6205 0336](tel:(02)62050336)

Email: worksafe@act.gov.au

You also contact WorkSafe through the Access Canberra [WorkSafe ACT Report online form](#).

ACT Government

Note: Please do not reply to this auto-generated email.





ACT
Government

Access
Canberra.

WORKSAFEACT

Improvement Notice

This is an Improvement Notice issued under section 191 of the Work Health and Safety Act 2011.

Issued by Inspector

Inspector ID number

Notice Number

Joseph Denyer

P32682

IN-W-P32682-VIUKZO-1

To whom this notice is issued *

Company

Individual

Directorate

Name of registered company *

ACN

ARCHIBUILD CONSTRUCTIONS GROUP PTY LTD

Business or trading name (if different):

Registered company/business address

Address line 1 *

55 BIEUNDURRY STREET,

Address line 2

Suburb *

State *

Postcode *

BONNER

ACT

2914

Site/Workplace

Address line 1 *

Address line 2

Suburb *

State

Postcode *

ACT

Method of service (s209)

Personal

Email/Fax

Served on *

Date of issue *

info@archubuild.com.au

11 Jun 2019

Location within address of workplace

Within the whole of the workspace

The inspector believes the person -

(a) is contravening a provision of this Act; or

(b) has contravened a provision in circumstances that make it likely that the contravention will continue or be repeated;

and

The provision that the inspector believes is being, or has been contravened is

Type of legislation *

Work Health and Safety Act 2011

Work Health and Safety Regulation 2011

Dangerous Substances Act 2004

Section/s

309

Briefly, how the provision is being, or has been, contravened

The principal contractor Archi Build Construction Group Pty Ltd has not prepared a written Work Health and Safety Management Plan for the construction project before work commenced at the workplace.

The date by which you are required to remedy the contravention or likely contravention

The day stated for compliance with the improvement notice must be reasonable in all circumstances.

Date *

17 Jun 2019

This Notice may include directions concerning the measures to be taken to remedy the contravention or prevent the likely contravention, or matters or activities causing the contravention or likely contravention to which the notice relates. The inspector directs you to;

1. You must prepare a written work health and safety management plan for the construction project.

2. The work health and safety management plan must include the following:

- position and roles involving specific safety responsibilities.
- arrangements for consultation.
- arrangements for managing incidents.
- specific safety rules.
- arrangements for the collection, monitoring and review of safe work method statements.

The inspector recommends that you:

In complying with the direction, you may give consideration to further guidance available from:

- WorkSafe ACT code of practice 'Construction work'.

You must also call an Inspector to the construction site to inspect the WH&S Management Plan

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom a improvement notice is issued must comply with the notice (s197). The maximum penalty for failing to comply with this requirement is \$100,000 for an individual or \$500,000 for a corporation.

Regulator may carry out action

If a person to whom a improvement notice is issued fails to take reasonable steps to comply with the notice, and after giving written notice of its intentions and the person's liability for the costs, the regulator (WorkSafe ACT) may take any remedial action it believes reasonable to make the workplace or situation safe (s 211). The regulator may then recover the reasonable costs of taking this remedial action (s213).

Contents of Notice

This Notice may state one or more of the following: (a) a workplace, or part of a workplace, at which the activity is not to be carried out; (b) anything that is not to be used in connection with the activity; (c) any procedure that is not to be followed in connection with the activity (s196(3)).

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

Privacy statement

Access Canberra may obtain personal information about you in connection with this notice. The information may be collected and stored using the powers, and to carry out functions or activities, under the *Work Health and Safety Act 2011* and related work safety laws. Under that Act, the information can be disclosed to other ACT Government agencies or non-government organisations, and other Australian work safety enforcement agencies.

Access Canberra is obliged to handle your information openly, transparently and in accordance with the Territory Privacy Principles set out in the *Information Privacy Act 2014*. For more information about how Access Canberra will collect, use, share, and store your personal information and how you can access and correct the information, please see the Access Canberra Privacy Statement at www.act.gov.au/privacy.

Review of this *Work Health and Safety Act* notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days. You may also make an application for the reviewer to stay the operation of the improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Director-General, WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au

You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at www.acat.act.gov.au.

The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court. Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra, ACT 2601

Email: worksafe@act.gov.au

Phone:(02) 6207 3000

Fax:(02) 6205 0336.

Translating and Interpreting Service

Phone: 131 450



ACT
Government

Access
Canberra.

WORKSAFE ACT

Improvement Notice

This is an Improvement Notice issued under section 191 of the Work Health and Safety Act 2011.

Issued by Inspector

Inspector ID number

Notice Number

Joseph Denyer

P32682

IN-W-P32682-VIUKZO-2

To whom this notice is issued *

Company

Individual

Directorate

Name of registered company *

ACN

ARCHIBUILD CONSTRUCTIONS GROUP PTY LTD

Business or trading name (if different):

Registered company/business address

Address line 1 *

55 BIEUNDURRY STREET,

Address line 2

Suburb *

State *

Postcode *

BONNER

ACT

2914

Site/Workplace

Address line 1 *

Address line 2

Suburb *

State

Postcode *

ACT

Method of service (s209)

Personal

Email/Fax

Served on *

Date of issue *

225

11 Jun 2019

Location within address of workplace

Around the perimeter of the partially constructed building

The inspector believes the person -

(a) is contravening a provision of this Act; or

(b) has contravened a provision in circumstances that make it likely that the contravention will continue or be repeated;

and

The provision that the inspector believes is being, or has been contravened is

Type of legislation *

Work Health and Safety Act 2011

Work Health and Safety Regulation 2011

Dangerous Substances Act 2004

Section/s

225

Briefly, how the provision is being, or has been, contravened

Workers are exposed to a serious risk to their health or safety from falls as the scaffold in use at the workplace is unsafe due to: sole plates being dislodged and standing centre on the hardwood boards

The date by which you are required to remedy the contravention or likely contravention

The day stated for compliance with the improvement notice must be reasonable in all circumstances.

Date *

17 Jun 2019

This Notice may include directions concerning the measures to be taken to remedy the contravention or prevent the likely contravention, or matters or activities causing the contravention or likely contravention to which the notice relates. The inspector directs you to;

1. You must ensure that the scaffold and its supporting structure is inspected by a competent person:

- before scaffold use is resumed after repairs to components have been completed.
- at least every 30 days.
- replace damaged scaffold standards.
- install additional soleplates.
- install additional ties.
- install additional braces.

The inspector recommends that you:

In complying with the direction, you may give consideration to further guidance available from:

- WorkSafe ACT code of practice 'Managing the risks of plant in the workplace'
- WorkSafe ACT code of practice 'Managing the risk of falls at the workplace'
- Australian New Zealand Standards AS/NZS 1576.1:2010 Scaffolding Part 1: General Requirements and AS/NZS 4576:1995 Guidelines for scaffolding.

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom a improvement notice is issued must comply with the notice (s197). The maximum penalty for failing to comply with this requirement is \$100,000 for an individual or \$500,000 for a corporation.

Regulator may carry out action

If a person to whom a improvement notice is issued fails to take reasonable steps to comply with the notice, and after giving written notice of its intentions and the person's liability for the costs, the regulator (WorkSafe ACT) may take any remedial action it believes reasonable to make the workplace or situation safe (s 211). The regulator may then recover the reasonable costs of taking this remedial action (s213).

Contents of Notice

This Notice may state one or more of the following: (a) a workplace, or part of a workplace, at which the activity is not to be carried out; (b) anything that is not to be used in connection with the activity; (c) any procedure that is not to be followed in connection with the activity (s196(3)).

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

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Review of this *Work Health and Safety Act* notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days. You may also make an application for the reviewer to stay the operation of the improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

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WorkSafe ACT contact details

PO Box 158, Canberra, ACT 2601

Email: worksafe@act.gov.au

Phone:(02) 6207 3000

Fax:(02) 6205 0336.

Translating and Interpreting Service

Phone: 131 450



Improvement Notice

This is an Improvement Notice issued under section 191 of the Work Health and Safety Act 2011.

Issued by Inspector

Inspector ID number

Notice Number

Joseph Denyer

P32682

IN-W-P32682-VIUKZO-3

To whom this notice is issued *

Company

Individual

Directorate

Name of registered company *

ACN

ARCHIBUILD CONSTRUCTIONS GROUP PTY LTD

Business or trading name (if different):

Registered company/business address

Address line 1 *

55 BIEUNDURRY STREET,

Address line 2

Suburb *

State *

Postcode *

BONNER

ACT

2914

Site/Workplace

Address line 1 *

Address line 2

Suburb *

State

Postcode *

ACT

Method of service (s209)

Personal

Email/Fax

Served on *

Date of issue *

info@arhibuild.com.au

11 Jun 2019

Location within address of workplace

The whole of the workplace

The inspector believes the person -

(a) is contravening a provision of this Act; or

(b) has contravened a provision in circumstances that make it likely that the contravention will continue or be repeated;

and
The provision that the inspector believes is being, or has been contravened is

Type of legislation *

Work Health and Safety Act 2011

Work Health and Safety Regulation 2011

Dangerous Substances Act 2004

Section/s

297

Briefly, how the provision is being, or has been, contravened

Workers are exposed to a risk to their health or safety from trips and falls through:

- bricks, timbers and other building debris scattered throughout the site

The date by which you are required to remedy the contravention or likely contravention

The day stated for compliance with the improvement notice must be reasonable in all circumstances.

Date *

14 Jun 2019

This Notice may include directions concerning the measures to be taken to remedy the contravention or prevent the likely contravention, or matters or activities causing the contravention or likely contravention to which the notice relates. The inspector directs you to;

1. You must eliminate the risks associated with the bricks, building debris and timbers scattered throughout the site. You must tidy of the site in total and make clean removing all debris and rubbish

The inspector recommends that you:

Contact an Inspector to visit site and stand aside the notice

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom a improvement notice is issued must comply with the notice (s197). The maximum penalty for failing to comply with this requirement is \$100,000 for an individual or \$500,000 for a corporation.

Regulator may carry out action

If a person to whom a improvement notice is issued fails to take reasonable steps to comply with the notice, and after giving written notice of its intentions and the person's liability for the costs, the regulator (WorkSafe ACT) may take any remedial action it believes reasonable to make the workplace or situation safe (s 211). The regulator may then recover the reasonable costs of taking this remedial action (s213).

Contents of Notice

This Notice may state one or more of the following: (a) a workplace, or part of a workplace, at which the activity is not to be carried out; (b) anything that is not to be used in connection with the activity; (c) any procedure that is not to be followed in connection with the activity (s196(3)).

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

Privacy statement

Access Canberra may obtain personal information about you in connection with this notice. The information may be collected and stored using the powers, and to carry out functions or activities, under the *Work Health and Safety Act 2011* and related work safety laws. Under that Act, the information can be disclosed to other ACT Government agencies or non-government organisations, and other Australian work safety enforcement agencies.

Access Canberra is obliged to handle your information openly, transparently and in accordance with the Territory Privacy Principles set out in the *Information Privacy Act 2014*. For more information about how Access Canberra will collect, use, share, and store your personal information and how you can access and correct the information, please see the Access Canberra Privacy Statement at www.act.gov.au/privacy.

Review of this *Work Health and Safety Act* notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days. You may also make an application for the reviewer to stay the operation of the improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Director-General, WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au

You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at www.acat.act.gov.au.

The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court. Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra, ACT 2601

Email: worksafe@act.gov.au

Phone:(02) 6207 3000

Fax:(02) 6205 0336.

Translating and Interpreting Service

Phone: 131 450



ACT
Government

Access
Canberra.

WORKSAFEACT

Prohibition notice

This is a Prohibition Notice issued under section 195 of the Work Health and Safety Act 2011

Issued by Inspector

Joseph Denyer

Inspector ID number

P32682

Notice Number

PN-W-P32682-VIUKZO-1

To whom this notice is issued *

Company

Individual

Directorate

Name of registered company *

ARCHIBUILD CONSTRUCTIONS GROUP PTY LTD

ACN

Business or trading name (if different):

Registered company/directorate address

Address line 1 *

55 BIEUNDURRY STREET,

Address line 2

Suburb *

BONNER

State *

ACT

Postcode *

2914

Site/Workplace address

Address line 1 *

Address line 2

Suburb *

State

ACT

Postcode *

Method of service (s209)

Personal

Email/Fax

Served on *

info@archibuild.com.au

Date of issue *

11 Jun 2019

Type of legislation *

The provision that the inspector believes is being, or is likely to be, contravened by the activity (s196(1)(c)):

Work Health and Safety Act 2011

Work Health and Safety Regulation 2011

Dangerous Substances Act 2004

You are prohibited from carrying on the following activity, or the carrying on of the activity in a specified way:

Working at an level where a worker could fall from one level to another without having fall protection implemented.

until an inspector is satisfied that the matters that give or will give rise to the risk have been remedied. (s195(2))

The inspector reasonably believes that grounds for the issue of this notice exist (s195(1)), ie: (a) an activity is occurring at a workplace that involves, or will involve, a serious risk to the health or safety of a person emanating from an immediate or imminent exposure to a hazard; or (b) an activity may occur at a workplace that, if it occurs, will involve a serious risk to the health or safety of a person emanating from an immediate or imminent exposure to a hazard.

Basis for that belief (s196(1)(a)):

I observed a worker working on standing on the trusses within 1.5 metres from the edge on a partially constructed building without having any fall protection in place to stop a worker falling where it as reasonably likely the fall would cause injury to the worker

Briefly, the activity that the inspector believes involves or will involve the risk, and the matters that give or will give rise to the risk (s196(1)(b)):

Workers working at a height without any fall protection to stop a worker falling where it as reasonably likely the fall would cause injury to the worker

Section/s

79(2)

This Notice may include directions concerning the measures to be taken to remedy the risk or contravention. You must comply with the direction:

Implement fall protection to stop a worker from falling where it as reasonably likely the fall would cause injury to the worker

The inspector recommends that you:

Display this notice at the workplace. Call the inspector to arrange for a re- inspection prior to recommencing work where a worker is working at height where it as reasonably likely the fall would cause injury to the worker.

Prohibition Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom a prohibition notice is issued must comply with the notice (s197). The maximum penalty for failing to comply with this requirement is \$100,000 for an individual or \$500,000 for a corporation.

Regulator may carry out action

If a person to whom a prohibition notice is issued fails to take reasonable steps to comply with the notice, and after giving written notice of its intentions and the person's liability for the costs, the regulator (WorkSafe ACT) may take any remedial action it believes reasonable to make the workplace or situation safe (s 211). The regulator may then recover the reasonable costs of taking this remedial action (s213).

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The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court. Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra, ACT 2601

Email: worksafe@act.gov.au

Phone:(02) 6207 3000

Fax:(02) 6205 0336.

Translating and Interpreting Service

Phone: 131 450

Initial information

Type of report *

Workplace Visit

Inspector ID *

P32682

Inspection number

WPV-P32682-VIUKZO

Event number

190611-000696

Lead inspector *

Joseph Denyer

Is there any accompanying inspectors *

 Yes No

Item Number 1

Accompanying inspector/Other *

Adam Bownds

Date *

07 Jun 2019

Time commenced *

11:50

Type of WPV *

 Proactive Reactive

Purpose of WPV *

N/A

Legislation *

Work Health and Safety Act 2011

Is this a joint inspection? *

 Yes No

Name of individual or registered company *

Other

Name of individual or registered company *

ARCHIBUILD CONSTRUCTIONS GROUP PTY LTD

ABN

16169046422

ACN

Business or trading name (if different)

Registered company address

Address line 1 *

Address line 2

Suburb *

State *

Postcode *

Contact name *

Contact number *

Email address *

Workers compensation

Is a compulsory Workers Compensation Policy maintained? *

- Yes
- No
- Not applicable

Details of inspection

Site/Workplace address

Same as registered address

Address line 1 *

Address line 2

Suburb *

State

Postcode *

Notification of entry to (as required by s164) *

- PCBU
- Manager
- Supervisor
- HSR
- Other
- N/A

Inspector notes

Attended site and saw workers, standing within 1 metre from the edge on top of the trusses. I could not see anything in place to stop a worker falling and having his health placed at risk. I approached the individual and identified myself as a WorkSafe Inspector and produced my identification and asked him to stop work and come down from the trusses. As I believed high risk construction was being undertaken. I asked to see the Safe Work method Statement (SWMS). The worker could not produce a SWMS. The other worker spoken to was an apprentice

Further action

Further action required? *

- Yes No

Further inspections required? *

- Yes No

Selecting 'Yes' to the above question will cause a revisit task to be created in your task list

Notices issued *

- Yes No

Type of notices *

- Improvement Prohibition
 Infringement Other

Previous notice/s issued?

- Yes No

Finalisation details

Photos

File: Archibuild.jpg

File: Archibuild1.jpg

Other attachments (documents)

WPV for asbestos related issue *

Yes No

Industry group *

Construction

Compliant at initial proactive inspection? *

Yes No

Time finished *

12:10

Disclaimer:

The issues identified during this Inspection are only indicative of compliance with the Work Health and Safety Act 2011, Work Health and Safety Regulation 2011, Dangerous Substance Act 2004 and Workers Compensation Act 1951 on the date of the Inspection. If compliance is identified during this Inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Lead inspector email address *

Joseph.Denyer@act.gov.au

How many other email addresses would you like to send this to? *

1

Email 1 *

info@archibuild.com.au

Privacy notice

The information collected for the purpose of the Work Health and Safety Act 2011 and is in accordance with the Information Privacy Act 2014. WorkSafe ACT prevents any unreasonable intrusion into person's privacy in accordance with the Privacy Act 1988 (C'With) and Information Privacy Act 2014. WorkSafe ACT provides identifiable information which can be disclosed to other law enforcement agencies and authorised organisations that have legal authority to request information under prescribed circumstances.

From: hatem@archibuild.com.au
To: [Denver, Joseph](#)
Subject: 1/123 Holt - SWMS
Date: Wednesday, 19 June 2019 7:57:14 PM
Attachments: [SWMS - Canberra Metal Roofing - Block 1, Section 123, Holt.pdf](#)
[SWMS - Holt - Signed.pdf](#)

Hi Joseph,

Please find attached SWMS.







Thanks

Regards,

Hatem Kwaik (Tim)
(Director)
ArchiBuild Constructions Group Pty Ltd
ABN: 16169046422
Mob: 0438 862 335
PO Box 352
Mitchell, ACT 2911

SAFE WORK METHOD STATEMENT (SWMS) - PART 1				
Company Name :Canberra Metal Roofing		Address: 9 Verbrugghen St Melba ACT 2615		ABN 96463411392
Company Contact: 0412342569		Position: Manager		Phone No.: 0412342569
Project: [REDACTED]				
Job Address:				
Job Description: Supply and Fit Metal Roofing, Fascia and Gutter.				
Relevant workers must be consulted in the development, approval and communication of this SWMS:				SWMS Approved by <i>Employer/PCBU/Director/Owner</i> :
Name:	Signature:	Job Title:	Date:	
				Signature:
				Date:
Name of Principal Contractor: Hatem Kwaik		Principal Contractor Company Name: ArchiBuild Constructions Group Pty Ltd		
Date SWMS provided to Principal Contractor:		Principal Contractor Signature:		Date:
Name of person responsible for ensuring compliance with SWMS:		Signature: Schedule 2.2(a)(ii)		Date:
Dean Roberts				16/6/2019

ACTIVITY: Roofs - Work on		SWMS No.:	
SAFE WORK METHOD STATEMENT (SWMS) - Part 1			
Company Name :Canberra Metal Roofing		Address: 9 Verbrugghen St Melba ACT 2615	ABN 96463411392
Company Contact: 0412342569		Position: Manager	Phone No.: 0412342569
Project Details			
Project: [REDACTED]		(Insert Photo)	
Job Address:			
Job Description: Supply and Fit Metal Roofing, Fascia and Gutter.			
Relevant workers must be consulted in the development, approval and communication of this SWMS:			SWMS Approved by Employer/PCBU/Director/Owner:
Name: <small>(Insert the names of workers who were consulted in writing prior to development of the SWMS)</small>	Signature:	Job Title:	Date:
			Signature:
			Date:
Name of Principal Contractor: Hatem Kwaik		Principal Contractor Company Name: ArchiBuild Constructions Group Pty Ltd	
Date SWMS provided to Principal Contractor:		Principal Contractor Signature:	Date:
Name of person responsible for ensuring compliance with SWMS: Dean Roberts		Signature:	Date:

SWMS Scope						High Risk Construction Work		
<p>This Safe Work Method Statement (SWMS) provides guidance on working on roofs. In particular, this SWMS details the risk management processes and procedures that need to be followed when preparing to undertake minor short term tasks on a residential or small commercial roof.</p> <p>This SWMS does not cover the operation of specific working at height equipment e.g. Elevated Work Platforms, fall restraint equipment, working with asbestos or hazardous manual tasks in sufficient detail. Dedicated SWMS should be developed for these tasks, and for any risks not covered in this SWMS prior to commencing these activities.</p>						<p>This work activity involves the following “High Risk Construction Work”:</p> <ul style="list-style-type: none"> • Involves a risk of a person falling more than 2 metres • Involves, or is likely to involve, the disturbance of asbestos • Is carried out on, in or adjacent to a road, railway, shipping lane or other traffic corridor that is in use by traffic other than pedestrians. 		
Personal Protective Equipment (PPE)								
Ensure all PPE meets relevant Australian Standards. Inspect, and replace PPE as needed.								
AS 1319-1994 Safety signs for the occupational environment reproduced with permission from SAI Global under licence 1210-c062. Standards may be purchased at http://www.saiglobal.com								
Foot Protection	Hearing Protection	High Visibility	Head Protection	Eye Protection	Hand Protection	Sun Protection	Rings, watches, jewellery that may become entangled in machines must not be worn. Long and loose hair must be tied back.	Suitable Footwear: Snug-fitting shoes/boots with flat, nonslip soles, No loose soles, long laces.
						Broad brimmed hat, UV rated clothing, SPF 30+ sunscreen, tinted safety glasses with adequate UV protection)		
Hazards - What can cause harm?			Risks - What can happen?		Control Measures to Reduce Risk			
Job Step: Planning								
<p>Hazards include:</p> <ul style="list-style-type: none"> - Adverse weather - hot, cold, windy, wet - Asbestos - exposure - Confined Space - Electricity - Energised electrical equipment - Falls from a height - Work at height above 2 metres - Work outdoors - Hazardous Manual Tasks <ul style="list-style-type: none"> o awkward, twisting, bending positions o lifting, carrying, or putting 			<p>Risks include:</p> <ul style="list-style-type: none"> - Hypothermia, frostbite, chilblains - Heat exhaustion, sunstroke, dehydration - Being struck by lightning causing burns, electrocution - Slippery surface – causing slips, trips, falls injuries - Radiation / ultra-violet burns - Inhalation of dust or fibres - asbestos etc. - Asphyxiation - Entrapment - confined space - Dust inhalation 		<p>Consultation in relation to hazards and risks. Ensure:</p> <ul style="list-style-type: none"> - Consult with the person you are carrying out the work for on the potential hazards and risks associated with the task - If represented by an elected Health and Safety Representative (HSR), they must be included in any consultation - Any other persons on site who are affected by the same matter are consulted and co-operative arrangements are made - Document consultation and action items. <p>Liaise with Principal Contractor to establish that the following on-site systems and procedures are in place:</p> <ul style="list-style-type: none"> - Health and Safety rules - Induction for all workers – site specific - Supervisory arrangements - Communication - Injury reporting 			

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<p>down objects</p> <ul style="list-style-type: none"> o pushing, pulling, throwing, pressing objects 	<ul style="list-style-type: none"> - Electrocution / Electric shock - Explosion / Fire / smoke - Exposure to toxic/hazardous atmosphere - Falling from height causing serious injury or death - Falling objects – being struck / crushed - Burn – Sunburn - Insect, spider bites or stings - Muscular stress/ Musculoskeletal Disorder 	<ul style="list-style-type: none"> - Hazard reporting - Personal Protective Equipment - Exclusion Zones - Risk Assessments - SWMS and JSA's. <p>Assess the exposure of workers to noise, including the frequency of exposure to noise levels that exceed the legislated Exposure Standard while working on a roof and determine required controls such as Audiometric Testing and PPE. Refer to Noise Control SWMS for detailed information regarding the prevention of hearing loss and legislative requirements.</p> <p>Audiometric Testing. If Audiometric testing is required it must:</p> <ul style="list-style-type: none"> - Be provided within three months of the worker commencing work - Be started before people are exposed to hazardous noise (such as new workers or those changing jobs) - Provide a baseline as a reference for future audiometric test results - Have follow-up tests carried out at least every two years. - Be carried out with consultation with your workers and their health and safety representatives - Be carried out by competent persons in accordance with the procedures in the relevant Australian Standard - Workers should be given the results of audiometric testing accompanied by a written explanation of the meaning and implications. <p>All operators/workers to be trained and competent to work at heights (on roofs). Workers must hold a current "High Risk Work" licence for working at Heights. Training should include:</p> <ul style="list-style-type: none"> - Site specific induction (include location of amenities, first aid facilities, emergency plans and evacuation points, incident reporting, communication, contact persons etc) - Health and Safety Rules for site - Supervisory arrangements - PPE requirements for site - Types of hazards at site - Site plans – showing no go zones for pedestrians - Traffic Management plans - Relevant SWMS and JSA's - Site security requirements - Read and understand the manufacturers manual/safety precautions for the safety equipment for working at heights on roofs.
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		<p>Consultation in relation to fall hazards and risks. Ensure:</p> <ul style="list-style-type: none"> - Consult with the person you are carrying out the work for and the client to discuss potential hazards and risks associated with the work. <p>Identify all hazards that may arise from the activity. Consider:</p> <ul style="list-style-type: none"> - Roof surface condition and pitch (e.g. fragile surface such as old roofs, skylights, asbestos roofing) - Unstable footing (e.g. wet slippery, sloping surfaces) - Unprotected edges (e.g. roof tops, shafts) - Where surfaces may change level - Weather conditions (rain, wind, fog, dew) - UV radiation - Power lines or electrical cables in close proximity - Inside roofs / ceiling space (electrical connections, asbestos, vermin, fall hazards) - Lack of training (new starters) - Equipment to be used or installed. <p>Develop task specific SWMS. Include at least,:</p> <ul style="list-style-type: none"> - PPE required - Fall protection measures - Equipment required - Number of persons and skills level of crew - Emergency procedures. <p>Ensure: Supervisor and relevant workers are included in development of specific SWMS.</p> <p>Conduct risk assessment based on identified hazards. Consider:</p> <ul style="list-style-type: none"> - Whether the task can be partly completed on the ground or solid construction (e.g. assemble components on the ground and lift rather than assembling at height) - Severity of the risk of falling or hazardous material exposure - Likelihood of a fall occurring - Any existing control measures and whether: <ul style="list-style-type: none"> o They are sufficient o Measures to be put in place to control risk o Determine if current training and experience sufficient for undertaking the task at height o Determine if emergency procedures would be acceptable. <p>Ensure all relevant workers undertake training and receive instruction in the use of control measures. Include:</p> <ul style="list-style-type: none"> - Reporting procedures for incidents - Correct use of fall restraint equipment including selecting, fitting, use, care of and maintenance
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		<ul style="list-style-type: none"> - Correct use of tools used - Use of supervision where required (e.g. new starters or new equipment) - Recognition and control of fall, electrical and hazardous material hazards - Limitations of the equipment - Rescue procedures in the event of a fall - Correct procedure for handling equipment and materials while working at heights - Manual handling. 			
		<table border="1" style="width: 100%;"> <tr> <td style="width: 15%;">RB: 3H</td> <td style="width: 60%;">Person responsible to implement control measures: Dean Roberts</td> <td style="width: 25%;">RA: 2M</td> </tr> </table>	RB: 3H	Person responsible to implement control measures: Dean Roberts	RA: 2M
RB: 3H	Person responsible to implement control measures: Dean Roberts	RA: 2M			
Job Step: Preparation					
<p>Hazards include:</p> <ul style="list-style-type: none"> - Adverse weather - hot, cold, windy, wet - Asbestos - exposure - Confined Space - Electricity - Energised electrical equipment - Falls from a height - Work at height above 2 metres - Work outdoors - Hazardous Manual Tasks <ul style="list-style-type: none"> o awkward, twisting, bending positions o lifting, carrying, or putting down objects o pushing, pulling, throwing, pressing objects. 	<p>Risks include:</p> <ul style="list-style-type: none"> - Hypothermia, frostbite, chilblains - Heat exhaustion, sunstroke, dehydration - Being struck by lightning causing burns, electrocution - Slippery surface – causing slips, trips, falls injuries - Radiation / ultra-violet burns - Inhalation of dust or fibres - asbestos etc. - Asphyxiation - Entrapment - confined space - Dust inhalation - Electrocution / Electric shock - Explosion / Fire / smoke - Exposure to toxic/hazardous atmosphere - Falling from height causing serious injury or death - Falling objects – being struck / crushed - Burn – Sunburn - Insect, spider bites or stings - Muscular stress/ Musculoskeletal Disorder. 	<p>Based on the Risk Assessment for the task adopt one or more of the following controls for working at height: Always ensure the highest possible level of controls is adopted:</p> <ul style="list-style-type: none"> - (Higher) Use a passive fall restraint system e.g. guard rails, scaffolding, elevated work platform e.g. where a roof pitch exceeds 35 degrees, do not stand on the roof. Work from a cherry picker, scaffold or travel restraint system - (Medium) If option one (1) is not reasonably practicable, provide a work positioning system e.g. Industrial rope access or a travel restraint Note: If using travel restraint or fall arrestors, ensure harness and clips are compatible, anchor points have been assessed by qualified persons - (Lower) If option one (1) or two (2) are not reasonably practicable then use a fall arrest system e.g. catch platforms, safety harness - If ladders are only option, ensure they are industrial, good condition, set-up correctly and secured both top and bottom. <p>Note: Consideration can be made to use more than one type of control where required</p> <p>When fall arrest system is utilised, emergency and rescue procedures must be developed for the system. Do not commence work until:</p> <ul style="list-style-type: none"> - These procedures are in developed and in place - The procedures have been tested - All relevant workers are provided training and instruction in these emergency and rescue procedures. <p>Power cables: External and in ceiling space</p> <ul style="list-style-type: none"> - Depending upon the risk of electrocution to on site workers (roof workers, crane operators, labourers etc.) the following must be considered: <ul style="list-style-type: none"> o “Tiger Tails” can be installed. (Note: Tiger tails ONLY give a visual warning of the proximity of power lines.) o Power cables can be redirected or power isolated for the duration of the work. 			

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		<p>Determine presence of asbestos/ACM:</p> <ul style="list-style-type: none"> - Competent person to identify if asbestos present (e.g. roof, eaves etc.) - Obtain as much information as possible on the location, type and condition of asbestos/ACM - If available, obtain a copy of the asbestos register for the site - If unsure, assume presence of asbestos - If older house try to determine if roof had ever been asbestos in the past (Roof space may still contain hazardous fibres) - Do not drill or disturb asbestos unless qualified to do so. <p>Locate:</p> <ul style="list-style-type: none"> - Any electrical cabling, gas pipes, water pipes, air conditioning ducts etc. prior to work commencing - Map location of electrical cabling when considering in-wall drilling and running of coaxial cables. <p>Advise client of the following:</p> <ul style="list-style-type: none"> - Work to be done, possible duration, potential hazards and what you require of the resident (e.g. keep clear of work area etc.) - Dangerous animals must be secured/ removed. <p>Working outdoors. Ensure:</p> <ul style="list-style-type: none"> - Suitable protective clothing - Sun brim on hard hat - Safety glasses - UV Rated - Use 30+ sunscreen on exposed skin areas - Adequate drinking water - Access to shade during breaks - Be aware of snakes if work area has long grass or dense vegetation - Adequate breaks - Check weather conditions – do not work in extreme weather. <table border="1" data-bbox="1016 995 2042 1037"> <tr> <td data-bbox="1016 995 1151 1037">RB: 4A</td> <td data-bbox="1151 995 1924 1037">Person responsible to implement control measures: Dean Roberts</td> <td data-bbox="1924 995 2042 1037">RA: 2M</td> </tr> </table>	RB: 4A	Person responsible to implement control measures: Dean Roberts	RA: 2M
RB: 4A	Person responsible to implement control measures: Dean Roberts	RA: 2M			
Job Step: Pre- start Inspection					
<p>Hazards include:</p> <ul style="list-style-type: none"> - Adverse weather - hot, cold, windy, wet - Asbestos - exposure - Confined Space - Electricity - Energised electrical equipment - Falls from a height 	<p>Risks include:</p> <ul style="list-style-type: none"> - Hypothermia, frostbite, chilblains - Heat exhaustion, sunstroke, dehydration - Being struck by lightning causing burns, electrocution - Slippery surface – causing slips, trips, falls injuries 	<p>Ensure:</p> <ul style="list-style-type: none"> - Workers are in fit condition to work i.e. no signs of fatigue, alcohol or drugs - Sufficient Lighting - Suitable weather conditions (no strong wind, rain, storms etc.). <p>Inspect all tools/equipment before use</p> <ul style="list-style-type: none"> - Tools are visually inspected for any damage - Tools are not modified - Batteries fully charged 			

<ul style="list-style-type: none"> - Work at height above 2 metres - Work outdoors - Hazardous Manual Tasks <ul style="list-style-type: none"> o awkward, twisting, bending positions o lifting, carrying, or putting down objects o pushing, pulling, throwing, pressing objects. 	<ul style="list-style-type: none"> - Radiation / ultra-violet burns - Inhalation of dust or fibres - asbestos etc. - Asphyxiation - Entrapment - confined space - Dust inhalation - Electrocutation / Electric shock - Explosion / Fire / smoke - Exposure to toxic/hazardous atmosphere - Falling from height causing serious injury or death - Falling objects – being struck / crushed - Burn – Sunburn - Insect, spider bites or stings - Muscular stress/ Musculoskeletal Disorder. 	<ul style="list-style-type: none"> - Electrical leads – tested/tagged – leads undamaged, not exposed to water - Electrical equipment is rated for environment, Residual Current Devices (RCDs) are provided and cables/leads are in safe condition. <p>Inspect Height-access (EWP) Equipment.</p> <ul style="list-style-type: none"> - Exactly as outlined in the order / design specifications - Controls labelled, gauges, indicators functional - Safety decals in place and legible - Work lighting sufficient and functional - SWL displayed (where required) - All safety guards are in place and undamaged - Harness/Lanyard/Anchors good condition - Serviced/Maintained. <p>If any equipment is damaged or unsuitable for the task do not use. Take out of service immediately and apply LOTO (Lock-Out / Tag-Out) procedures.</p> <p>Inspect working surfaces /roof</p> <ul style="list-style-type: none"> - Check for moisture, dust or any other condition that may cause loss of stable footing - Access is available e.g. entry through edge protection or other (do not climb on the outside of scaffold or over top rails of edge protection). <p>Inspect working surfaces /ceiling space</p> <ul style="list-style-type: none"> - Turn off power and inspect ceiling space prior to entering - Inspect for unsafe electrical connections, asbestos, vermin, insects, fall hazards , access and exit points. <p>Hearing protection, ensure:</p> <ul style="list-style-type: none"> - It is worn by all persons throughout the period of exposure to noise - It is suitable for the type of working environment and the work tasks - It s comfortable and correctly fitting for the worker - It is regularly inspected and maintained to ensure it remains in good, clean condition. <p>Review: Ensure,</p> <ul style="list-style-type: none"> - This SWMS has been reviewed by all relevant persons undertaking a task at height - Relevant detailed SWMS are also in place for the particular control measures being used for working at height (e.g. scissor lifts, scaffolding, harness etc.) - Ensure secure area below with barricades and signage to prevent entry into area where objects may fall. <table border="1" data-bbox="1016 1268 2047 1311" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%; padding: 2px;">RB: 4A</td> <td style="width: 60%; padding: 2px;">Person responsible to implement control measures: Dean Roberts</td> <td style="width: 25%; padding: 2px;">RA: 3H</td> </tr> </table>	RB: 4A	Person responsible to implement control measures: Dean Roberts	RA: 3H
RB: 4A	Person responsible to implement control measures: Dean Roberts	RA: 3H			
Job Step: Operation					

<p>Hazards include:</p> <ul style="list-style-type: none"> - Adverse weather - hot, cold, windy, wet - Asbestos - exposure - Confined Space - Electricity - Energised electrical equipment - Falls from a height - Work at height above 2 metres - Work outdoors - Hazardous Manual Tasks <ul style="list-style-type: none"> o awkward, twisting, bending positions o lifting, carrying, or putting down objects o pushing, pulling, throwing, pressing objects. 	<p>Risks include:</p> <ul style="list-style-type: none"> - Hypothermia, frostbite, chilblains - Heat exhaustion, sunstroke, dehydration - Being struck by lightning causing burns, electrocution - Slippery surface – causing slips, trips, falls injuries - Radiation / ultra-violet burns - Inhalation of dust or fibres - asbestos etc. - Asphyxiation - Entrapment - confined space - Dust inhalation - Electrocution / Electric shock - Explosion / Fire / smoke - Exposure to toxic/hazardous atmosphere - Falling from height causing serious injury or death - Falling objects – being struck / crushed - Burn – Sunburn - Insect, spider bites or stings - Muscular stress/ Musculoskeletal Disorder. 	<p>Commence operation:</p> <ul style="list-style-type: none"> - Workers comply with all reasonable instructions relating to work methods, directions from supervisors and any applicable user guide or manual for equipment. <p>Work positioning. Ensure:</p> <ul style="list-style-type: none"> - Use all height-access equipment as per manufacturer's instructions and for its designed purpose - Do not exit EWP in raised positions. - Never use makeshift means to access roofs - Maintain safe distance from power lines. <p>Ensure suitable equipment for job. Examples:</p> <p>Work at heights:</p> <ul style="list-style-type: none"> - Ensure scissor lift or step platforms are used. If ladders are only option, ensure they are industrial, good condition, set-up correctly and secured both top and bottom - When using travel restraint or fall arrestors, ensure harness and clips are compatible, anchor points have been assessed by qualified persons, training undertaken and emergency plan in place for rescue. <p>Ladders. Ensure:</p> <ul style="list-style-type: none"> - Refer to Code of Practice: Prevention of Falls in Housing Construction - Fixed top and bottom to prevent movement - Ladder extends at least 1metre past landing point on roof - Timber stiles are not warped, splintered, cracked, bruised or missing - Metal stiles are not bent, kinked, crushed, damaged welds, twisted or missing - Feet are not damaged - Rungs, steps, treads or top-plates are not missing, worn, damaged or loose - Tie rods are not missing, broken or loose - Ropes, braces, brackets or locking devices are not missing, broken or worn - SWL/rating information is displayed and legible(ladder should be, at least, industrial type, - 120kgs) - When working on a ladder, do not over reach. Descend ladder and re-position as required. - Do not carry materials when ascending/ descending a ladder. <p>Extension ladders:</p> <ul style="list-style-type: none"> - No defective clutches, stops, guide irons or pulleys - No deterioration of rope from wear, exposure to acid or other destructive agents - Pulleys can move freely and be lubricated. <p>Never set-up ladder on raised platforms, such as a pallet on raised forklift tines, any buckets etc. Never attach a ladder to another ladder for extra height.</p> <p>Ensure:</p>
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		<ul style="list-style-type: none"> - Persons are medically fit and able to use a ladder or work at heights - Footwear is suitable. Snug-fitting shoes/boots with flat, nonslip soles, No loose soles, long laces, soles that are oily, or caked with mud etc. - Before climbing ladder, test it is secure by jumping on bottom rung. If there is movement, set-up again and re-test until secure. <p>Do not use excessively long ladders (example, more than 9m) – use EWP for these tasks.</p> <p>Scaffolding. Check:</p> <ul style="list-style-type: none"> - Ground surface firm, stable and level - All guard rails, mid rails and toe boards are in place to prevent a person falling. (Example - 2 m or more) - There are no damaged planks. If found they must be removed from the site - Suitable access ways (hop up) to working platforms - Scaffold is suitably tied to prevent collapse from load - Working platforms are fully planked - Installed by licensed Scaffolders and certified for use. <p>Follow the Scaffold SWMS at all times when working on Scaffolds. Check the scaffold has been certified before use. Do not make any alterations to the Scaffold – this must only be done by a licensed Scaffolders.</p> <p>Harness equipment:</p> <ul style="list-style-type: none"> - Meet relevant Australian Standard - Load information legible - Clips are compatible and have safety latches in place - Good condition, clean - Formal training conducted for use. <p>Working on roof:</p> <ul style="list-style-type: none"> - Always monitor roof condition for holes; weak spots (avoid skylights, plastic sheeting etc.) - Walk on strongest part of roof (e.g. for tin roof walk on screw lines) - Do not rush, run or play around - Use deliberate motion - Do not work close to edge of roof where possible - Do not work with back to edge of roof if within two metres of roof edge - Keep work area clear of trip hazards - Never lunge for dropped objects (maintain balance at all times) - Do not throw tools or material from roof, always lower in a controlled motion. <p>Working in roofs/ceiling spaces</p>
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		<ul style="list-style-type: none"> - Always monitor area for hazards - Maintain sufficient lighting - Use crawl boards if access flooring not in place - Ensure entry and exit points are easily accessible - Always maintain awareness of working in hot unventilated conditions. (Have frequent breaks and stay hydrated at all times) - Do not conduct any electrical works unless licensed - Maintain regular communication with someone outside of roof space - Ensure joists/purlons are capable of holding weight of person and equipment and tested for Load capacity - Don't stand on fragile areas – such as plasterboard - Ensure adequate ventilation - Do not enter ceiling space if it is very hot - Do not enter ceiling space if working alone. <p>Ensure respiratory equipment is regularly cleaned, maintained and records kept.</p> <p>Use Confined Spaces SWMS for information regarding specific hazards involved with working in Confined Spaces.</p> <p>Wear appropriate PPE for the specific tasks.</p> <p>Operate all tools and equipment as instructed by manufacturer. Use equipment SWMS as appropriate.</p> <p>Hazardous Manual Handling:</p> <ul style="list-style-type: none"> - Avoid long periods of repetitive movements - Avoid awkward and sustained positions - Use mechanical lifting aids when possible - Use two or more people for lifting & moving heavy / awkward equipment - Regular breaks - Avoid working in bent over or awkward positions (such as arms above head height) for 30 minutes at a time or for two hours over entire shift - Take regular rest breaks and stretch out if bending for long periods. Consider job rotation to avoid excessive bending/reaching. <p>On completion remove tools, equipment and waste materials from site. (Conduct last minute walk around to ensure all hazardous material and equipment is collected).</p> <table border="1" data-bbox="1016 1238 2047 1283"> <tr> <td data-bbox="1016 1238 1151 1283">RB: 4A</td> <td data-bbox="1151 1238 1924 1283">Person responsible to implement control measures: Dean Roberts</td> <td data-bbox="1924 1238 2047 1283">RA: 3H</td> </tr> </table>	RB: 4A	Person responsible to implement control measures: Dean Roberts	RA: 3H
RB: 4A	Person responsible to implement control measures: Dean Roberts	RA: 3H			
Job Step: Maintenance					

<p>Hazards include:</p> <ul style="list-style-type: none"> - Electricity - Energised electrical equipment - Hazardous Manual Tasks <ul style="list-style-type: none"> o awkward, twisting, bending positions. 	<p>Risks include:</p> <ul style="list-style-type: none"> - Electrocution / Electric shock - Explosion / Fire / smoke - Muscular stress. 	<p>Ensure all servicing, maintenance and repairs are performed by suitably qualified & competent persons. On completion: Maintain tools and equipment in good condition and as per manufacturer's instructions Always replace or repair-damaged tools and equipment before placing back into service. Maintain PPE in good condition. Ensure regular documented condition inspections (including: cuts or "kinks" to cords / leads and or other safety related controls). Keep logbook of repairs and maintenance history. Follow Lock-out/Tag-out procedures before conducting maintenance on any plant or equipment. Test and Tag – should comply with: AS/NZS 3760:2010 <i>In-service safety inspection and testing of electrical equipment.</i></p> <table border="1" data-bbox="1010 534 2047 577"> <tr> <td data-bbox="1010 534 1151 577">RB: 3H</td> <td data-bbox="1151 534 1921 577">Person responsible to implement control measures: Dean Roberts</td> <td data-bbox="1921 534 2047 577">RA: 2M</td> </tr> </table>	RB: 3H	Person responsible to implement control measures: Dean Roberts	RA: 2M
RB: 3H	Person responsible to implement control measures: Dean Roberts	RA: 2M			

Emergency Procedures / Emergency Response

<p>Emergency Response: Call 000 immediately if there is a serious incident. Do not attempt to rescue a person who is trapped, fallen from a height or has been crushed by a vehicle or plant unless Emergency Services personnel have provided direction and it is safe to do so. Develop and implement an emergency response plan for the site. Include:</p> <ul style="list-style-type: none"> - Assembly points - Communication - Consultation methods - Responsible persons - Emergency contacts - names and phone numbers - First aid equipment - Fire Extinguishers – accessible & serviced. 	<p>Develop site-specific rescue procedures/SWMS</p> <p>Note: Whenever any person is wearing a harness, a rescue plan must be in place as suspension trauma can occur to persons who fall and remain in the harness for more than 5 minutes. Ensure all workers on-site are trained and familiar with emergency and evacuation procedures.</p> <p>Person/s responsible to implement and follow emergency procedures and control measures: Dean Roberts</p>
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Review

<p>To ensure controls are implemented and monitored effectively:</p> <ul style="list-style-type: none"> • Toolbox /pre-work meetings will be undertaken • Relevant persons will be consulted on hazards and contents of SWMS, work plans and other applicable information • Control measures will be monitored throughout works: <ul style="list-style-type: none"> o Spot checks o Consultation o Scheduled audits • Corrective actions will be recorded and rectified in a timely manner SWMS will be reviewed and updated accordingly (in consultation with relevant persons) <p>Person/s responsible to implement and follow monitoring and review procedures and control measures: Dean Roberts</p>	<p>Ensure all controls are reviewed as per the following:</p> <ul style="list-style-type: none"> • If controls fail to reduce risk adequately • When changes to the workplace or work activity occur that create new / different risks where controls may no longer be effective • New hazards identified • After an incident involving work activities relevant to this SWMS • During consultation with relevant persons indicate review is needed • A Health and Safety Representative (HSR) requests a review in line with the requirements of the legislation.
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SAFE WORK METHOD STATEMENT - Part 2		
Formal Training, Licences required for workers undertaking this task:	Duties of workers undertaking this task:	Details of Supervisory Arrangements for workers undertaking this task:
N/A		- Direct on-site supervision
Details of regulatory permits/licenses Engineering Details/Certificates/WorkCover Approvals:	Relevant Legislation, Codes of Practice: Note: Retain only the legislation references applicable to your state of operation for this SWMS.	
Plant/Tools/Equipment: (List plant and equipment to be used on the job.)	<ul style="list-style-type: none"> • Commonwealth, NSW, QLD, ACT <ul style="list-style-type: none"> ○ Work Health and Safety Act 2011 ○ Work Health and Safety Regulations 2011 • Northern Territory <ul style="list-style-type: none"> ○ Work Health and Safety (National Uniform Legislation) Act 2011 ○ Work Health and Safety (National Uniform Legislation) Regulations • SA, Tasmania <ul style="list-style-type: none"> ○ Work Health and Safety Act 2012 ○ Work Health and Safety Regulations 2012 • Codes of Practice: Safe Work Australia (2011): <ul style="list-style-type: none"> ○ Construction Work ○ First Aid in the Workplace ○ Managing the Risk of Falls at Workplaces ○ Managing the Risk of Plant in the Workplace ○ Managing Noise and Preventing Hearing Loss in the Workplace ○ How to Manage Work Health and Safety Risks ○ Hazardous Manual Tasks ○ Managing Electrical Risks in the Workplace ○ Confined Spaces ○ How to Manage & Control Asbestos in the Workplace ○ Managing the Work Environment and Facilities ○ WHS Consultation, Cooperation & Coordination 	<ul style="list-style-type: none"> ▪ Victoria <ul style="list-style-type: none"> ○ Occupational Health & Safety Act 2004 ○ Occupational Health & Safety Regulations 2007 ○ Codes of Practice: ▪ Western Australia <ul style="list-style-type: none"> ○ Occupational Safety & Health Act 1984 ○ Occupational Safety & Health Regulations 1996 ○ Codes of Practice: ▪ Australian Standards: <ul style="list-style-type: none"> ○ AS/NZS1269: 2005 <i>Occupational noise management</i> ○ AS/NZS 4501:2008 (set) <i>Occupational Protective Clothing</i> ○ AS/NZS 4602.1:2011 <i>High visibility safety garments - Garments for high risk applications</i> ○ AS 4024.1:1996 <i>Safeguarding of machinery - General principles</i> ○ AS 4024.1:2006 <i>Safety of machinery</i> ○ AS/NZS 1576.1:2010 <i>Scaffolding – General requirements</i> ○ AS.1892.5: 2000 <i>Portable Ladders – selection, safe use and care</i> ○ AS 1319:1994 <i>Safety Signs for Occupational Environment</i> ○ AS/NZS 3760:2010 <i>In-service safety inspection and testing of electrical equipment</i> ○ AS 1891 (set) <i>Industrial Safety Belts and Harness</i> ○ AS 1657:1997 <i>Fixed platforms, walkways, stairways and ladders - Design, construction and installation</i> ○ AS/NZS 4994.1:2009 <i>Temporary edge protection - General requirements.</i>

DOCUMENT NO: 10225	VERSION NO: 3	ACTIVITY: Roofs – Working on	AUTHORISED BY:	REVIEW NO:	DATE:
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Reference Documents

Safe Work Australia (2011): Code of Practice: *Managing Noise and preventing hearing loss at work*
 Safe Work Australia (2011): *Managing the Risk of Falls at Workplaces*
 Safe Work Australia (2011): Code of Practice: *Hazardous Manual Tasks*
 Safe Work South Australia (2011): Hazard Alert: *Safe working in ceilings*
 Safe Work South Australia: Hazard Alert : *Safe working on Fragile Roofing*
 Work Cover New South Wales: Guidance Note: *Working at Heights*
 Health and Safety Executive (2005): *Safe Use of Ladders and Step Ladders - An Employers Guide*

SAFE WORK METHOD STATEMENT - Part 3

This SWMS has been developed in consultation and cooperation with *employee/workers* and relevant *Employer/Persons Conducting Business or Undertaking (PCBU)*. I have read the above SWMS and I understand its contents. I confirm that I have the skills and training, including relevant certification to conduct the task as described. I agree to comply with safety requirements within this SWMS including risk control measures, safe work instructions and Personal Protective Equipment described.

Overall Risk Rating after Controls	1 Low	2 Moderate	3 High	4 Acute
Employee/Worker Name	Job Role / Position	Signature	Date	Time

Review No.	1	2	3	4	5	6	7	8
Name								
Initial								
Date								

HIERARCHY OF CONTROLS



RISK ASSESSMENT MATRIX

HB 436:2004 Risk Management Guidelines Tables 6.3 – 6.8 reproduced with permission from SAI Global under licence 1210-c062. Standards may be purchased at <http://www.saiglobal.com>
 References: Safe Work Australia (2011) - Code of Practice: How to Manage Work Health and Safety Risks, AS/NZS 31000 -2009 Risk Management Principles and Guidelines.

Step 1: Determine Likelihood		
What is the possibility that the effect will occur?		
Criteria	Description	
Almost certain	Expected in most circumstances.	Effect is a common result
Likely	Will probably occur in most circumstances.	Effect is known to have occurred at this site or it has happened
Possible	Might occur at some time	Effect could occur at the site or I've heard of it happening
Unlikely	Could occur at some time	Effect is not likely to occur at the site or I have not heard of it happening
Rare	May occur only in exceptional circumstances	Effect is practically impossible

Step 2: Determine Consequence	
What will be the expected effect?	
Level of Effect:	Example of each level:
Insignificant/Acceptable	No effect – or so minor that effect is acceptable
Minor	First aid treatment only; spillage contained at site.
Moderate	Medical treatment; serious injuries, temporary partial disability; lost time injury < 7 days
Major	Hospital admittance; extensive injuries; lost time injury > 7 days; Permanent Total Disability injury; death
Catastrophic	Multiple Permanent Total Disability injuries; multiple deaths

Step 3 Determine the risk score					
Likelihood	Consequence				
	Insignificant	Minor	Moderate	Major	Catastrophic
Almost certain	3 High	3 High	4 Acute	4 Acute	4 Acute
Likely	2 Moderate	3 High	3 High	4 Acute	4 Acute
Possible	1 Low	2 Moderate	3 High	4 Acute	4 Acute
Unlikely	1 Low	1 Low	2 Moderate	3 High	4 Acute
Rare	1 Low	1 Low	2 Moderate	3 High	3 High

Step 4 Record risk score on worksheet (Note – Risk scores have no absolute value and should only be used for comparison and to engender discussion.)	
Score	Action
4 A: Acute	DO NOT PROCEED. Requires immediate attention. Introduce further high level controls to lower the risk level. Re-assess before proceeding.
3 H: High	Review before commencing work. Introduce new controls and/or maintain high level controls to lower the risk level. Monitor frequently to ensure control measures are working.
2 M: Moderate	Maintain control measures. Proceed with work. Monitor and review regularly, and if any equipment/people/materials/work processes or procedures change.
1 L: Low	Record and monitor. Proceed with work. Review regularly, and if any equipment/people/materials/work processes or procedures change.

From:"info@archibuild.com.au" <info@archibuild.com.au>

Sent:19/06/2019 12:48 PM

To:"SmartForms" <SmartForms@act.gov.au>;"Denyer, Joseph" <Joseph.Denyer@act.gov.au>

Cc:"Worksafe Notices" <WorksafeNotices@act.gov.au>

Subject:Re: Workplace Visit Report Combined, ARCHIBUILD CONSTRUCTIONS GROUP PTY LTD, 4WYP77

Dear Joseph,

Please find attached scaffold rectification & we added more bays as well so we also cleaned site etc.

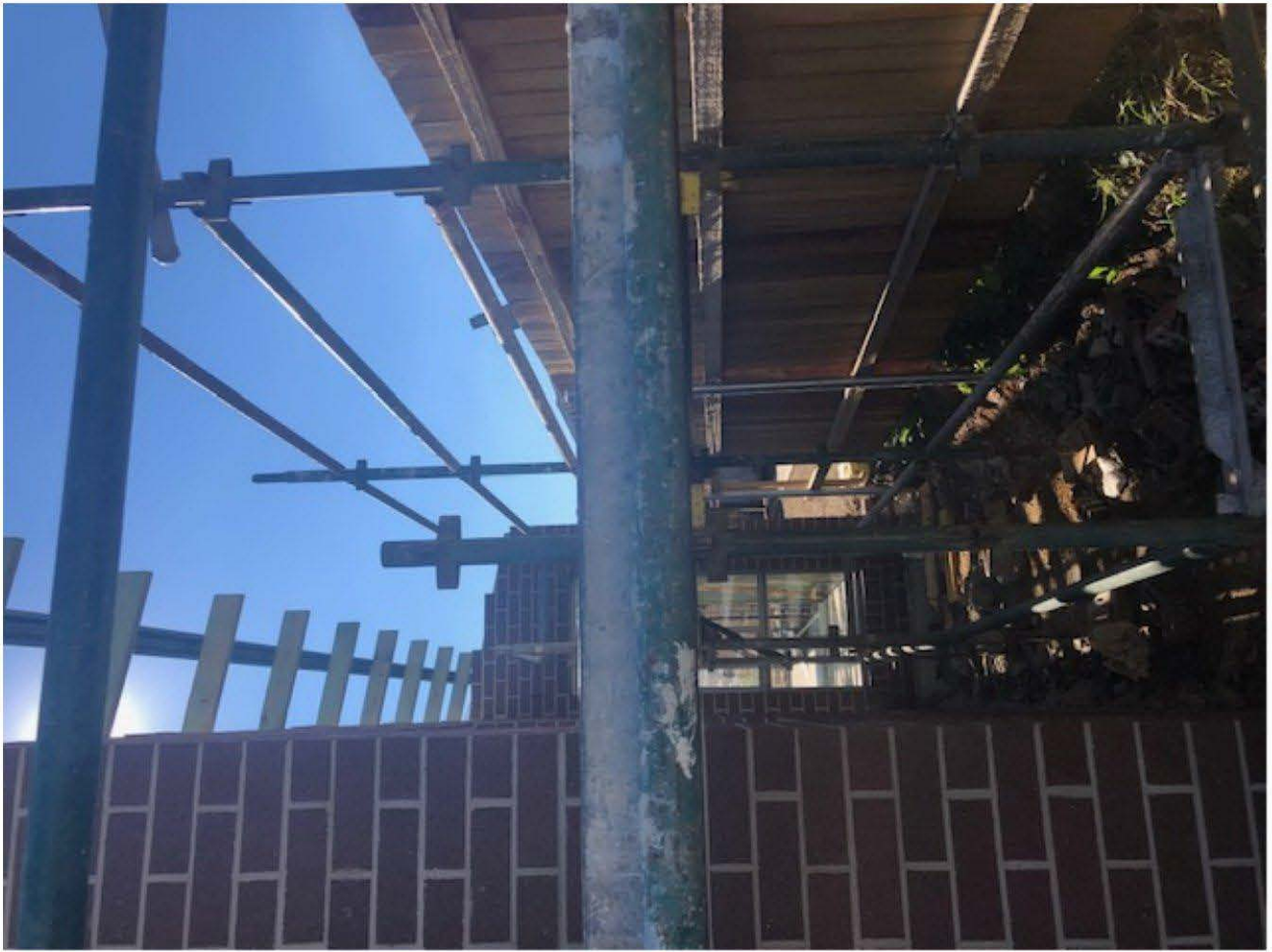
SWMS will follow in separate email.

Please have a look & let me know if there is anything concerning.

Thank you









Regards,

ArchiBuild Constructions Group Pty Ltd

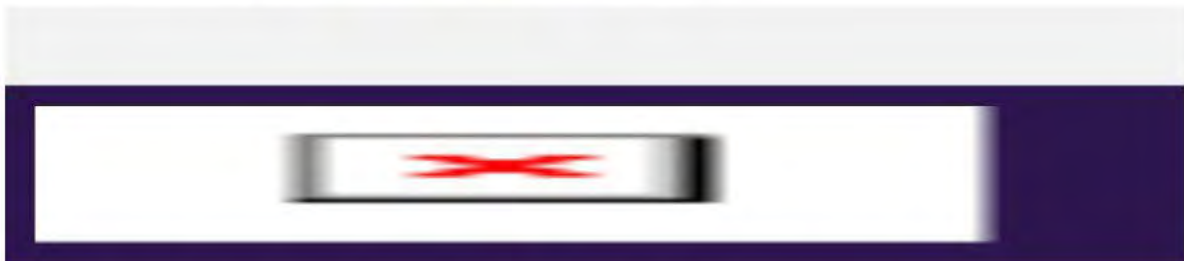
ABN: 16169046422

Ph: 02-6166 8551

PO Box 352

Mitchell, ACT 2911

On 11 Jun 2019, at 2:45 pm, smartforms@act.gov.au wrote:



Workplace Visit Report Combined

Please see attached PDFs to view a copy of your Workplace Visit report and issued notices.

Inspection number WPV-P32682-VIUKZO

Lead inspector Joseph Denyer
Company name ARCHIBUILD CONSTRUCTIONS GROUP PTY LTD
Submission ID 20190611142394
Tracking number 4WYP77

For any further information please contact WorkSafe on:

Telephone: [\(02\) 6207 3000](tel:(02)62073000)

Facsimile: [\(02\) 6205 0336](tel:(02)62050336)

Email: worksafe@act.gov.au

You also contact WorkSafe through the Access Canberra [WorkSafe ACT Report online form](#).

ACT Government

Note: Please do not reply to this auto-generated email.

<Notice 1.pdf>

<Notice 2.pdf>

<Notice 3.pdf>

<Notice 4.pdf>

<20190607-WPV-P32682-VIUKZO-190611-000696-ARCHIBUILD CONSTRUCTIONS GROUP PTY LTD [REDACTED] Non-compliant.pdf>

<Archibuild-1.jpg>

<Archibuild1-2.jpg>

From:smartforms@act.gov.au

Sent:19/06/2019 2:57 PM

To:"Denyer, Joseph" <Joseph.Denyer@act.gov.au>

Cc:"Worksafe Notices" <WorksafeNotices@act.gov.au>

Subject:Workplace Visit Report Combined, ARCHIBUILD CONSTRUCTIONS GROUP PTY LTD, 6JJWTS

Attachments:Notice 1.pdf, 20190607-WPV-P32682-VIWAQM-190611-000969-ARCHIBUILD CONSTRUCTIONS GROUP PTY LTD-[REDACTED] Non-compliant.pdf, Archibuild-1.jpg



WORKPLACE VISIT REPORT COMBINED

Please see attached PDFs to view a copy of your Workplace Visit report and issued notices.

Inspection number	WPV-P32682-VIWAQM
Lead inspector	Joseph Denyer
Company name	ARCHIBUILD CONSTRUCTIONS GROUP PTY LTD
Submission ID	20190619141663
Tracking number	6JJWTS

For any further information please contact WorkSafe on:

Telephone: (02) 6207 3000

Facsimile: (02) 6205 0336

Email: worksafe@act.gov.au

You also contact WorkSafe through the Access Canberra [WorkSafe ACT Report online form](#).

ACT Government

Note: Please do not reply to this auto-generated email.



ACT
Government

Access
Canberra.

WORKSAFEACT

Infringement Notice

This is an Infringement Notice issued under **section 120 of the Magistrates Court Act 1930.**

Issued by Inspector

Joseph Denyer

Inspector ID number

P32682

Notice Number

830000287

Recipient *

ARCHIBUILD CONSTRUCTIONS GROUP PTY LTD

Date of service *

19 Jun 2019

Method of service *

In person

Email

The responsible person being given this Notice: *

Company

Individual

Directorate

Name of registered company *

ARCHIBUILD CONSTRUCTIONS GROUP PTY LTD

ACN

169046422

Business or trading name (if different):

Registered company/business address

Address line 1 *

55 BIEUNDURRY STREET,

Address line 2

Suburb *

BONNER

State *

ACT

Postcode *

2914

The inspector believes you have contravened: *

79(2)

of *

Work Health and Safety Act 2011

Work Health and Safety Regulation 2011

Short description of contravention: (for continuing offences list each location, date and time in the short description) *

Workers are exposed to a serious risk to their health or safety as there is no system in place to prevent a person falling 2 metres to the ground from the roof of a new house which is under construction.

Time / Date of contravention (or period for continuing offences): *

11:50AM 7th June, 2019

Address of place of contravention

Address line 1 *

Address line 2

Suburb *

State

ACT

Postcode *

Penalty *

\$3,600.00

YOU HAVE 28 DAYS ONLY FROM THE DATE OF THIS NOTICE TO:

A. PAY THE INFRINGEMENT NOTICE PENALTY. Payment must be made within 28 days. See below for Methods of Payment, **OR**

B. REQUEST EXTENSION OF TIME TO PAY PENALTY. If you wish to apply for more time to pay the penalty, you must write to the Work Health and Safety Regulator. WorkSafe ACT will write to you about the outcome of your request, and if your request is refused, the reasons for that decision. If your request is refused the penalty must be paid within 7 days after the day you are told of the refusal, or 28 days after the date of service, whichever is the later; **OR**

C. APPLY FOR WITHDRAWAL OF THE INFRINGEMENT NOTICE. If you wish to apply for withdrawal of the Infringement Notice, you must write to the Work Health and Safety Regulator, within 28 days after the date of service. The application must set out the grounds on which you rely. WorkSafe ACT will write to you about the outcome of your request, and if your request is refused, the reasons for that decision. If your request is refused the penalty must be paid within 7 days after the day you are told of the refusal, or 28 days after the date of service, whichever is the later, **OR**

D. DISPUTE LIABILITY. If you wish to dispute liability for the offence, you must write to the Work Health and Safety Regulator, within 28 days after the date of service, or any longer time allowed by the Work Health and Safety Regulator. The notice must state that you dispute liability and set out the grounds on which you rely. The matter may be referred to the Magistrates Court. If the matter goes to Court, and the Court finds against you, you may be convicted and ordered to pay a penalty and costs, and be subject to other Court orders; **OR**

E. REQUEST EXTENSION OF TIME TO DISPUTE LIABILITY. If you wish to apply for longer time to dispute liability for the offence, you must write to the Work Health and Safety Regulator, requesting a stated longer time. WorkSafe ACT will write to you about the outcome of your request, and if your request is refused, the reasons for that decision. If your request is refused, you must pay the penalty or dispute liability within 7 days after the day you are told of the refusal, or 28 days after the day of service, whichever is later.

PAYMENT OPTIONS

EFT: Use your online banking service to make payment using the details below.

Account Name: Access Canberra RBT

BSB: 032-777

Account Number: 002626

ONLINE: www.act.gov.au/accessCBR (Visa and Mastercard only)

PHONE: call Access Canberra on 13 22 81 and have your Infringement number ready.

IN PERSON: visit www.act.gov.au/accessCBR for Access Canberra Service Centre locations and opening hours.

Infringement Notice - Further Information

If you have any questions you may contact the inspector who issued this notice.

If you pay the Infringement penalty within 28 days (or any further time allowed) then, unless the Infringement Notice is withdrawn and the penalty refunded:

- i. Your liability for the offence is discharged;
- ii. You will not be prosecuted in court for the offence; and
- iii. You will not be taken to have been convicted of the offence.

If you do not pay the Infringement Notice penalty or dispute liability for the offence within 28 days (or any further time allowed), a Reminder Notice may be served on you, or you may be prosecuted in Court for the offence. If a Reminder Notice is issued, the penalty is increased by the cost of serving the Reminder Notice.

This Notice may be withdrawn before or after the penalty is paid. In the event that the Notice is withdrawn, WorkSafe ACT may determine that further prosecution is warranted.

If you wish to dispute liability for the offence the issue may be referred to the Magistrates Court. If the Magistrates Court finds against you or you are prosecuted in court for the offence, you may be convicted of the offence and ordered to pay a penalty and costs, and be subject to other court orders.

Review of this Notice

The decision to issue this notice is reviewable under the Administrative Decisions (Judicial Review) Act 1989 on application to the Supreme Court of the ACT. Information about the procedure for making that application can be obtained by calling the Supreme Court Registry on 6207 1786.

Further, a person who has a complaint about the issue of this notice can complain to the Commonwealth Ombudsman by calling 1300 362 072.

PRIVACY NOTICE:

The personal information collected about you is being collected for the purpose of securing the safety of people at work by the authority of the Work Health and Safety Act 2011. The information can be disclosed, in accordance with the Work Health and Safety Act 2011, to other law enforcement agencies including the Australian Federal Police, ACT Planning & Land Authority and the Office for Children, Youth & Family Support

WorkSafe ACT Contact Details

WorkSafe ACT, Chief Minister, Treasury and Economic Development Directorate PO Box 158, Canberra, ACT 2601

email: worksafe@act.gov.au

Phone: (02) 6207 3000

Fax: (02) 6205 0336

Translating and Interpreting Service

Phone: 131 450

From:"info@archibuild.com.au" <info@archibuild.com.au>
Sent:28/06/2019 9:49 AM
To:"SmartForms" <SmartForms@act.gov.au>;"Denyer, Joseph" <Joseph.Denyer@act.gov.au>
Cc:"Worksafe Notices" <WorksafeNotices@act.gov.au>
Subject:Re: Workplace Visit Report Combined, ARCHIBUILD CONSTRUCTIONS GROUP PTY LTD, 4WYP77

Dear Joseph,

Following up on below email; could you please confirm that notice has been lifted & now we can recommence work on site at [REDACTED]

As we intend to start working there on Monday please.

Thank you

Regards,

ArchiBuild Constructions Group Pty Ltd

ABN: 16169046422

Ph: 02-6166 8551

PO Box 352

Mitchell, ACT 2911

On 19 Jun 2019, at 12:48 pm, "info@archibuild.com.au" <info@archibuild.com.au> wrote:

Dear Joseph,

Please find attached scaffold rectification & we added more bays as well so we also cleaned site etc.

SWMS will follow in separate email.

Please have a look & let me know if there is anything concerning.

Thank you

<image1.jpeg>

<image2.jpeg>

<image3.jpeg>

<image4.jpeg>

<image5.jpeg>

Regards,

ArchiBuild Constructions Group Pty Ltd

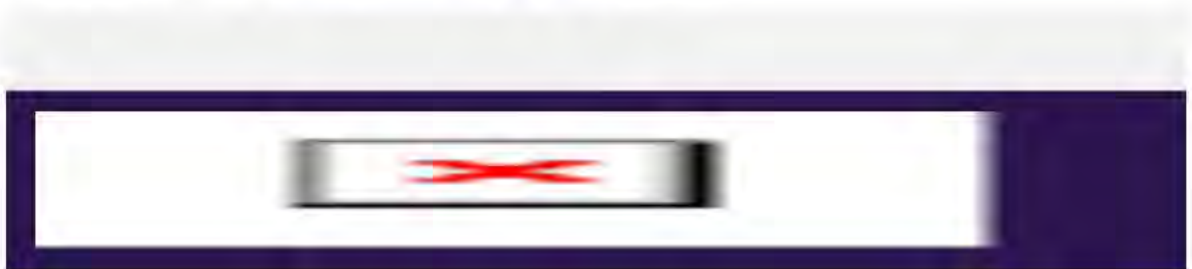
ABN: 16169046422

Ph: 02-6166 8551

PO Box 352

Mitchell, ACT 2911

On 11 Jun 2019, at 2:45 pm, smartforms@act.gov.au wrote:



Workplace Visit Report Combined

Please see attached PDFs to view a copy of your Workplace Visit report and issued notices.

Inspection number WPV-P32682-VIUKZO
Lead inspector Joseph Denyer
Company name ARCHIBUILD CONSTRUCTIONS GROUP PTY LTD
Submission ID 20190611142394
Tracking number 4WYP77

For any further information please contact WorkSafe on:

Telephone: [\(02\) 6207 3000](tel:(02)62073000)

Facsimile: [\(02\) 6205 0336](tel:(02)62050336)

Email: worksafe@act.gov.au

You also contact WorkSafe through the Access Canberra [WorkSafe ACT Report online form](#).

ACT Government

Note: Please do not reply to this auto-generated email.

<Notice 1.pdf>

<Notice 2.pdf>

<Notice 3.pdf>

<Notice 4.pdf>

<20190607-WPV-P32682-VIUKZO-190611-000696-ARCHIBUILD
CONSTRUCTIONS GROUP PTY LTD [REDACTED] Non-
compliant.pdf>

<Archibuild-1.jpg>

<Archibuild1-2.jpg>

From:smartforms@act.gov.au

Sent:09/07/2019 9:59 AM

To:"Denyer, Joseph" <Joseph.Denyer@act.gov.au>

Cc:"Worksafe Notices" <WorksafeNotices@act.gov.au>

Subject:Workplace Visit Report Combined, Archbuild Pty Limited, X8XZ3Z

Attachments:20190705-WPV-P32682-35JKQS-190611-000969-Archbuild Pty Limited [REDACTED].pdf



WORKPLACE VISIT REPORT COMBINED

Please see attached PDF to view a copy of your Workplace Visit report.

Inspection number WPV-P32682-35JKQS
Lead inspector Joseph Denyer
Company name Archbuild Pty Limited
Submission ID 20190709099457
Tracking number X8XZ3Z

For any further information please contact WorkSafe on:

Telephone: [\(02\) 6207 3000](tel:(02)62073000)

Facsimile: [\(02\) 6205 0336](tel:(02)62050336)

Email: worksafe@act.gov.au

You also contact WorkSafe through the Access Canberra [WorkSafe ACT Report online form](#).

ACT Government

Note: Please do not reply to this auto-generated email.

Initial information

Type of report *

Workplace Visit

Inspector ID *

P32682

Inspection number

WPV-P32682-35JKQS

Event number

190611-000969

Lead inspector *

Joseph Denyer

Is there any accompanying inspectors *

Yes No

Date *

05 Jul 2019

Time commenced *

11:30

Type of WPV *

Proactive Reactive

Purpose of WPV *

N/A

Legislation *

Work Health and Safety Act 2011

Is this a joint inspection? *

Yes No

Name of individual or registered company *

Other

Name of individual or registered company *

Archbuild Pty Limited

ABN

ACN

Business or trading name (if different)

ARCHIBUILD CONSTRUCTIONS GROUP PTY LTD

Registered company address

Address line 1 *

55 BIEUNDURRY STREET,

Address line 2

Suburb *

bonner

State *

ACT

Postcode *

2914

Contact name *

Hatem Abukwaik

Contact number *

Email address *

infor@arcbuild.com.au

Workers compensation

Is a compulsory Workers Compensation Policy maintained? *

- Yes
- No
- Not applicable

Details of inspection

Site/Workplace address

Same as registered address

Address line 1 *

Address line 2

Suburb *

State

ACT

Postcode *

Notification of entry to (as required by s164) *

- PCBU
- Manager
- Supervisor
- HSR
- Other
- N/A

Inspector notes

Re visit regarding no compliance with scaffolding. All sole plates and boards inspecting and all complied

Further action

Further action required? *

Yes

No

Previous notice/s issued?

Yes

No

Notice number/s

IN-W-P32682-VIUKZO-1
IN-W-P32682-VIUKZO-2
IN-W-P32682-VIUKZO-3
IN-W-P32682-VIUKZO-4

Finalisation details

Photos

Other attachments (documents)

WPV for asbestos related issue *

Yes No

Industry group *

Construction

Time finished *

11:40

Disclaimer:

The issues identified during this Inspection are only indicative of compliance with the Work Health and Safety Act 2011, Work Health and Safety Regulation 2011, Dangerous Substance Act 2004 and Workers Compensation Act 1951 on the date of the Inspection. If compliance is identified during this Inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Lead inspector email address *

Joseph.Denyer@act.gov.au

How many other email addresses would you like to send this to? *

1

Email 1 *

infor@arcbuild.com.au

Privacy notice

The information collected for the purpose of the Work Health and Safety Act 2011 and is in accordance with the Information Privacy Act 2014. WorkSafe ACT prevents any unreasonable intrusion into person's privacy in accordance with the Privacy Act 1988 (C'With) and Information Privacy Act 2014. WorkSafe ACT provides identifiable information which can be disclosed to other law enforcement agencies and authorised organisations that have legal authority to request information under prescribed circumstances.

From:"info@archibuild.com.au" <info@archibuild.com.au>
Sent:10/07/2019 6:47 PM
To:"Worksafe Notices" <WorksafeNotices@act.gov.au>
Cc:"Denyer, Joseph" <Joseph.Denyer@act.gov.au>
Subject:WITHDRAWAL OF THE INFRINGEMENT NOTICE - REQUEST
Attachments:Notice 1.pdf

Good afternoon,

We would like to request the withdrawal of attached infringement notice please.

Could you please direct us how we can do so as we never been through this process before?

Thank you

Regards,

ArchiBuild Constructions Group Pty Ltd

ABN: 16169046422

PO Box 352

Mitchell, ACT 2911



ACT
Government

Access
Canberra.

WORKSAFEACT

Infringement Notice

This is an Infringement Notice issued under **section 120 of the Magistrates Court Act 1930.**

Issued by Inspector

Joseph Denyer

Inspector ID number

P32682

Notice Number

830000287

Recipient *

ARCHIBUILD CONSTRUCTIONS GROUP PTY LTD

Date of service *

19 Jun 2019

Method of service *

In person

Email

The responsible person being given this Notice: *

Company

Individual

Directorate

Name of registered company *

ARCHIBUILD CONSTRUCTIONS GROUP PTY LTD

ACN

169046422

Business or trading name (if different):

Registered company/business address

Address line 1 *

55 BIEUNDURRY STREET,

Address line 2

Suburb *

BONNER

State *

ACT

Postcode *

2914

The inspector believes you have contravened: *

79(2)

of *

Work Health and Safety Act 2011

Work Health and Safety Regulation 2011

Short description of contravention: (for continuing offences list each location, date and time in the short description) *

Workers are exposed to a serious risk to their health or safety as there is no system in place to prevent a person falling 2 metres to the ground from the roof of a new house which is under construction.

Time / Date of contravention (or period for continuing offences): *

11:50AM 7th June, 2019

Address of place of contravention

Address line 1 *

Address line 2

Suburb *

State

ACT

Postcode *

Penalty *

\$3,600.00

YOU HAVE 28 DAYS ONLY FROM THE DATE OF THIS NOTICE TO:

A. PAY THE INFRINGEMENT NOTICE PENALTY. Payment must be made within 28 days. See below for Methods of Payment, **OR**

B. REQUEST EXTENSION OF TIME TO PAY PENALTY. If you wish to apply for more time to pay the penalty, you must write to the Work Health and Safety Regulator. WorkSafe ACT will write to you about the outcome of your request, and if your request is refused, the reasons for that decision. If your request is refused the penalty must be paid within 7 days after the day you are told of the refusal, or 28 days after the date of service, whichever is the later; **OR**

C. APPLY FOR WITHDRAWAL OF THE INFRINGEMENT NOTICE. If you wish to apply for withdrawal of the Infringement Notice, you must write to the Work Health and Safety Regulator, within 28 days after the date of service. The application must set out the grounds on which you rely. WorkSafe ACT will write to you about the outcome of your request, and if your request is refused, the reasons for that decision. If your request is refused the penalty must be paid within 7 days after the day you are told of the refusal, or 28 days after the date of service, whichever is the later, **OR**

D. DISPUTE LIABILITY. If you wish to dispute liability for the offence, you must write to the Work Health and Safety Regulator, within 28 days after the date of service, or any longer time allowed by the Work Health and Safety Regulator. The notice must state that you dispute liability and set out the grounds on which you rely. The matter may be referred to the Magistrates Court. If the matter goes to Court, and the Court finds against you, you may be convicted and ordered to pay a penalty and costs, and be subject to other Court orders; **OR**

E. REQUEST EXTENSION OF TIME TO DISPUTE LIABILITY. If you wish to apply for longer time to dispute liability for the offence, you must write to the Work Health and Safety Regulator, requesting a stated longer time. WorkSafe ACT will write to you about the outcome of your request, and if your request is refused, the reasons for that decision. If your request is refused, you must pay the penalty or dispute liability within 7 days after the day you are told of the refusal, or 28 days after the day of service, whichever is later.

PAYMENT OPTIONS

EFT: Use your online banking service to make payment using the details below.

Account Name: Access Canberra RBT

BSB: 032-777

Account Number: 002626

ONLINE: www.act.gov.au/accessCBR (Visa and Mastercard only)

PHONE: call Access Canberra on 13 22 81 and have your Infringement number ready.

IN PERSON: visit www.act.gov.au/accessCBR for Access Canberra Service Centre locations and opening hours.

Infringement Notice - Further Information

If you have any questions you may contact the inspector who issued this notice.

If you pay the Infringement penalty within 28 days (or any further time allowed) then, unless the Infringement Notice is withdrawn and the penalty refunded:

- i. Your liability for the offence is discharged;
- ii. You will not be prosecuted in court for the offence; and
- iii. You will not be taken to have been convicted of the offence.

If you do not pay the Infringement Notice penalty or dispute liability for the offence within 28 days (or any further time allowed), a Reminder Notice may be served on you, or you may be prosecuted in Court for the offence. If a Reminder Notice is issued, the penalty is increased by the cost of serving the Reminder Notice.

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WorkSafe ACT Contact Details

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Development Directorate PO Box 158, Canberra, ACT 2601
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