



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 2020-173

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)	10
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: Wednesday, 9 September 2020 12:12:18 PM

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

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

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):

All documents, including notices, notes, emails relating to WorkSafe ACT site visits to [REDACTED] between January - June 2019. Please note that since that time, the property has been unit titled subdivided and is now known as [REDACTED]. All documents, including notices, notes, emails relating to [REDACTED]. All notices, remediation works requests, approvals related to either [REDACTED]. This matter is urgent due to civil court action. Thank you for your assistance.

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: CMTEDDFOI2020-173

[REDACTED]

via email: [REDACTED]

Dear [REDACTED]

FREEDOM OF INFORMATION DECISION NOTICE

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 9 September 2020 in which you sought access to documents in relation to [REDACTED]. Specifically, you requested:

"All documents, including notices, notes, emails relating to WorkSafe ACT site visits to [REDACTED] between January - June 2019. Please note that since that time, the property has been unit titled subdivided and is now known as [REDACTED] and [REDACTED]. All documents, including notices, notes, emails relating to [REDACTED]. All notices, remediation works requests, approvals related to either [REDACTED], or [REDACTED] or [REDACTED]".

Authority

I am an Information Officer appointed by the Director-General of CMTEDD 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 8 October 2019. However, due to third party consultation, this timeframe has been extended by 15 working days pursuant to section 38(5) of the Act. The due date for this request is therefore 29 October 2020.

Third Party Consultation

In making this decision, I completed consultation with the relevant third party in accordance with section 38 of the Act. The views of the identified third party were taken into account in making this decision.

Decision on access

Searches were completed for relevant documents and seven documents were identified that fall within the scope of your request. I have decided to grant full access to two documents and partial access to five documents.

I have included as **Attachment A** to this decision the schedule of relevant documents. This provides a description of the documents that fall within the scope of your request and the access decision for each document. The documents released to you are provided as **Attachment B** to this letter.

My access decisions are detailed further in the following statement of reasons.

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 contentions of relevant third party;
- the content of the documents that fall within the scope of your request; and
- the *Human Rights Act 2004*.

Exemption claimed

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

Public Interest Test (Schedule 2 of the Act)

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 factors favouring 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. The factors referred to in the test are found in subsection 17(2) and Schedule 2 of the Act.

Factors favouring disclosure (Schedule 2 section 2.1)

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 factor in favour of disclosure is relevant to determine if release of the information contained within these documents is within 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 factor above, I consider that the release of these documents may contribute to the administration of justice generally by allowing you to have a record of the Worksafe ACT site visits to [REDACTED]. I am satisfied that this factor

favouring disclosure carries some weight. However, this factor is to be balanced against the factors favouring non-disclosure.

Factors favouring non-disclosure (Schedule 2 section 2.2)

As required in the public interest test set out in section 17 of the Act, I have also identified the following public interest factors in favour of non-disclosure that I believe are relevant to determine if release of the information contained within these documents is within the 'public interest':

- (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 any other right under the Human Rights Act 2004;*

Taking into account the submission put to me by the relevant third party as part of the consultation undertaken in accordance with section 38 of the Act and having reviewed the documents, I consider that the protection of an individual's right to privacy, especially in the course of dealings with the ACT Government is a significant factor as the parties involved have provided their personal information for the purposes of working with the ACT Government, in my opinion, outweighs the benefit which may be derived from releasing the personal information of the individual's involved in this matter.

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. Considering the type of information to be withheld from release, I am satisfied that the factor in favour of release can still be met while protecting the personal information of the individual involved. I therefore weight the factor for non-disclosure more highly than the factor in favour of release in this instance. As a result, I have decided that release of the private home address, student/card numbers and non-public facing work email address of the Director of Envision Living Pty Ltd could prejudice his right to privacy under the *Human Rights Act 2004*.

Noting the pro-disclosure intent of the Act, I am satisfied that redacting only the information that is not in the public interest to release, while releasing the rest of the information will ensure the intent of the Act is met and will provide you with access to the majority of information held by CMTEDD within the scope of your request.

Charges

Pursuant to *Freedom of Information (Fees) Determination 2017 (No 2)* 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 in response to your

access application will be published in the CMTEDD disclosure log 3-10 days after the date of my decision. Your personal contact details will not be published. You may view the CMTEDD disclosure log at: <https://www.cmtedd.act.gov.au/functions/foi/disclosure-log-2020>.

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 by the Ombudsman under section 82(1), you may apply to the ACAT for a 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 by email at CMTEDDFOI@act.gov.au.

Yours sincerely,



Philip Dachs
Information Officer
Information Access Team
Chief Minister, Treasury and Economic Development Directorate

23 September 2020



ACT
Government

Chief Minister, Treasury and
Economic Development

FREEDOM OF INFORMATION REQUEST SCHEDULE

WHAT ARE THE PARAMETERS OF THE REQUEST	Reference NO.
All documents, including notices, notes, emails relating to WorkSafe ACT site visits to [REDACTED] between January - June 2019.	CMTEDDFOI2020-173

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1-2	Notice 1	23 Jan 2019	Partial release	Sch 2 s2.2 (a)(ii)	Yes
2	3-4	Notice 2	23 Jan 2019	Partial release	Sch 2 s2.2 (a)(ii)	Yes
3	5-7	Notice 3	23 Jan 2019	Partial release	Sch 2 s2.2 (a)(ii)	Yes
4	8-11	Email - Certs	29 Jan 2019	Partial release	Sch 2 s2.2 (a)(ii)	Yes
5	12-32	Email – Safety Management System	4 Feb 2019	Partial release	Sch 2 s2.2 (a)(ii)	Yes
6	33-34	Non-Disturbance Notice	10 Feb 2019	Full release	N/A	Yes
7	35-51	Photos	Undated	Full release	N/A	Yes
Total No of Docs						
7						



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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

Jamie Williams

P37229

IN W P37229 VFYF34 1

To whom this notice is issued *

Company

Individual

Directorate

Name of registered company *

ACN

Environment

613745289

Business or trading name (if different):

Registered company/business address

Address line 1 *

2.2(a)(ii)

Address line 2

Suburb *

State *

Postcode *

2.2(a)(ii)

ACT

2.2(a)(ii)

Site/Workplace

Address line 1 *

Address line 2

Suburb *

State

Postcode *

2.2(a)(ii)

ACT

2.2(a)(ii)

Method of service (s209)

Personal

Email/Fax

Served on *

Date of issue *

2.2(a)(ii)@environment.gov.au

23 Jan 2019

Location with address of workplace

with worksite

The inspector believes the person

(a) has contravened 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

308

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

There is no boundary signage at the site as per the requirements of the Work Health and Safety Regulations 2011

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

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

Date *

14 Feb 2019

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

Obtain the appropriate boundary signage and display on the fence at the front

The inspector recommends that you:

Obtain the appropriate boundary signage and display on the fence at the front and have inspected by an inspector

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 an 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 an improvement notice is issued fails to take reasonable steps to comply with the notice, and after giving written notice of this intention and the person's liability for the costs, the regulator (WorkSafe ACT) may take any remedial action that appears 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) An improvement notice may include recommendations that are 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
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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

Jamie Williams

P37229

IN W P37229 VFYF34 2

To whom this notice is issued *

Company

Individual

Directorate

Name of registered company *

ACN

Environmental v ng

613745289

Business or trading name (if different):

Registered company/business address

Address line 1 *

2.2(a)(ii)

Address line 2

Suburb *

State *

Postcode *

2.2(a)(ii)

ACT

2.2(a)(ii)

Site/Workplace

Address line 1 *

Address line 2

Suburb *

State

Postcode *

2.2(a)(ii)

ACT

2.2(a)(ii)

Method of service (s209)

Personal

Email/Fax

Served on *

Date of issue *

2.2(a)(ii)@environment.v ng.com.au

23 Jan 2019

Location with n address of workplace

Around the perimeter of the site, where a fence should be secure y n p ace

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 eg s at on *

Work Health and Safety Act 2011

Work Health and Safety Regulation 2011

Dangerous Substances Act 2004

Section/s

298(1)

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

There is not a fence around the worksite. Site is not secure

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

The day stated for compliance with the improvement notice must be reasonable n a c r cumstances

Date *

14 Feb 2019

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

Obtain suitable fencing and erect it around the site and make it safe

The inspector recommends that you:

Erect a fence n t s ent r ety around the site and have it inspected by an inspector

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 an 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 an improvement notice is issued fails to take reasonable steps to comply with the notice, and after giving written notice of this intention and the person's liability for the costs, the regulator (WorkSafe ACT) may take any remedial action that seems 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) An improvement notice may include recommendations that 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

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Email: worksafe@act.gov.au

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Fax: (02) 6205 0336

Translating and Interpreting Service

Phone: 131 450



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WORKSAFEACT

Prohibition notice

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

Issued by inspector

Jamie Williams

Inspector ID number

P37229

Notice Number

PN W P37229 VFYF34 1

To whom this notice is issued *

Company

Individual

Directorate

Name of registered company *

Environ Living

ACN

613745289

Business or trading name (if different):

Registered company/directorate address

Address line 1 *

2.2(a)(ii)

Address line 2

Suburb *

2.2(a)(ii)

State *

ACT

Postcode *

2.2(a)(ii)

Site/Workplace address

Address line 1 *

Address line 2

Suburb *

State

ACT

Postcode *

Method of service (s209)

Personal

Email/Fax

Served on *

2.2(a)(ii)@environliving.com.au

Date of issue *

23 Jan 2019

Type of eg s at on *

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:

Using the scaffolding as a platform to access the structure on the worksite

until an inspector is satisfied that the matters that give or would 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)), i.e. (a) an activity is occurring at a workplace that involves, or would 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, would involve a serious risk to the health or safety of a person emanating from an immediate or imminent exposure to a hazard

Basic facts for that belief (s196(1)(a)):

The current scaffolding has not been inspected and certified by a competent person and several items of scaffolding were observed missing or incomplete. Workers/Other persons are exposed to a risk to their health or safety from falls as the scaffolding erected at the workplace is incomplete due to:

- missing standards
- missing platforms
- missing edgers (guardrails) on the working deck
- missing sole plates
- missing ties
- missing bracing

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

Using the scaffolding in its current state exposes the worker to a fall from height risk

Section/s

225

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

1. You must ensure that any necessary repairs, alterations and additions are made to the scaffolding before it is re-used

The ladder used to access the working deck must be secured or install an access stairway which will provide a safer means of access to the working deck

replace the missing edgers (guardrails) on the working deck

replace the missing planks on the working deck

replace damaged scaffolding standards

install additional sole plates

install additional ties

install additional bracing

2. You must ensure that the scaffolding and its supporting structure are inspected again by a competent person before use of the scaffolding is resumed

3. When the direct instruction has been completed contact the inspector who issued this notice who will determine compliance

The inspector recommends that you:

Display this notice on the scaffolding

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

Work Health and Safety (Preventing Falls in Housing Construction Code of Practice) Approved 2012

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 their 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 prohibition notice may include recommendations that is not an offence to fail to comply with recommendations in a notice (s205)

Changes to notice by inspector

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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

From: [redacted]@envisionliving.com.au
To: Williams, Jamie
Subject: FW: Keith Perrett Certs
Date: Tuesday, 29 January 2019 4:25:47 PM
Attachments: [image001.png](#)
[image003.jpg](#)
[image004.jpg](#)
[image002.jpg](#)
[white card Cert.pdf](#)
[Scan of cards.pdf](#)
[Asbestos Cert.pdf](#)

Hi Jamie,

Please find attached my white card/asbestos certs and a scan of my licenses.

We would like to resume work on site at [redacted] as soon as possible and as such we have completely dis-assembled the scaffold.

Can you please provide the details of items we need to action to get us going again.

Thankyou



Keith Perrett

Director

Envision Living

m: **040 4516 123**

w: www.envisionliving.com.au e: [redacted]@envisionliving.com.au



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Certifies that

Keith Perrett

Student No: 2.2(a)(ii)

has attended and completed a course in

Asbestos Awareness

this course complied with the

ACT Work Health and Safety Act 2011

ACT Work Health and Safety Regulation 2011

S7.2- Code of Practice for the Management and Control of
Asbestos in Workplaces [NOHSC:2018 (2005)]

Dangerous Substances (General) Regulation 2004

Training Manager: Anne Robson

Signature:

Date Attended: 16 August 2013



Keith Perrett

Student Number: [REDACTED]

Course: **Asbestos Awareness**

Date Completed: 16/08/2013

Construction Occupation Licence

Issued under the ACT Construction Occupations (Licensing) Act 2004.

Name: **ENVISION LIVING PTY LTD**

Lic No: **2017521**

ACN: **613745289**

OCCUPATION	CLASS	ISSUE PERIOD
Builder	Class C	28/06/18 - 28/06/21

CONDITIONS, RESTRICTIONS & ENDORSEMENTS:

Builder- Excludes Building Code of Australia (BCA) class 2 buildings

Construction Occupation Licence

Issued under the ACT Construction Occupations (Licensing) Act 2004

Name: **Keith Perrett**

OCCUPATION

Builder

CLASS

Class C

Lic No. **2016797**

ISSUE PERIOD

15/02/19 - 15/02/20

CONDITIONS, RESTRICTIONS & ENDORSEMENTS:

Builder- Excludes Building Code of Australia (BCA) class 2 buildings.

PO Box 426 Samford QLD 4520

P 0418 884 934

STATEMENT OF ATTAINMENT

This is a statement that


Keith Perrett

has been assessed as having fulfilled the following requirements:

CPCCOHS1001A - Work safely in the construction industry

Card No. 2.2(a)(ii)

Date of Issue. Thursday, 13 August 2009

Authorised Signature. 

National Provider No. 2929

A Statement of Attainment is issued by a Registered Training Organisation when an individual has completed one or more units of competency from a nationally recognised qualification(s)/courses(s)



This Statement of Attainment is recognised within the Australian Quality Framework

From: [REDACTED]@envisionliving.com.au
Sent: Monday, 4 February 2019 8:22 PM
To: Williams, Jamie
Subject: FW: Envision Living
Attachments: Additional Hazards Identification.pdf; General Induction.pdf; Induction Register.pdf; New Subcontractor Details.pdf; Risk Assess Tool Box.pdf; Safe Work Method Statement.pdf; Site Inspection Checklist.pdf; Site Rules.pdf; Work Method Statement Acceptance Training.pdf; Work Method Statement Register.pdf

Hi Jamie,

The attached files are my current safety management system.
Look forward to your feedback.

Thanks



Keith Perrett

Director

Envision Living

m: **040 4516 123**

w: www.envisionliving.com.au e: [REDACTED]@envisionliving.com.au



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AMENDMENTS TO THE SAFE WORK METHOD STATEMENT / TOOL BOX MEETING RECORD FOR ADDITIONAL HAZARDS IDENTIFIED DURING THE WORKS (Use the same risk scoring as your WMS)

Procedure (in steps):	Possible Hazards:	Risk Score	Safety Controls:	Risk Score After	Person Responsible
<i>Break the job down into steps. Each of the steps should accomplish some major tasks and be logical</i>	<i>Identify the hazards associated with each step. Examine each to find possibilities that could lead to an accident.</i>	<i>Risk Score of Hazard identified</i>	<i>Using the first two columns as a guide, decide what actions are necessary to eliminate or minimise the hazards that could lead to an accident, injury or occupational illness.</i>	<i>Risk Score after implementation of control measure</i>	<i>Person responsible for task</i>
	•		•		
	•		•		
	•		•		
	•		•		
	•		•		

Name:				General Induction Card #	
Employer:					
Are you an apprentice?		Number:		Yes	No
Are you a tradesmen?				Yes	No
Are you a labourer/other?				Yes	No
Have you had work activity based health and safety training covering the Codes of Practice applicable to you				Yes	No
Have you had specific health and safety induction training on topics set out in the Codes of Practice applicable to you				Yes	No
Are you operating any machinery on this site which requires a licence or work ticket? If yes, record details below				Yes	No
Bobcat		Scaffold		Electrician	
Crane		Hoist		TMV license	
Dogman		Loader		Formwork	
Excavator		Scissor Lift		Traffic control	

I certify that I have undergone Site Induction and have been explained the following:

- a. Site Rules
- b. Hi Visibility Clothing and Safety Shoes must be worn onsite.
- c. Emergency/Evacuation procedures.
- d. Consultation Arrangement.
- e. Location of first aid kit
- f. **DRUGS AND ALCOHOL IS NOT ALLOWED ONSITE**
- g. Working at Heights, Electrical Tagging each 3 months, Leads elevated at 2.4 mtrs, RCD's used,
- h. Hazardous Substances & SDS requirements
- i. Reinstalling temporary barriers after working in areas.
- j. Maintaining a clean and tidy work area. Place all waste in the correct waste bin.
- k. Safety inspections may occur at any time.
- l. At the end of this induction, my employer will discuss our trade's work method statement, which I will sign to acknowledge that I have had the necessary training to perform the work.
- m. Safe Work Method Statements are to be complied with, including PPE requirements.
- n. Do not operate plant & equipment onsite unless qualified or in supervised training.
- o. Failure to comply with the above may result in my removal from site.

Contact in case of Emergency:		
Name	Signature	Date

New Subcontractor Details - **CONFIDENTIAL**

Dear Sub-Contractor,

In order to satisfy our contractual requirements, Work Health & Safety legislation, and Industrial Relations legislation, we require you to provide us with the following information. This information is kept in strict confidentiality in accordance with the requirements of the Privacy Act.

Once this information is entered into our accounting system it allows us to process your accounts, as the system will not release payment until these details are up to date and complete.

All accounts are paid 30 days end of month invoiced. Envision Living Is committed to a Safe Work Environment and look forward to working with you.

Item	Response	Office Use
1- COMPANY DETAILS		
Company Name		
Trading Name		
ABN		
Postal Address		
Site Address		
Main Contact		
Accounts Contact		
Phone		
Fax		
Email		
1.2 – BANKING DETAILS		
Bank		
Branch Location		
BSB		
Bank Account Number		
Bank Account Name		
2 – INSURANCE DETAILS		

<p>Please provide a copy of the following documents. PLEASE NOTE that ALL claims for payment must be accompanied by a copy of your Workers Compensation Certificate Of Currency. We cannot process any claim without these</p>		
Current Workers Compensation Certificate of Currency	Attach	Yes / No
Public Liability Certificate of Currency	Attach	Yes / No
Personal Accident for Sole Traders	Attach	Yes / No
<p>3- LICENCE / PERMITS / QUALIFICATION DETAILS</p>		
<p>Please attach a copy of your / the company's current trade licence</p>		
Licence Type:		Yes / No
Licensed for:		Yes / No
Licence Number		Yes / No
Expiry Date if applicable		Yes / No
Any restrictions?		Yes / No
Please provide copies of any tickets / permits / qualifications required to perform your line of work –	List tickets / permits / qualifications -	Yes / No
<p>4 – GENERAL QUESTIONS</p>		
<p>Please complete the following questions where applicable</p>		
Please provide an example of a past Safe Work Method Statement used on one of your Projects.		Yes / No
Please state two verbal referees' that can be contacted to support evidence of competent workmanship. Provide phone numbers	1 – 2 -	Yes / No
Please provide details of 3 past projects completed including type of works and subcontract value	1 – 2 – 3 –	Yes / No
Have you been issued with any WorkCover / Environmental Infringements or other Notices? If YES please give details		Yes / No
<p>5 – SUB CONTRACTOR COMPLIANCE STATEMENT</p>		
<p>Please complete / attach the following</p>		

Please attach a signed statement on a company letter head stating that – <ul style="list-style-type: none"> All award and agreement obligations are being met Fares, travelling time, meal allowances, overtime, rostered days off, and annual leave have been paid in the last 12 months 		Yes / No
---	--	-------------

I hereby certify that all details provided as requested on this form and attached to are true and correct

Name		Yes / No
Position		Yes / No
Signature		Yes / No
Date		Yes / No

6 – COMPLETION

Information checked, entered and filed by			
Name	Position	Signature	Date
Sub Contractor approved for use by			
Name	Position	Signature	Date



Please complete the following section for all employees to be engaged on any of Envision Livings sites. This information is collected to ensure Envision Living complies with contract conditions, current industry legislation and especially State and Federal Government requirements. Attach copies of White cards please. Attach another page if more room is required.

Employee	Trade (or Apprenticeship)	White Card (WorkCover General Construction Induction Card)	Registration or Apprentice Number	Award / Employment or other agreement employed under	Long Service Registration Number	Name Of Super fund and level of contributions	Name Of Redundancy fund and level of contributions
Paul Sample	Apprentice Carpenter	ZZZZZZZZ	XXXXXX	Building Tradesmen (State) Construction Award	YYYYYY	ABC super - 9%	DEF Redundancy - %

SITE:		DATE:	
CONTRACTOR:		JOB NO:	

RISK ASSESSMENT: PART A
Step 1: IDENTIFY the hazards associated with the scope of work proposed placing a tick in the "Y" box.

ACCESS -	Y	N	WORKS -	Y	N	High Risk-Refer particular provisions WHS Act 2011	Y	N
Barricades			Electrical			Restricted access by crane		
Height			Gas			Working at heights>2m		
Overhead			Pressure			Over head power lines		
Confined Space			Fire & Explosion			Underground services		
Ladders / Scaffold			Excavation			Trenches >1.5m deep		
Slips / Trips			Formwork			Plant / Machinery		
Multiple Trades			Radiation (Heat/Sun)			Formwork collapse		
Cranes / Plant			Hot Surfaces			Unauthorised access		
Hazardous Substances			Construction Equipment			Excavation work		
Manual Handling			Waste Disposal			Demolition work		
Dangerous Goods			Noise / Vibration			Asbestos		
Asbestos			Underground Services			OHS Induction Training		
Lead Based Paint			PPE			Lead work		
HIV / Hep B			Fire Extinguisher			Welding		
Dust			First Aid Kit			Collapse of structure		
Other			Child Protection			Others:		

Step 2: Are all potential work & Site hazards covered by an available generic or specific approved SWMS YES NO

Step 3: If YES; Proceed to PART B: Sign off Tool Box Meeting
If NO; Complete the Additional Hazards Sheet below & sign off the tool-box section B (Circle appropriate)

Additional Hazards Sheet; Execution Of Work: Use Hierarchy, Most effective to least preferred control 1-6
 (1) Elimination of hazard (2) Substitution (3) Isolation (4) Engineering Controls (5) Administration Controls (6) Personal Protective Equipment.
 Access the level of risk of hazards associated with each step by nominating (H=High, M-Medium, L-Low). if additional space is required use Form H3.2 – additional hazards sheet.

Step	DESCRIPTION OF JOB STEPS	HAZARDS	Risk	CONTROLS	Residual Risk
No	(What is to be done)	(What can go wrong)	H, M, L	(What will be done to prevent it)	H, M, L

TRAINING IN SWMS. As an employee, we agree to complete the work in accordance with our Safe Work Method Statement. We have been provided with training in all tasks outlined in our work method statement.

TOOL BOX MEETING: PART B

Print Name	Signature	Print Name	Signature

Supervisor:		Position:		Date:	
--------------------	--	------------------	--	--------------	--



26 Chipp Street,
 Coombs, ACT, 2611
 ABN: 86 613 745 289
 P: 0404 516 123
 E: info@envisionliving.com.au
www.envisionliving.com.au

SAFE WORK METHOD STATEMENT -

This Safe Work Method Statement complies with WHS legislation 2011 and is approved for use:-

Signature _____ Name: _____ Date: _____

Identify Site Specific Hazards (tick boxes as relevant)

Identify Personnel Protective Equipment or Equipment required (tick boxes as relevant)

- Falling Objects
- Collapse of Formwork and / or structural frames (temporary or permanent)
- Collapse of existing buildings and other structures affected by construction work
- Unauthorised access to construction site
- Use of compressed air
- Use of lasers (Class 3B or 4)
- Height
- Weight
- Depth
- Pressure
- Access
- Sharp objects

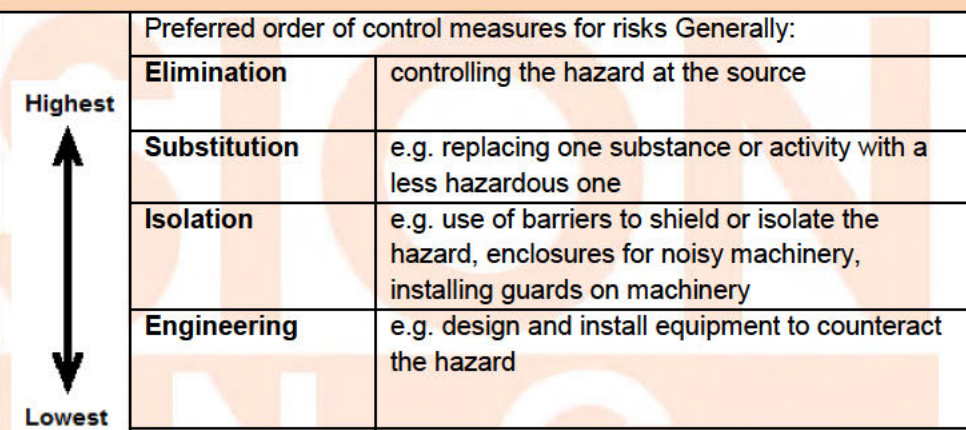
- Trenches
- Ladders
- Noise
- Weather
- Bacteria
- Dust / Fumes
- Excavations
- Vibrations
- Unauthorised entry
- Hot/cold objects
- Underground services
- Moving equipment
- Radiation (sun)
- Manual handling
- Overhead power
- Hot works
- Confined space
- Dust
- Lack of First Aid

- Plant
- Solvents
- Hazardous substance
- Over use syndrome
- External hire
- Slips/Trips
- Explosive power tools
- Dehydration
- Stormwater runoff
- Site Dust
- Site Noise
- Site Vibration
- Trees to be protected
- Trees to be removed
- Dirt on Footpaths / roadways
- Potential Contamination
- Stockpiles
- Dewatering

- Hard hats
- Hat brim
- High visibility vests when plant machinery in use
- Dust Masks
- Fire extinguisher
- Trolley for oxy
- Boom lift
- Barriers
- Safety footwear
- Safety harness
- Hearing protection
- Safety glasses
- Safety goggles
- Industrial Ladders > 120 KG
- Scissors lift
- Communications
- Gloves
- Sun protection

- Face shield
- Long sleeves
- Long trousers
- Mobile scaffolding
- Signs
- Welding screens
- Silt Fences
- Site Fencing
- On Site Water Retention
- Stockpile covers / soaker hoses
- Spill Kit
- Bunding
- Wash Bay / Shaker grid
- Others:

Personnel Qualifications, Certificates/WorkCover Approvals required:			Codes of Practice, Legislation applicable to this work:						
<ul style="list-style-type: none"> All personnel to have completed Work Health & Safety Induction Course & been issued with White card or WorkCover approved interstate cards WorkCover certification in Power line proximity – Current Accredited Person - Crane and Plant Electrical Safety Course Use of fall arrest systems 			<ul style="list-style-type: none"> Work Health & Safety Act 2011 Work health and safety consultation, cooperation and coordination: Code of practice Managing the risk of falls at workplaces: Code of practice Work near overhead power lines: Code of practice Moving plant on construction sites: Code of practice Workplace Injury Management and Workers Compensation Act 1998 No 86 WorkCover Safety Guide: Use of fall-arrest systems AS/NZS 1891.4: Industrial fall-arrest systems and devices Selection, use and maintenance 						
Risk Calculator:		Consequences					Hierarchy Of Controls		
		Fatality	Permanent Injury	Medical Injury	Minor	First Aid	Preferred order of control measures for risks Generally:		
		5	4	3	2	1	Elimination	controlling the hazard at the source	
Likelihood	Almost Certain	5	25	20	15	10	5	Substitution	e.g. replacing one substance or activity with a less hazardous one
	Likely	4	20	16	12	8	4	Isolation	e.g. use of barriers to shield or isolate the hazard, enclosures for noisy machinery, installing guards on machinery
	Possible	3	15	12	9	6	3	Engineering	e.g. design and install equipment to counteract the hazard
	Unlikely	2	10	8	6	4	2	Administration	policies and procedures for safe work / compliant practices
	Rare	1	5	4	3	2	1	PPE	Personal Protective Equipment – e.g. respirators, ear plugs, face masks, safety glasses, safety shoes



Procedure (in steps):	Possible Hazards:	Risk Score	Safety Controls:	Risk Score After	Person Responsible
<i>Break the job down into steps. Each of the steps should accomplish some major tasks and be logical</i>	<i>Identify the hazards associated with each step. Examine each to find possibilities that could lead to an accident.</i>	<i>Risk Score of Hazard identified</i>	<i>Using the first two columns as a guide, decide what actions are necessary to eliminate or minimise the hazards that could lead to an accident, injury or occupational illness.</i>	<i>Risk Score after implementation of control measure</i>	<i>Person responsible for task</i>
	•		•		
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	•		•		

Name of Site Supervisory staff - include Qualifications and Experience:	Duties and Responsibilities of supervisory staff:	Training Required to Complete Work under this task:
Name:	<ul style="list-style-type: none"> Supervise the work, Inspect and approve work areas, work methods, protective measures, plant, equipment and power tools Ensure all work is carried out in accordance with the job specification & this work method statement Conduct a hazard / risk assessment if additional hazards are found during the work. Consultation with all staff prior to implementation of the control measure. Manager to be notified if other employees / general public are affected 	<p>All staff will have this safe work method statement explained and signed prior to starting work on this task.</p> <p>All staff employed have been trained in this work method statement.</p>
Employees:	<ul style="list-style-type: none"> Ensure all work is carried out in accordance with the job specification & this work method statement Conduct a hazard / risk assessment if additional hazards are found during the work. Consultation with all staff prior to implementation of the control measure. Manager to be notified if other employees / general public are affected 	<p>Safe Use of Harnesses / Fall arrest systems</p> <p>Work near overhead power lines</p> <p>Inductions – Builders site specific inductions to be completed</p>
Plant/Equipment:		Maintenance Checks required for plant used:
Crane Truck		Daily prestart of truck and crane by Hiab operator. Truck service every 20,00km by serviceman. Annual crane inspection / service by serviceman. 10 yearly inspection by third party.
Slings / Lifting Gear / Dunnage		Maintained in accordance with AS2550.1.
Harnesses / Fall arrest equipment		Maintained in accordance with AS/NZS 1891.4: Industrial fall-arrest systems and devices Selection, use and maintenance
Fire Extinguisher		AS 1851 Maintenance of Fire Protection Systems and Equipment.
First Aid Kit		As per WHS Act and Reg 2011, WorkCover Code Of Practice

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Material Safety Data Sheets Required On Site

TRAINING IN SWMS

I confirm that I have read, understand, have been trained and will comply with the preceding Work Method Statement.

WORK ACTIVITY BASED HEALTH AND SAFETY TRAINING

I confirm that I have been trained in the relevant health and safety topics set out in the Codes of Practice

MAINTENANCE OF A SAFE WORK ENVIRONMENT

I am aware that all persons engaged in this business are to provide and maintain a safe work environment. I will not undertake to perform any work for which I am not properly qualified (as required by WorkCover) or equipped for and will seek instruction from my Manager should I be required to perform work which I believe may cause injury to myself, my work colleagues or the general public.

SIGNED:

Name:	Signature	Date:

Project Name:								
Site Location:					Week Ending:			
Area	Item	Monday			Wednesday			Comments
		Yes	NO	N/A	Yes	NO	N/A	
General	Fence Panels Secure							
	Boundary Fence Secure							
	No trip hazards in the area							
	Fuel stored safely							
	Fire extinguishers operable							
	Stockpiles clearly defined							
	Electrical leads up off ground and not hung on steel structures							
	SWMS prepared for all activities							
	Pedestrians separated from plant							
	Waste removed regularly							
	No general rubbish in area							
	All containers labelled							
	Drink & food container not used for non food items (no glass containers)							
	Traffic controls adequate							
PPE in good condition and in use	Boots							
	Hats							
	Glasses, Goggles & Face Shields							
	Hearing Protection							
	Respirators							
Excavations and Trenches	Unattended holes barricaded							
	Benching and shoring of trenches over 1.5m							
	Fall zones fenced							
	Ladders provided and in good order							
	Dewatering required							
	Pits covered as per PMP							
Plant and Equipment (including subcontractors and hire equipment)	No Oil leaks							
	Haul roads clear and well defined							
	SWL displayed							
	Quick-hitch on excavator has safety pin installed (unless solenoid)							
Power Tools / Electrical	PPE in use							
	Guards fitted							
	Tools & leads tagged, tested & (legible)							
	No double adaptors							
	Generators have RCD fitted & operable							
	Residual current devices used & operable							
	Electrical leads kept off ground							
Switchboards & RCD in boards have locks installed & calibrated								

Area	Item									
Welding / Oxy Cutting	Bottles in trolley and secured									
	PPE in use									
	Welding screens used									
	Warning signs displayed									
	Fire extinguisher in vicinity									
	Spark arrestors on oxy kit									
Lifting objects	Chains & slings in good condition									
	Crane with Dogger									
	Workers standing clear of load & out of slew zone									
	SWL to be displayed on all lifting plant and equipment									
Hazardous Substances (HS)	SDS's on hand									
	Task Specific induction given									
	Correct PPE in use									
	HS clearly labelled and stored correctly									
Scaffold	Scaff Tags Fixed									
	Free from trip hazards									
	Kick Boards in place									
	Non slip access stairs									
	Hand rails - Top, Mid in place									
	All bracing in place									
Working at Heights	Sole plates in place									
	Ladders tied off									
	Mobile Scaffold on firm & level ground									
	Edge protection provided									
	Harnesses supplied and used									
	EWP are on stable ground & locked off									
	Barricades provided around large drops									
Confined Spaces	Log books up to date									
	If "YES" review relevant SWMS									
Subcontractors	All controls are in place and working safely									
Environmental	Silt fences and silt traps in place									
	Erosion and Sediment Controls adequate for purpose									
	Vegetation protection zones in place and working									
	Dust levels acceptable									
	Fuels & Oils stored safely									
Quality	ITPs available for current works in progress									
	ITP Checklists being completed for current works in progress									
	Finish of works to date acceptable (issue site instruction if rectification needed)									
	Initial (Each Day Inspected)									

	Date (Each Day Inspected)			
--	---------------------------	--	--	--

General Comments:

Include here any comments regarding your findings or notes for follow up next inspection. Serious breaches must have a non conformance report raised (N1.1).



Inspected and closed out by:	Signature:	Date:

A three warning system is in place for breaches of safe working / site rules. You may be removed from the project if three warnings occur.

Instant dismissal will be the result if there is any serious breach of safety rules. 90% of Safety is common sense. If it doesn't look right it probably isn't – STOP WORK IMMEDIATELY, seek advice and rectify the situation.

- All PCBU's and workers are required to submit a Safe Work Method Statement covering their scope of work before commencing work on site.
- Do not remove any barriers or protective fencing without permission
- Safety boots and hi vis clothing must be worn at all times
- PPE (safety gloves, earmuffs, safety glasses, etc.) must be used when required
- All persons must attend the Construction Industry WHS safety training and site specific induction before commencing work on site.
- Zero tolerance towards persons who are affected or consume alcohol or drugs on site
- All Accidents, incidents, first aid, near misses or hazards are to be reported immediately to Envision Living
- Access ladders are to be secured at top and bottom and be the correct length.
- Effective barricades, fencing, signage and overhead protection will be used where applicable
- Electrical work / plant and equipment must comply with WHS and electrical safety legislation, regulations, standards, codes and procedures, including inspection and tagging of leads and power tools by a licensed electrician. The maximum length of any power lead must not exceed 30 metres. The presence and location of all electrical cables will be identified before commencing adjacent work. All power leads are to be elevated off the floor- using insulated lead stands or hooks.
- Chemicals/hazardous substances - must be used, handled and stored in compliance with material safety data sheet recommendations and safe work procedures in accordance with Hazardous Substance regulations.
- All scaffolding must comply with AS4576 and only be done by a licensed person
- Demolition, excavation, scaffolding, formwork and work with other structural frames will be carried out in accordance with the relevant legislation, regulations, standards, codes and procedures.
- Plant and equipment being operated shall comply with the relevant legislation, regulations, standards, codes and procedures. Every owner of plant must ensure that log books are completed and plant details are recorded on the appropriate forms in the site office. Only licensed operators are permitted.
- Elevated work – all work at heights will be carried out in accordance with the relevant legislation, regulations, standards, codes and procedures, including WHS Regulation 201, and WHS Act 2011

ENVIRONMENTAL

- Contain dust and other particles in accordance with relevant statutory requirements, standards, codes and guidelines
- Use plant and equipment which minimise noise and air pollution
- Waste is to be recycled if possible.
- No sediment is to enter any storm water system or water way – use appropriate control methods
- All vehicles are to have any excess mud removed before leaving site
- No materials / vehicles are to be located inside any tree protection zones (roughly designated by the canopy drip line of the tree(s) and barricaded accordingly
- Stock piles must be covered to prevent dust and run off.

Form	Site Rules - Domestic	Page No.	1 of 1
Revision	1.0	Revision Date	May 2020
Copyright © Envision Living			

Non-Disturbance Notice

This is a Non-Disturbance Notice issued under section 198 of the *Work Health and Safety Act 2011*

Issued by inspector:	Inspector ID number:	Time and Date of service:
Bradley CUMMINS	05771	10/02/2019 11:00a.m.

Recipient:	Method of Service (s 209)	
Keith Perrett	Personal <input checked="" type="checkbox"/>	Other <input checked="" type="checkbox"/> Electronic

The person being given the direction and/or this notice	Company <input checked="" type="checkbox"/> individual <input type="checkbox"/>
---	---

Name of Individual or Registered Company:	ACN (if company):
---	-------------------

Envision Living Pty Ltd	
-------------------------	--

Business or trading name (if different):	ABN (if any):
--	---------------

--	--

Address:

Construction Site	
-------------------	--

--

The inspector believes that it is necessary to issue this notice to facilitate the exercise of his or her compliance powers.

This notice requires you to: (tick which one of these alternatives applies)

(a) Preserve the site at which a notifiable incident has occurred;

Brief description of incident:

--

(b) Prevent the disturbance of a particular site (including the operation of plant) in other circumstances.

Those circumstances are:

Prevent the disturbance of following modifications to scaffold and the removal of mechanisms to prevent unauthorised access. Further WorkSafe Inspections to establish safety state of site

The site to which this notice relates:

(NB: a reference to a site includes any plant, substance, structure or thing associated with the site)

Construction site

--

The measures to be taken to preserve a site or prevent disturbance of a site:

Cease all work at the site and maintain an exclusion zone around the site with the exception of the erecting and maintenance of a suitable perimeter fence or enquiries by WorkSafe ACT.
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Date of issue:	10/02/2019	The specified period (of not more than 7 days) for which this notice applies (s 199(2)):	12/02/2019
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Important information about this notice

- This notice does not prevent any action (s 199(4)):
 - (a) to assist an injured person; or
 - (b) to remove a deceased person; or
 - (c) that is essential to make the site safe or to prevent a further incident; or
 - (d) that is associated with a police investigation; or
 - (e) for which an inspector has given permission.
- You have an obligation to comply with this notice (s 200). A person must not, without reasonable excuse, refuse or fail to comply with a non-disturbance notice issued to the person.

The maximum penalty for failing to comply with this provision is \$50,000 for an individual or \$250,000 for a corporation.

WORKSAFE ACT

Non-Disturbance Notice

Non-Disturbance Notice – 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.

Issue of subsequent notices by inspector

If an inspector considers it necessary to do so, he or she may issue 1 or more subsequent non-disturbance notices to a person, whether before or after the expiry of the previous notice, each of which must comply with section 199 (s201).

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).

Review of this Notice

A person may apply to the ACT Civil and Administrative Tribunal (ACAT) for review of the decision to issue this notice. Information about how to make that application can be obtained from ACAT by telephoning 6207 1740 or at www.acat.act.gov.au. The application must be made within 28 days of the issue of the notice. A person who may seek review of issue of this notice may also apply in writing for a statement of reasons under s 22B of the ACAT Act 2008 within 28 days of the notice being given.

The decision to issue this notice is also 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 1300362 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

PO Box 158, Canberra, ACT 2601

email: worksafe@act.gov.au

Phone: (02) 6207 3000

Fax: (02) 6205 0336

ENGLISH	If you need interpreting help, telephone:	ITALIAN	Se avete bisogno di un interprete, telefonate al numero
ARABIC	إذا احتجت للمساعدة بالترجمة الشفوية، اتصل بالهاتف	MALTESE	Jekk għandek bżonn l-għajnuna t'interpretu, ċempel
CHINESE	如果您需要口译员帮助，请拨电话	PERSIAN	اگر به ترجمه شفاهی احتیاج دارید به این شماره تلفن کنید
CROATIAN	Ako trebate pomoć tumača telefonirajte	RUSSIAN	Если вам нужна помощь переводчика, звоните по телефону
DARI	اگر به کمک ترجمه شفاهی ضرورت دارید، به این شماره تلفن کنید	SPANISH	Si necessita la asistencia de un intérprete, llame al
GREEK	Αν χρειάζεστε διερμηνέα τηλεφωνήστε στο	VIETNAMESE	Nếu bạn cần một người thông ngôn hãy gọi điện thoại

TRANSLATING AND INTERPRETING SERVICE

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SPAN
LAMINATED MEMBER LUMBER
TECH HELP
1800-808-131

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LAMINATED MEMBER LUMBER
TECH HELP
1800-808-131

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TECH HELP
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