



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 2018-0133

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)	37
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: [EPSDFOI](#)
Cc: [REDACTED]
Subject: Freedom of Information Request - Building Approvals
Date: Tuesday, 29 May 2018 12:51:34 PM

Dear Sir/Madam,

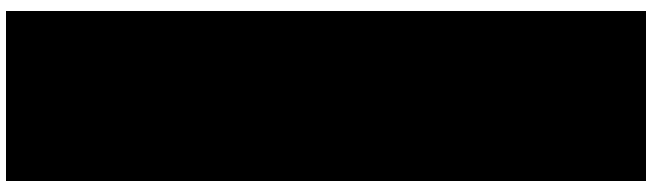
[REDACTED] seeks access to the following information under s7 of the *Freedom of Information Act 2016*:


- 1) Any Provisional Improvement Notices issued to Grebbo PTY LTD under s90 of the *Work Health and Safety Act 2011* from 29/07/2010 to present.
- 2) Any Improvement Notices issued to Grebbo PTY LTD under either s191 of the *Work Health and Safety Act 2011* or s131 of the *Work Safety Act 2008* from 29/07/2010 to present.
- 3) Any Prohibition Notices issued to Grebbo PTY LTD under either s195 of the *Work Health and Safety Act 2011* or s140 of the *Work Safety Act 2008* from 29/07/2010 to present.
- 4) Any non-disturbance Notices issued to Grebbo PTY LTD under s198 of the *Work Health and Safety Act 2011* from 29/07/2010 to present.
- 5) Any Rectification Order issued to Grebbo PTY LTD by ACT Planning and Land Authority or the Environment and Sustainable Development Directorate under s366 of the *Planning and Development Act 2007* from 29/07/2010 to present

In relation to s7 of the *Freedom of Information Act 2016*, [REDACTED] considers that factors favouring the disclosure of the information include:

- 1) As they comprise decisions taken by a government agency, release of this information would enhance the government's accountability in line with Schedule 2, 2.1(a)(i);
- 2) This information would reveal the reason for one or more government decisions and any background or contextual information that informed the decision in line with Schedule 2, 2.1(a)(viii);
- 3) If released, this information, as it deals with construction site safety, would contribute to the promotion of safe work practices and matter relating to public health and safety, in line with Schedule 2, 2.1(a)(xi)
- 4) If released, this information, as it deals with construction work and building defects, would contribute to positive and informed debate on important issues or matters of public interest (being the Building Defects Inquiry recently announced by the Legislative Assembly) in line with Schedule 2, 2.1(a)(ii)

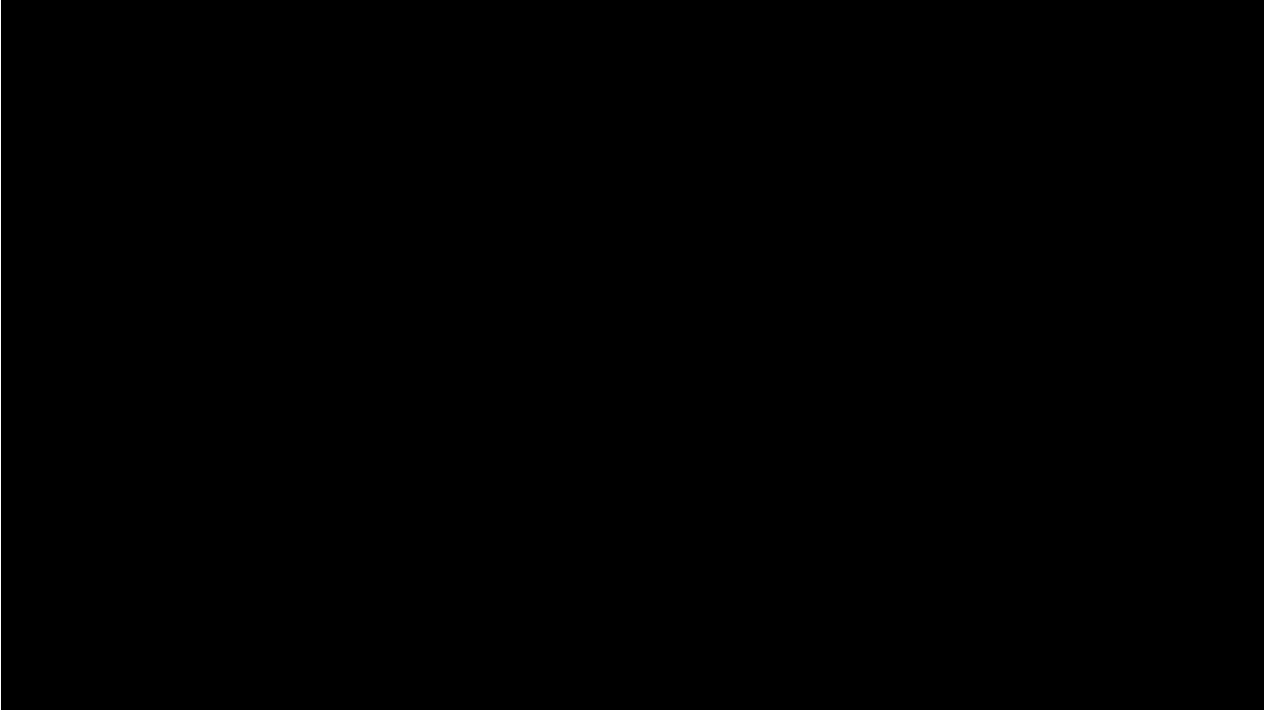
Contact details to respond to this request are:





If there are any queries or concerns about this request, or any way I can assist further, please give me call.

Thanks,



From: [REDACTED]
To: [EPSDFOI](#)
Cc: [REDACTED]
Subject: Freedom of Information Request - Building Approvals
Date: Tuesday, 29 May 2018 12:51:01 PM

Dear Sir/Madam,

[REDACTED] seeks access to the following information under s7 of the *Freedom of Information Act 2016*:

- 1) Any Provisional Improvement Notices issued to M & K Milin Family Investments PTY Limited under s90 of the *Work Health and Safety Act 2011* from 29/07/2010 to present.
- 2) Any Improvement Notices issued to M & K Milin Family Investments PTY Limited under either s191 of the *Work Health and Safety Act 2011* or s131 of the *Work Safety Act 2008* from 29/07/2010 to present.
- 3) Any Prohibition Notices issued to M & K Milin Family Investments PTY Limited under either s195 of the *Work Health and Safety Act 2011* or s140 of the *Work Safety Act 2008* from 29/07/2010 to present.
- 4) Any non-disturbance Notices issued to M & K Milin Family Investments PTY Limited under s198 of the *Work Health and Safety Act 2011* from 29/07/2010 to present.
- 5) Any Rectification Order issued to M & K Milin Family Investments PTY Limited by ACT Planning and Land Authority or the Environment and Sustainable Development Directorate under s366 of the *Planning and Development Act 2007* from 29/07/2010 to present

In relation to s7 of the *Freedom of Information Act 2016*, [REDACTED] considers that factors favouring the disclosure of the information include:

- 1) As they comprise decisions taken by a government agency, release of this information would enhance the government's accountability in line with Schedule 2, 2.1(a)(i);
- 2) This information would reveal the reason for one or more government decisions and any background or contextual information that informed the decision in line with Schedule 2, 2.1(a)(viii);
- 3) If released, this information, as it deals with construction site safety, would contribute to the promotion of safe work practices and matter relating to public health and safety, in line with Schedule 2, 2.1(a)(xi)
- 4) If released, this information, as it deals with construction work and building defects, would contribute to positive and informed debate on important issues or matters of public interest (being the Building Defects Inquiry recently announced by the Legislative Assembly) in line with Schedule 2, 2.1(a)(ii)

Contact details to respond to this request are:

[REDACTED]



If there are any queries or concerns about this request, or any way I can assist further, please give me call.

Thanks,



From: [REDACTED]
To: [EPSDFOI](#)
Cc: [REDACTED]
Subject: Freedom of Information Request - Building Approvals
Date: Tuesday, 29 May 2018 12:52:50 PM

Dear Sir/Madam,

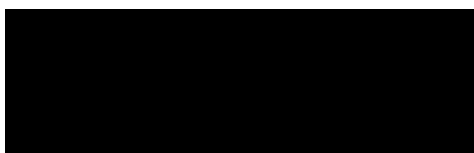
[REDACTED] seeks access to the following information under s7 of the *Freedom of Information Act 2016*:

- 1) Any Provisional Improvement Notices issued to Milin Bros Builders Pty Ltd under s90 of the *Work Health and Safety Act 2011* from 29/07/2010 to present.
- 2) Any Improvement Notices issued to Milin Bros Builders Pty Ltd under either s191 of the *Work Health and Safety Act 2011* or s131 of the *Work Safety Act 2008* from 29/07/2010 to present.
- 3) Any Prohibition Notices issued to Milin Bros Builders Pty Ltd under either s195 of the *Work Health and Safety Act 2011* or s140 of the *Work Safety Act 2008* from 29/07/2010 to present.
- 4) Any non-disturbance Notices issued to Milin Bros Builders Pty Ltd under s198 of the *Work Health and Safety Act 2011* from 29/07/2010 to present.
- 5) Any Rectification Order issued to Milin Bros Builders Pty Ltd by ACT Planning and Land Authority or the Environment and Sustainable Development Directorate under s366 of the *Planning and Development Act 2007* from 29/07/2010 to present

In relation to s7 of the *Freedom of Information Act 2016*, [REDACTED] considers that factors favouring the disclosure of the information include:

- 1) As they comprise decisions taken by a government agency, release of this information would enhance the government's accountability in line with Schedule 2, 2.1(a)(i);
- 2) This information would reveal the reason for one or more government decisions and any background or contextual information that informed the decision in line with Schedule 2, 2.1(a)(viii);
- 3) If released, this information, as it deals with construction site safety, would contribute to the promotion of safe work practices and matter relating to public health and safety, in line with Schedule 2, 2.1(a)(xi)
- 4) If released, this information, as it deals with construction work and building defects, would contribute to positive and informed debate on important issues or matters of public interest (being the Building Defects Inquiry recently announced by the Legislative Assembly) in line with Schedule 2, 2.1(a)(ii)

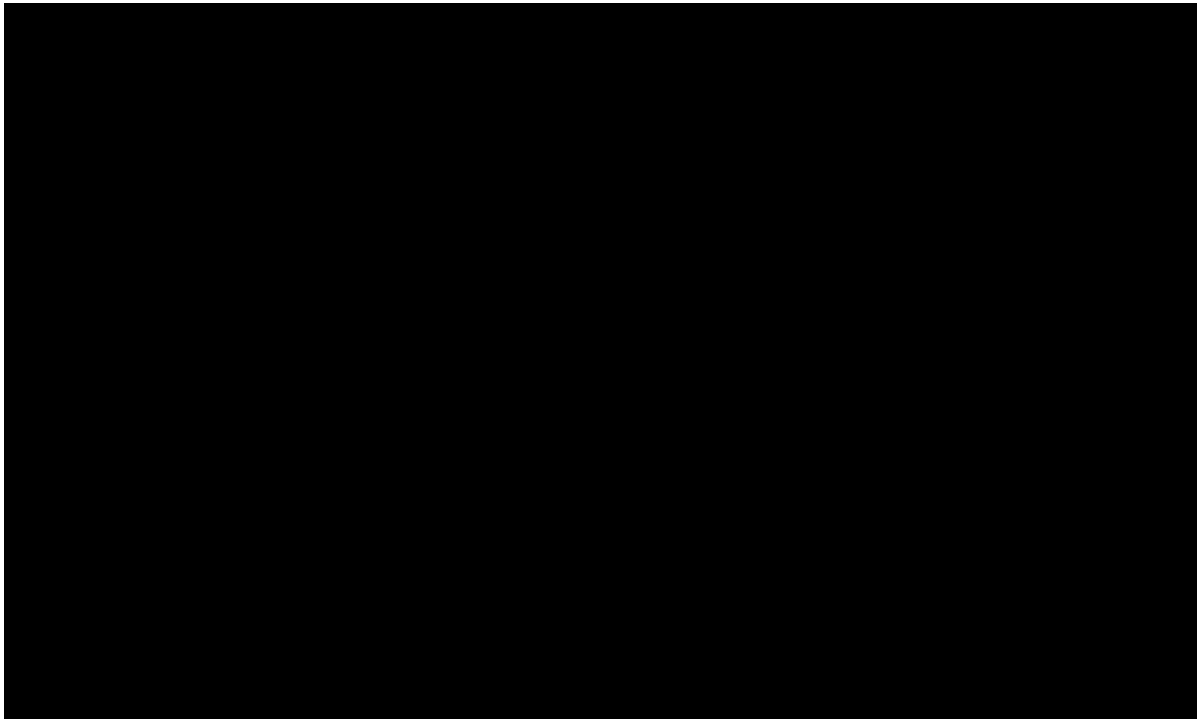
Contact details to respond to this request are:





If there are any queries or concerns about this request, or any way I can assist further, please give me call.

Thanks,



From: [REDACTED]
To: [EPSDFOI](#)
Cc: [REDACTED]
Subject: Freedom of Information Request - Building Approvals
Date: Tuesday, 29 May 2018 12:56:29 PM

Dear Sir/Madam,

[REDACTED] seeks access to the following information under s7 of the *Freedom of Information Act 2016*:

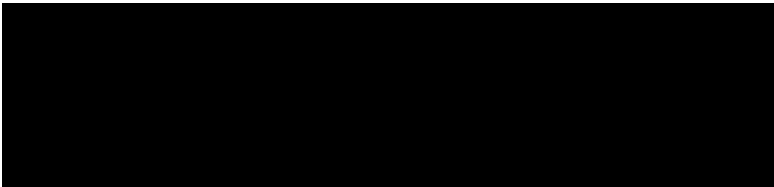
- 1) Any Provisional Improvement Notices issued to MILIN BROS PTY. LIMITED under s90 of the *Work Health and Safety Act 2011* from 29/07/2010 to present.
- 2) Any Improvement Notices issued to MILIN BROS PTY. LIMITED under either s191 of the *Work Health and Safety Act 2011* or s131 of the *Work Safety Act 2008* from 29/07/2010 to present.
- 3) Any Prohibition Notices issued to MILIN BROS PTY. LIMITED under either s195 of the *Work Health and Safety Act 2011* or s140 of the *Work Safety Act 2008* from 29/07/2010 to present.
- 4) Any non-disturbance Notices issued to MILIN BROS PTY. LIMITED under s198 of the *Work Health and Safety Act 2011* from 29/07/2010 to present.
- 5) Any Rectification Order issued to MILIN BROS PTY. LIMITED by ACT Planning and Land Authority or the Environment and Sustainable Development Directorate under s366 of the *Planning and Development Act 2007* from 29/07/2010 to present

In relation to s7 of the *Freedom of Information Act 2016*, [REDACTED] considers that factors favouring the disclosure of the information include:

- 1) As they comprise decisions taken by a government agency, release of this information would enhance the government's accountability in line with Schedule 2, 2.1(a)(i);
- 2) This information would reveal the reason for one or more government decisions and any background or contextual information that informed the decision in line with Schedule 2, 2.1(a)(viii);
- 3) If released, this information, as it deals with construction site safety, would contribute to the promotion of safe work practices and matter relating to public health and safety, in line with Schedule 2, 2.1(a)(xi)
- 4) If released, this information, as it deals with construction work and building defects, would contribute to positive and informed debate on important issues or matters of public interest (being the Building Defects Inquiry recently announced by the Legislative Assembly) in line with Schedule 2, 2.1(a)(ii)

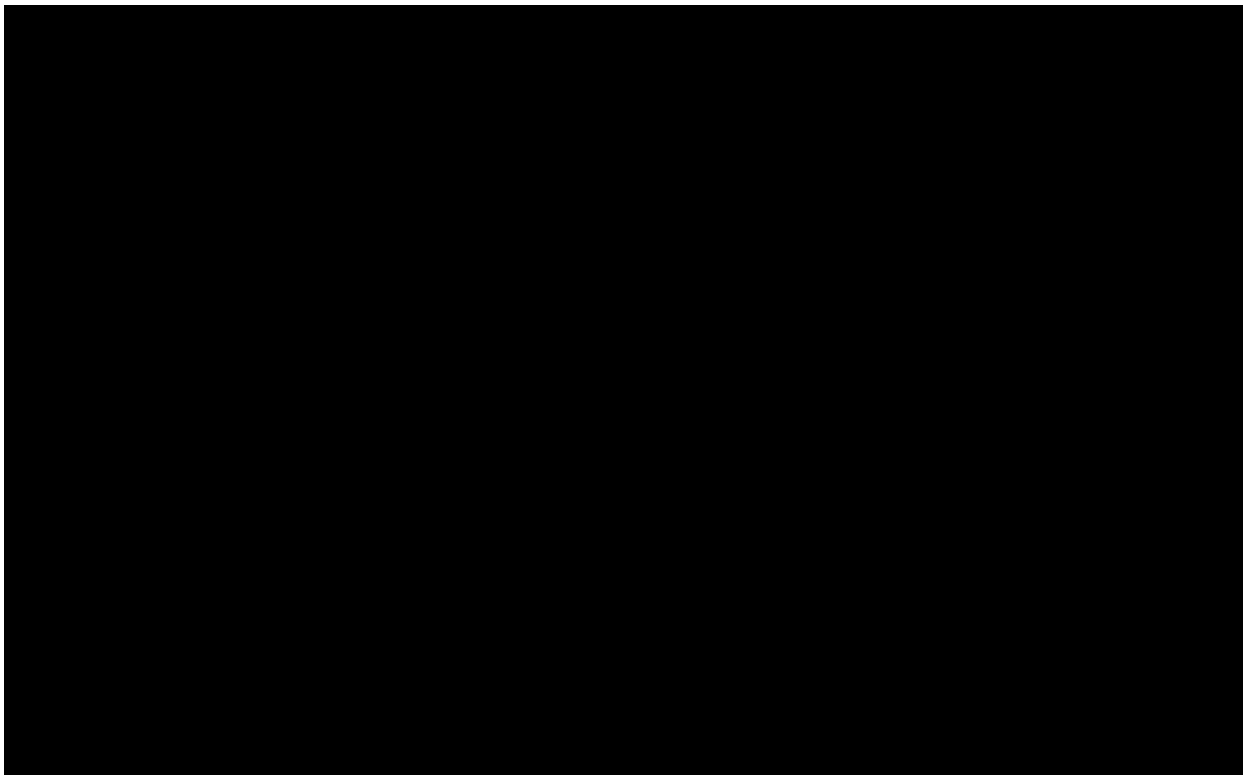
Contact details to respond to this request are:

[REDACTED]



If there are any queries or concerns about this request, or any way I can assist further, please give me call.

Thanks,



From: [REDACTED]
To: [EPSDFOI](#)
Cc: [REDACTED]
Subject: Freedom of Information Request - Building Approvals
Date: Tuesday, 29 May 2018 12:49:49 PM

Dear Sir/Madam,

[REDACTED] seeks access to the following information under s7 of the *Freedom of Information Act 2016*:

- 1) Any Provisional Improvement Notices issued to Milin Builders Pty Ltd under s90 of the *Work Health and Safety Act 2011* from 29/07/2010 to present.
- 2) Any Improvement Notices issued to Milin Builders Pty Ltd under either s191 of the *Work Health and Safety Act 2011* or s131 of the *Work Safety Act 2008* from 29/07/2010 to present.
- 3) Any Prohibition Notices issued to Milin Builders Pty Ltd under either s195 of the *Work Health and Safety Act 2011* or s140 of the *Work Safety Act 2008* from 29/07/2010 to present.
- 4) Any non-disturbance Notices issued to Milin Builders Pty Ltd under s198 of the *Work Health and Safety Act 2011* from 29/07/2010 to present.
- 5) Any Rectification Order issued to Milin Builders Pty Ltd by ACT Planning and Land Authority or the Environment and Sustainable Development Directorate under s366 of the *Planning and Development Act 2007* from 29/07/2010 to present

In relation to s7 of the *Freedom of Information Act 2016*, [REDACTED] considers that factors favouring the disclosure of the information include:

- 1) As they comprise decisions taken by a government agency, release of this information would enhance the government's accountability in line with Schedule 2, 2.1(a)(i);
- 2) This information would reveal the reason for one or more government decisions and any background or contextual information that informed the decision in line with Schedule 2, 2.1(a)(viii);
- 3) If released, this information, as it deals with construction site safety, would contribute to the promotion of safe work practices and matter relating to public health and safety, in line with Schedule 2, 2.1(a)(xi)
- 4) If released, this information, as it deals with construction work and building defects, would contribute to positive and informed debate on important issues or matters of public interest (being the Building Defects Inquiry recently announced by the Legislative Assembly) in line with Schedule 2, 2.1(a)(ii)

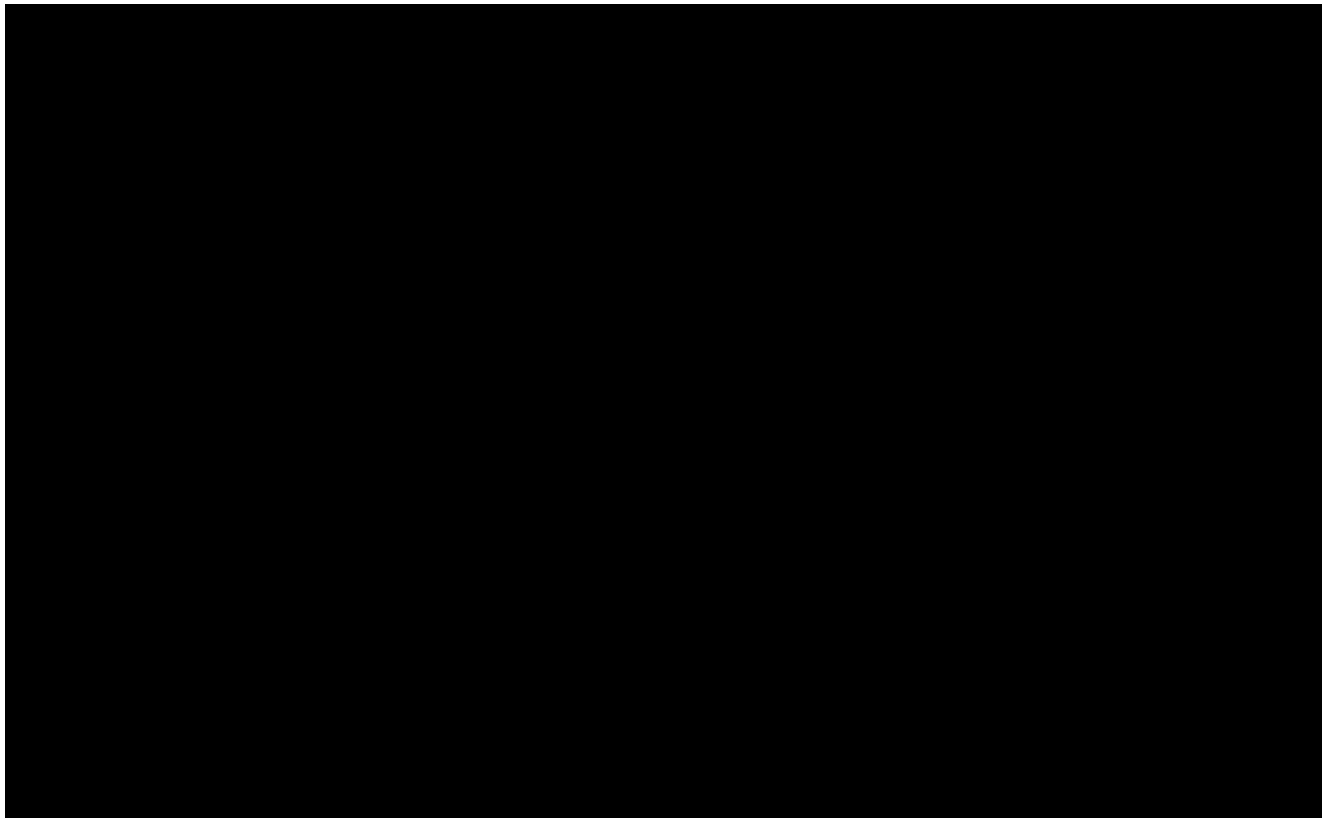
Contact details to respond to this request are:

[REDACTED]



If there are any queries or concerns about this request, or any way I can assist further, please give me call.

Thanks,



From: [REDACTED]
To: [EPSDFOI](#)
Cc: [REDACTED]
Subject: Freedom of Information Request - Building Approvals
Date: Tuesday, 29 May 2018 12:55:14 PM

Dear Sir/Madam,

[REDACTED] seeks access to the following information under s7 of the *Freedom of Information Act 2016*:

- 1) Any Provisional Improvement Notices issued to MILIN CORPORATION PTY LIMITED under s90 of the *Work Health and Safety Act 2011* from 29/07/2010 to present.
- 2) Any Improvement Notices issued to MILIN CORPORATION PTY LIMITED under either s191 of the *Work Health and Safety Act 2011* or s131 of the *Work Safety Act 2008* from 29/07/2010 to present.
- 3) Any Prohibition Notices issued to MILIN CORPORATION PTY LIMITED under either s195 of the *Work Health and Safety Act 2011* or s140 of the *Work Safety Act 2008* from 29/07/2010 to present.
- 4) Any non-disturbance Notices issued to MILIN CORPORATION PTY LIMITED under s198 of the *Work Health and Safety Act 2011* from 29/07/2010 to present.
- 5) Any Rectification Order issued to MILIN CORPORATION PTY LIMITED by ACT Planning and Land Authority or the Environment and Sustainable Development Directorate under s366 of the *Planning and Development Act 2007* from 29/07/2010 to present

In relation to s7 of the *Freedom of Information Act 2016*, [REDACTED] considers that factors favouring the disclosure of the information include:

- 1) As they comprise decisions taken by a government agency, release of this information would enhance the government's accountability in line with Schedule 2, 2.1(a)(i);
- 2) This information would reveal the reason for one or more government decisions and any background or contextual information that informed the decision in line with Schedule 2, 2.1(a)(viii);
- 3) If released, this information, as it deals with construction site safety, would contribute to the promotion of safe work practices and matter relating to public health and safety, in line with Schedule 2, 2.1(a)(xi)
- 4) If released, this information, as it deals with construction work and building defects, would contribute to positive and informed debate on important issues or matters of public interest (being the Building Defects Inquiry recently announced by the Legislative Assembly) in line with Schedule 2, 2.1(a)(ii)

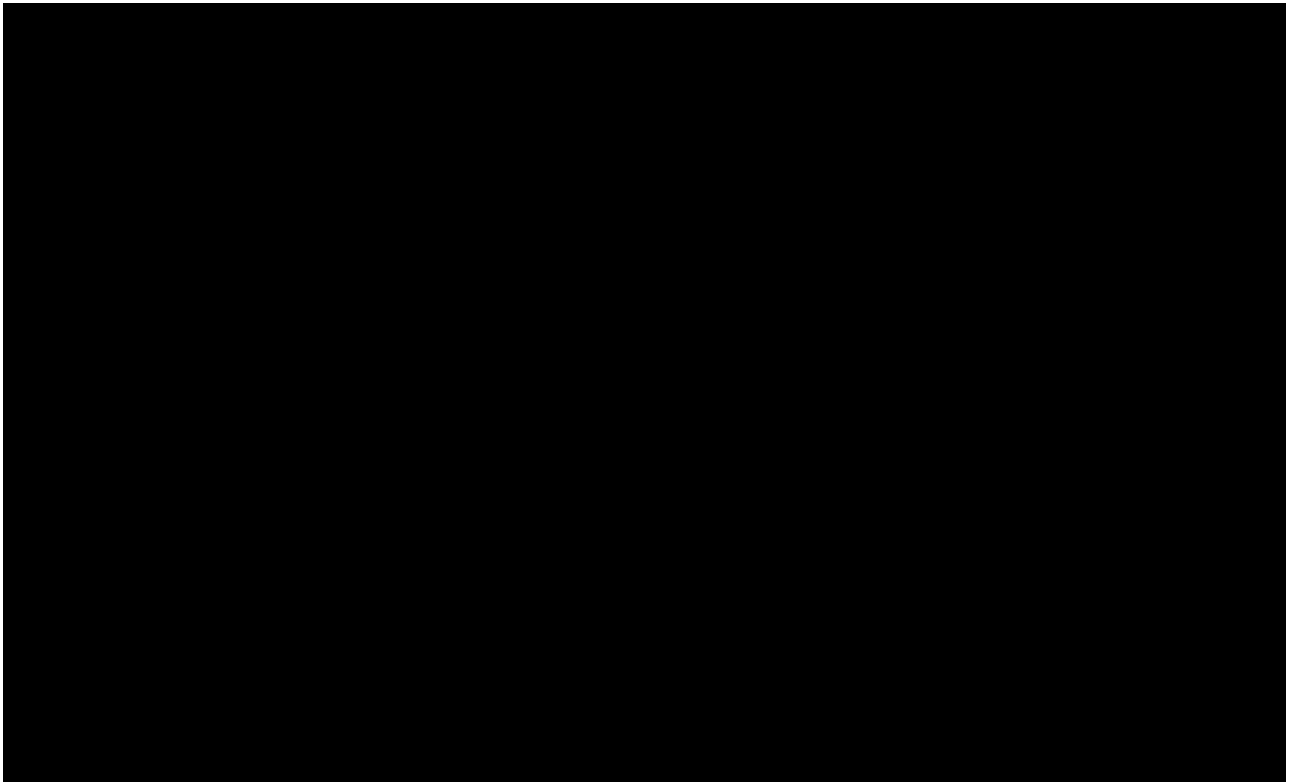
Contact details to respond to this request are:

[REDACTED]



If there are any queries or concerns about this request, or any way I can assist further, please give me call.

Thanks,



From: [REDACTED]
To: [EPSDFOI](#)
Cc: [REDACTED]
Subject: Freedom of Information Request - Building Approvals
Date: Tuesday, 29 May 2018 12:57:27 PM

Dear Sir/Madam,

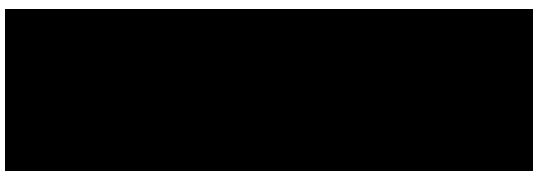
[REDACTED] seeks access to the following information under s7 of the *Freedom of Information Act 2016*:

- 1) Any Provisional Improvement Notices issued to MILIN DEVELOPERS PTY LTD under s90 of the *Work Health and Safety Act 2011* from 29/07/2010 to present.
- 2) Any Improvement Notices issued to MILIN DEVELOPERS PTY LTD under either s191 of the *Work Health and Safety Act 2011* or s131 of the *Work Safety Act 2008* from 29/07/2010 to present.
- 3) Any Prohibition Notices issued to MILIN DEVELOPERS PTY LTD under either s195 of the *Work Health and Safety Act 2011* or s140 of the *Work Safety Act 2008* from 29/07/2010 to present.
- 4) Any non-disturbance Notices issued to MILIN DEVELOPERS PTY LTD under s198 of the *Work Health and Safety Act 2011* from 29/07/2010 to present.
- 5) Any Rectification Order issued to MILIN DEVELOPERS PTY LTD by ACT Planning and Land Authority or the Environment and Sustainable Development Directorate under s366 of the *Planning and Development Act 2007* from 29/07/2010 to present

In relation to s7 of the *Freedom of Information Act 2016*, [REDACTED] considers that factors favouring the disclosure of the information include:

- 1) As they comprise decisions taken by a government agency, release of this information would enhance the government's accountability in line with Schedule 2, 2.1(a)(i);
- 2) This information would reveal the reason for one or more government decisions and any background or contextual information that informed the decision in line with Schedule 2, 2.1(a)(viii);
- 3) If released, this information, as it deals with construction site safety, would contribute to the promotion of safe work practices and matter relating to public health and safety, in line with Schedule 2, 2.1(a)(xi)
- 4) If released, this information, as it deals with construction work and building defects, would contribute to positive and informed debate on important issues or matters of public interest (being the Building Defects Inquiry recently announced by the Legislative Assembly) in line with Schedule 2, 2.1(a)(ii)

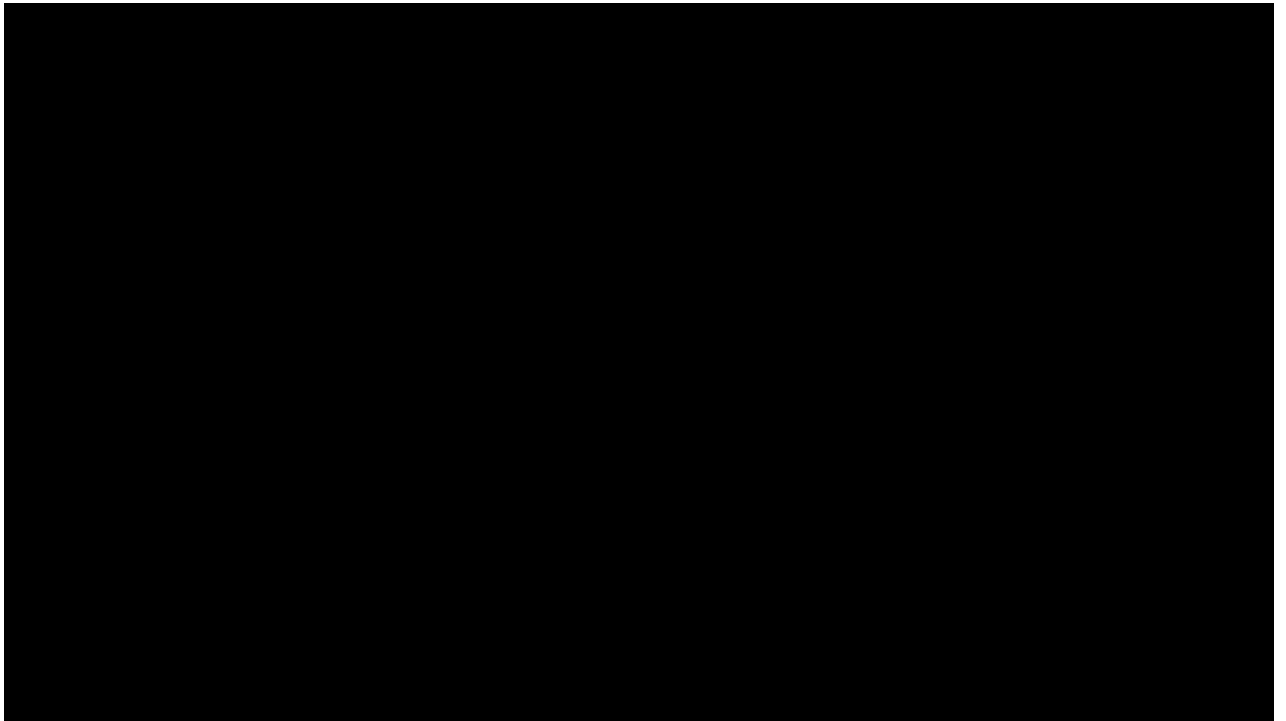
Contact details to respond to this request are:





If there are any queries or concerns about this request, or any way I can assist further, please give me call.

Thanks,



From: [REDACTED]
To: [EPSDFOI](#)
Cc: [REDACTED]
Subject: Freedom of Information Request - Building Approvals
Date: Tuesday, 29 May 2018 12:53:42 PM

Dear Sir/Madam,

[REDACTED] seeks access to the following information under s7 of the *Freedom of Information Act 2016*:

- 1) Any Provisional Improvement Notices issued to MILIN ENTERPRISES PTY LIMITED under s90 of the *Work Health and Safety Act 2011* from 29/07/2010 to present.
- 2) Any Improvement Notices issued to MILIN ENTERPRISES PTY LIMITED under either s191 of the *Work Health and Safety Act 2011* or s131 of the *Work Safety Act 2008* from 29/07/2010 to present.
- 3) Any Prohibition Notices issued to MILIN ENTERPRISES PTY LIMITED under either s195 of the *Work Health and Safety Act 2011* or s140 of the *Work Safety Act 2008* from 29/07/2010 to present.
- 4) Any non-disturbance Notices issued to MILIN ENTERPRISES PTY LIMITED under s198 of the *Work Health and Safety Act 2011* from 29/07/2010 to present.
- 5) Any Rectification Order issued to MILIN ENTERPRISES PTY LIMITED by ACT Planning and Land Authority or the Environment and Sustainable Development Directorate under s366 of the *Planning and Development Act 2007* from 29/07/2010 to present

In relation to s7 of the *Freedom of Information Act 2016*, [REDACTED] considers that factors favouring the disclosure of the information include:

- 1) As they comprise decisions taken by a government agency, release of this information would enhance the government's accountability in line with Schedule 2, 2.1(a)(i);
- 2) This information would reveal the reason for one or more government decisions and any background or contextual information that informed the decision in line with Schedule 2, 2.1(a)(viii);
- 3) If released, this information, as it deals with construction site safety, would contribute to the promotion of safe work practices and matter relating to public health and safety, in line with Schedule 2, 2.1(a)(xi)
- 4) If released, this information, as it deals with construction work and building defects, would contribute to positive and informed debate on important issues or matters of public interest (being the Building Defects Inquiry recently announced by the Legislative Assembly) in line with Schedule 2, 2.1(a)(ii)

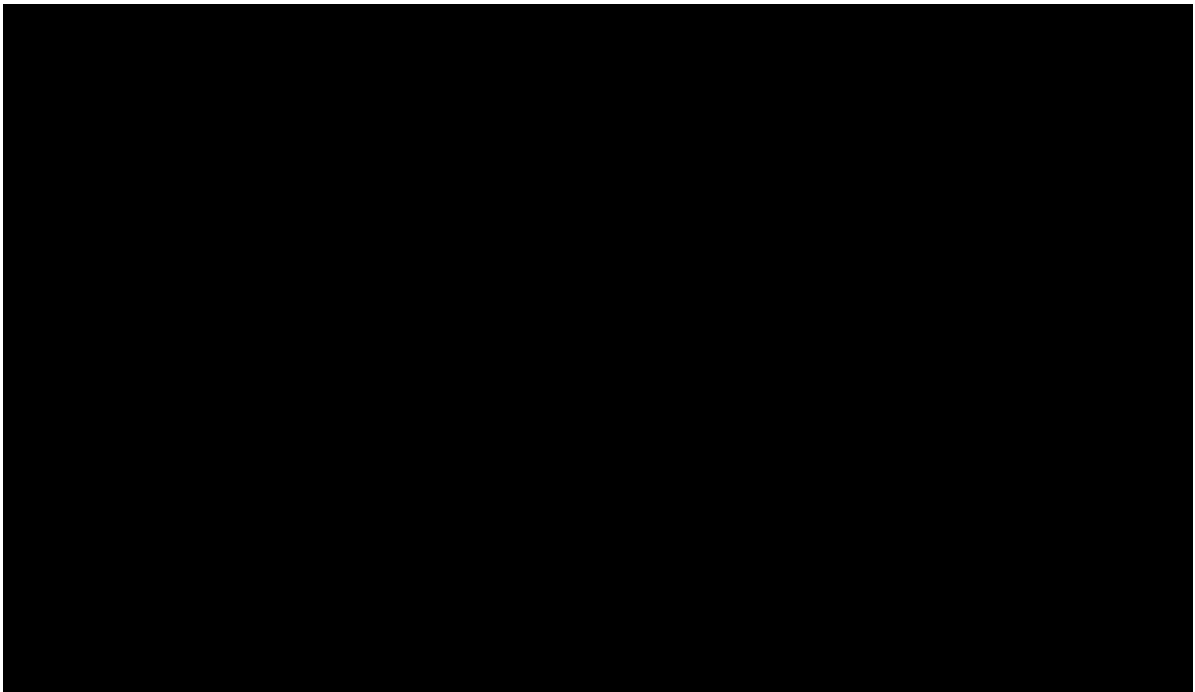
Contact details to respond to this request are:

[REDACTED]



If there are any queries or concerns about this request, or any way I can assist further, please give me call.

Thanks,



From: [REDACTED]
To: [EPSDFOI](#)
Cc: [REDACTED]
Subject: Freedom of Information Request - Building Approvals
Date: Tuesday, 29 May 2018 12:55:38 PM

Dear Sir/Madam,

[REDACTED] seeks access to the following information under s7 of the *Freedom of Information Act 2016*:


- 1) Any Provisional Improvement Notices issued to MILIN GROUP PTY LIMITED under s90 of the *Work Health and Safety Act 2011* from 29/07/2010 to present.
- 2) Any Improvement Notices issued to MILIN GROUP PTY LIMITED under either s191 of the *Work Health and Safety Act 2011* or s131 of the *Work Safety Act 2008* from 29/07/2010 to present.
- 3) Any Prohibition Notices issued to MILIN GROUP PTY LIMITED under either s195 of the *Work Health and Safety Act 2011* or s140 of the *Work Safety Act 2008* from 29/07/2010 to present.
- 4) Any non-disturbance Notices issued to MILIN GROUP PTY LIMITED under s198 of the *Work Health and Safety Act 2011* from 29/07/2010 to present.
- 5) Any Rectification Order issued to MILIN GROUP PTY LIMITED by ACT Planning and Land Authority or the Environment and Sustainable Development Directorate under s366 of the *Planning and Development Act 2007* from 29/07/2010 to present

In relation to s7 of the *Freedom of Information Act 2016*, [REDACTED] considers that factors favouring the disclosure of the information include:

- 1) As they comprise decisions taken by a government agency, release of this information would enhance the government's accountability in line with Schedule 2, 2.1(a)(i);
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- 3) If released, this information, as it deals with construction site safety, would contribute to the promotion of safe work practices and matter relating to public health and safety, in line with Schedule 2, 2.1(a)(xi)
- 4) If released, this information, as it deals with construction work and building defects, would contribute to positive and informed debate on important issues or matters of public interest (being the Building Defects Inquiry recently announced by the Legislative Assembly) in line with Schedule 2, 2.1(a)(ii)


Contact details to respond to this request are:

[REDACTED]



If there are any queries or concerns about this request, or any way I can assist further, please give me call.

Thanks,



From: [REDACTED]
To: [EPSDFOI](#)
Cc: [REDACTED]
Subject: Freedom of Information Request - Building Approvals
Date: Tuesday, 29 May 2018 12:52:25 PM

Dear Sir/Madam,

[REDACTED] seeks access to the following information under s7 of the *Freedom of Information Act 2016*:

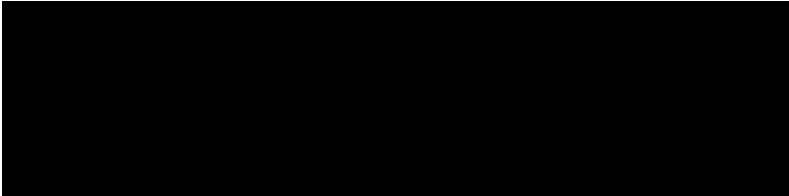
- 1) Any Provisional Improvement Notices issued to Milin Holding PTY LTD under s90 of the *Work Health and Safety Act 2011* from 29/07/2010 to present.
- 2) Any Improvement Notices issued to Milin Holding PTY LTD under either s191 of the *Work Health and Safety Act 2011* or s131 of the *Work Safety Act 2008* from 29/07/2010 to present.
- 3) Any Prohibition Notices issued to Milin Holding PTY LTD under either s195 of the *Work Health and Safety Act 2011* or s140 of the *Work Safety Act 2008* from 29/07/2010 to present.
- 4) Any non-disturbance Notices issued to Milin Holding PTY LTD under s198 of the *Work Health and Safety Act 2011* from 29/07/2010 to present.
- 5) Any Rectification Order issued to Milin Holding PTY LTD by ACT Planning and Land Authority or the Environment and Sustainable Development Directorate under s366 of the *Planning and Development Act 2007* from 29/07/2010 to present

In relation to s7 of the *Freedom of Information Act 2016*, [REDACTED] considers that factors favouring the disclosure of the information include:

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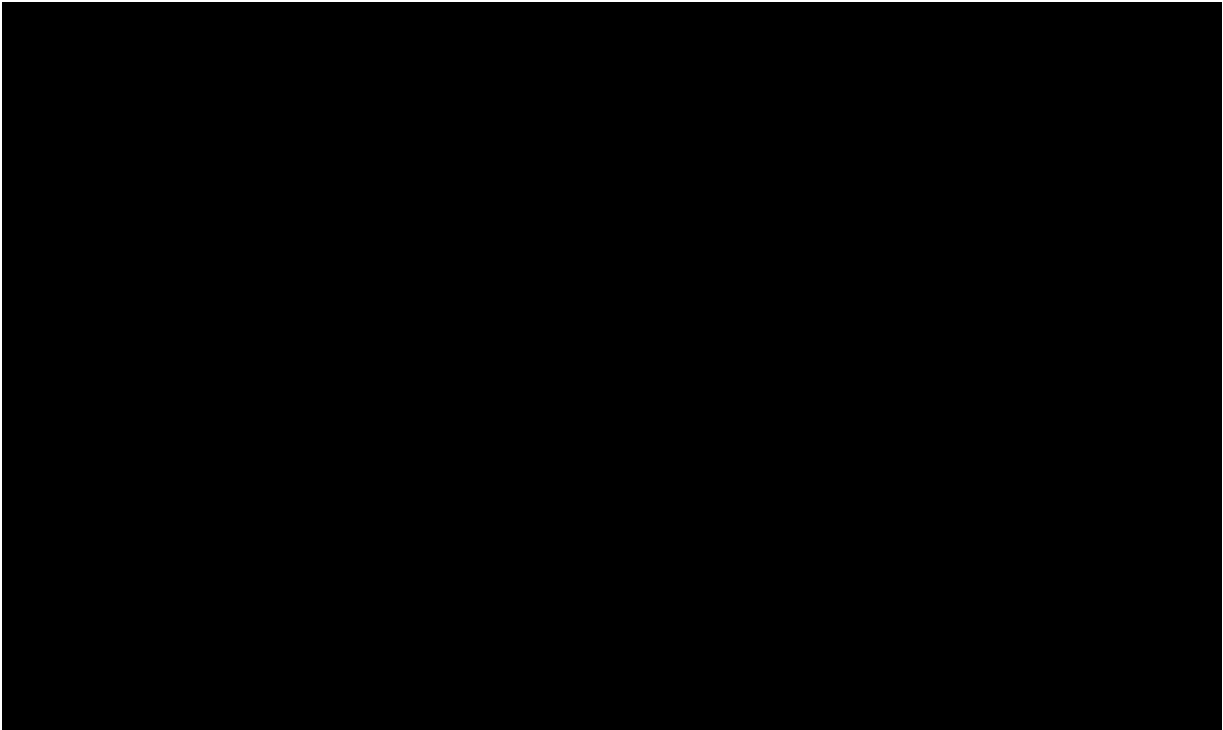
Contact details to respond to this request are:

[REDACTED]



If there are any queries or concerns about this request, or any way I can assist further, please give me call.

Thanks,



From: [REDACTED]
To: [EPSDFOI](#)
Cc: [REDACTED]
Subject: Freedom of Information Request - Building Approvals
Date: Tuesday, 29 May 2018 12:54:15 PM

Dear Sir/Madam,

[REDACTED] seeks access to the following information under s7 of the *Freedom of Information Act 2016*:

- 1) Any Provisional Improvement Notices issued to MILIN QLD PTY LTD under s90 of the *Work Health and Safety Act 2011* from 29/07/2010 to present.
- 2) Any Improvement Notices issued to MILIN QLD PTY LTD under either s191 of the *Work Health and Safety Act 2011* or s131 of the *Work Safety Act 2008* from 29/07/2010 to present.
- 3) Any Prohibition Notices issued to MILIN QLD PTY LTD under either s195 of the *Work Health and Safety Act 2011* or s140 of the *Work Safety Act 2008* from 29/07/2010 to present.
- 4) Any non-disturbance Notices issued to MILIN QLD PTY LTD under s198 of the *Work Health and Safety Act 2011* from 29/07/2010 to present.
- 5) Any Rectification Order issued to MILIN QLD PTY LTD by ACT Planning and Land Authority or the Environment and Sustainable Development Directorate under s366 of the *Planning and Development Act 2007* from 29/07/2010 to present

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- 2) This information would reveal the reason for one or more government decisions and any background or contextual information that informed the decision in line with Schedule 2, 2.1(a)(viii);
- 3) If released, this information, as it deals with construction site safety, would contribute to the promotion of safe work practices and matter relating to public health and safety, in line with Schedule 2, 2.1(a)(xi)
- 4) If released, this information, as it deals with construction work and building defects, would contribute to positive and informed debate on important issues or matters of public interest (being the Building Defects Inquiry recently announced by the Legislative Assembly) in line with Schedule 2, 2.1(a)(ii)

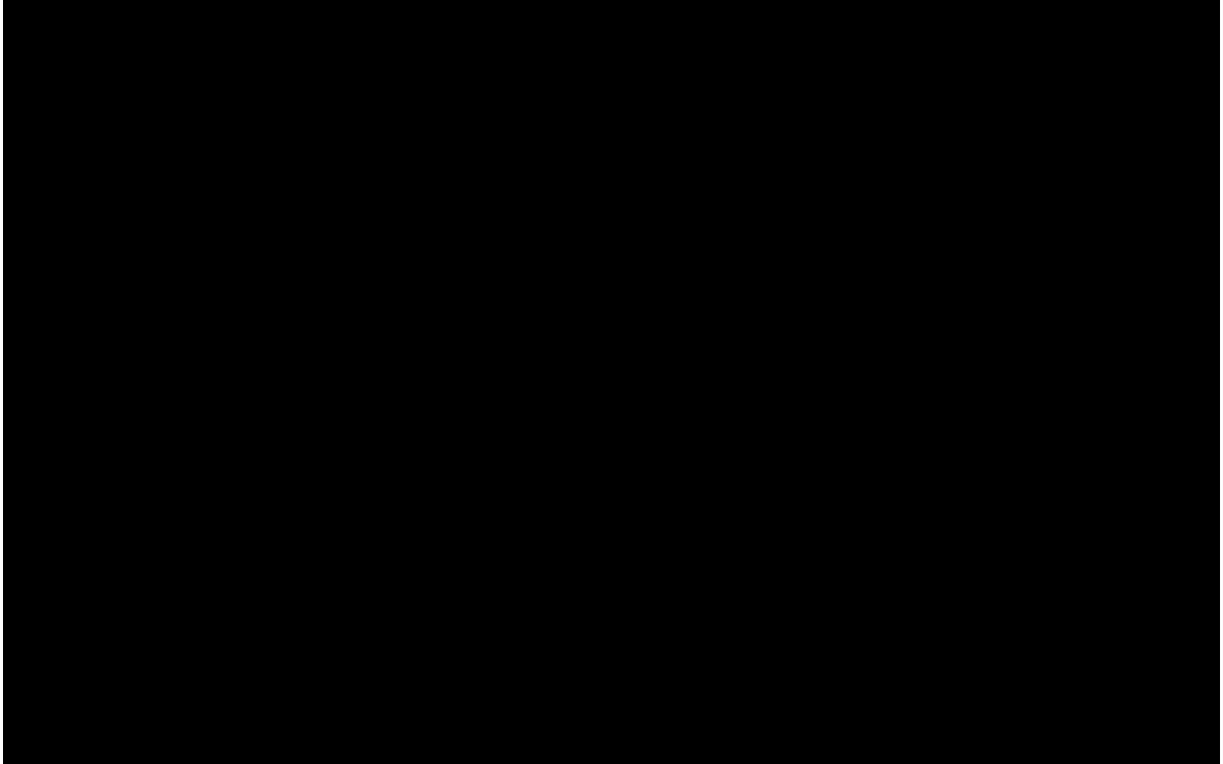
Contact details to respond to this request are:

[REDACTED]



If there are any queries or concerns about this request, or any way I can assist further, please give me call.

Thanks,



From: [REDACTED]
To: [EPSDFOI](#)
Cc: [REDACTED]
Subject: Freedom of Information Request - Building Approvals
Date: Tuesday, 29 May 2018 12:52:00 PM

Dear Sir/Madam,

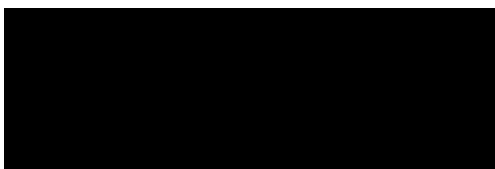
[REDACTED] seeks access to the following information under s7 of the *Freedom of Information Act 2016*:

- 1) Any Provisional Improvement Notices issued to SADIM PTY LTD under s90 of the *Work Health and Safety Act 2011* from 29/07/2010 to present.
- 2) Any Improvement Notices issued to SADIM PTY LTD under either s191 of the *Work Health and Safety Act 2011* or s131 of the *Work Safety Act 2008* from 29/07/2010 to present.
- 3) Any Prohibition Notices issued to SADIM PTY LTD under either s195 of the *Work Health and Safety Act 2011* or s140 of the *Work Safety Act 2008* from 29/07/2010 to present.
- 4) Any non-disturbance Notices issued to SADIM PTY LTD under s198 of the *Work Health and Safety Act 2011* from 29/07/2010 to present.
- 5) Any Rectification Order issued to SADIM PTY LTD by ACT Planning and Land Authority or the Environment and Sustainable Development Directorate under s366 of the *Planning and Development Act 2007* from 29/07/2010 to present

In relation to s7 of the *Freedom of Information Act 2016*, [REDACTED] considers that factors favouring the disclosure of the information include:

- 1) As they comprise decisions taken by a government agency, release of this information would enhance the government's accountability in line with Schedule 2, 2.1(a)(i);
- 2) This information would reveal the reason for one or more government decisions and any background or contextual information that informed the decision in line with Schedule 2, 2.1(a)(viii);
- 3) If released, this information, as it deals with construction site safety, would contribute to the promotion of safe work practices and matter relating to public health and safety, in line with Schedule 2, 2.1(a)(xi)
- 4) If released, this information, as it deals with construction work and building defects, would contribute to positive and informed debate on important issues or matters of public interest (being the Building Defects Inquiry recently announced by the Legislative Assembly) in line with Schedule 2, 2.1(a)(ii)

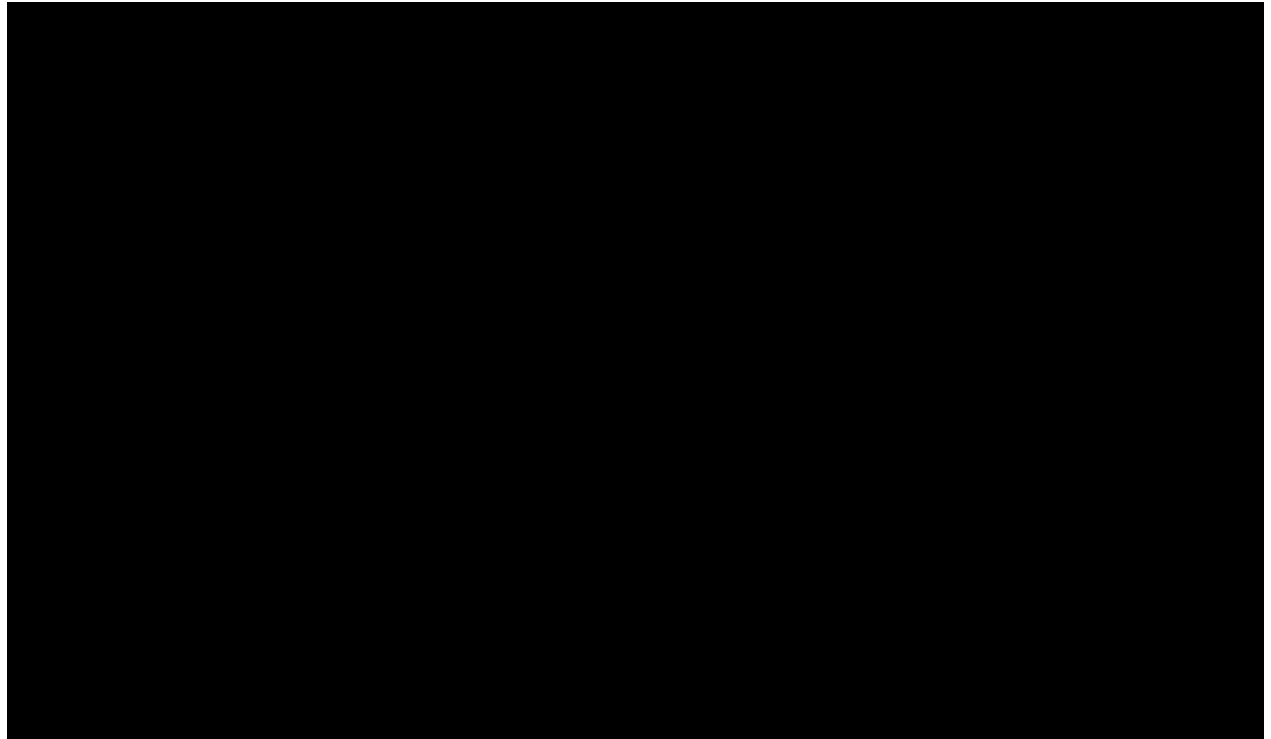
Contact details to respond to this request are:





If there are any queries or concerns about this request, or any way I can assist further, please give me call.

Thanks,



From: [REDACTED]
To: [EPSDFOI](#)
Cc: [REDACTED]
Subject: Freedom of Information Request - Building Approvals
Date: Tuesday, 29 May 2018 12:50:25 PM

Dear Sir/Madam,

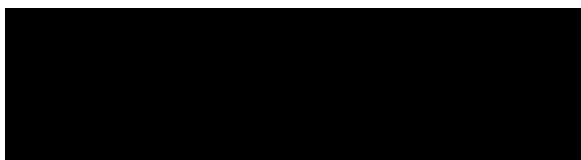
[REDACTED] seeks access to the following information under s7 of the *Freedom of Information Act 2016*:

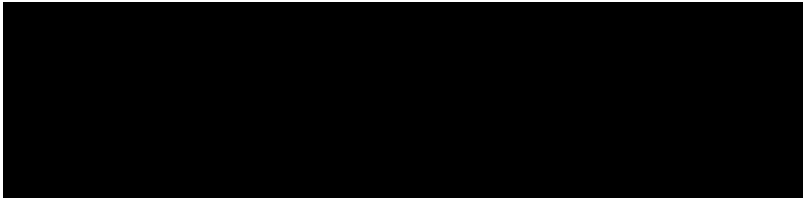
- 1) Any Provisional Improvement Notices issued to STP MILIN PTY LIMITED under s90 of the *Work Health and Safety Act 2011* from 29/07/2010 to present.
- 2) Any Improvement Notices issued to STP MILIN PTY LIMITED under either s191 of the *Work Health and Safety Act 2011* or s131 of the *Work Safety Act 2008* from 29/07/2010 to present.
- 3) Any Prohibition Notices issued to STP MILIN PTY LIMITED Ltd under either s195 of the *Work Health and Safety Act 2011* or s140 of the *Work Safety Act 2008* from 29/07/2010 to present.
- 4) Any non-disturbance Notices issued to STP MILIN PTY LIMITED under s198 of the *Work Health and Safety Act 2011* from 29/07/2010 to present.
- 5) Any Rectification Order issued to STP MILIN PTY LIMITED by ACT Planning and Land Authority or the Environment and Sustainable Development Directorate under s366 of the *Planning and Development Act 2007* from 29/07/2010 to present

In relation to s7 of the *Freedom of Information Act 2016*, [REDACTED] considers that factors favouring the disclosure of the information include:

- 1) As they comprise decisions taken by a government agency, release of this information would enhance the government's accountability in line with Schedule 2, 2.1(a)(i);
- 2) This information would reveal the reason for one or more government decisions and any background or contextual information that informed the decision in line with Schedule 2, 2.1(a)(viii);
- 3) If released, this information, as it deals with construction site safety, would contribute to the promotion of safe work practices and matter relating to public health and safety, in line with Schedule 2, 2.1(a)(xi)
- 4) If released, this information, as it deals with construction work and building defects, would contribute to positive and informed debate on important issues or matters of public interest (being the Building Defects Inquiry recently announced by the Legislative Assembly) in line with Schedule 2, 2.1(a)(ii)

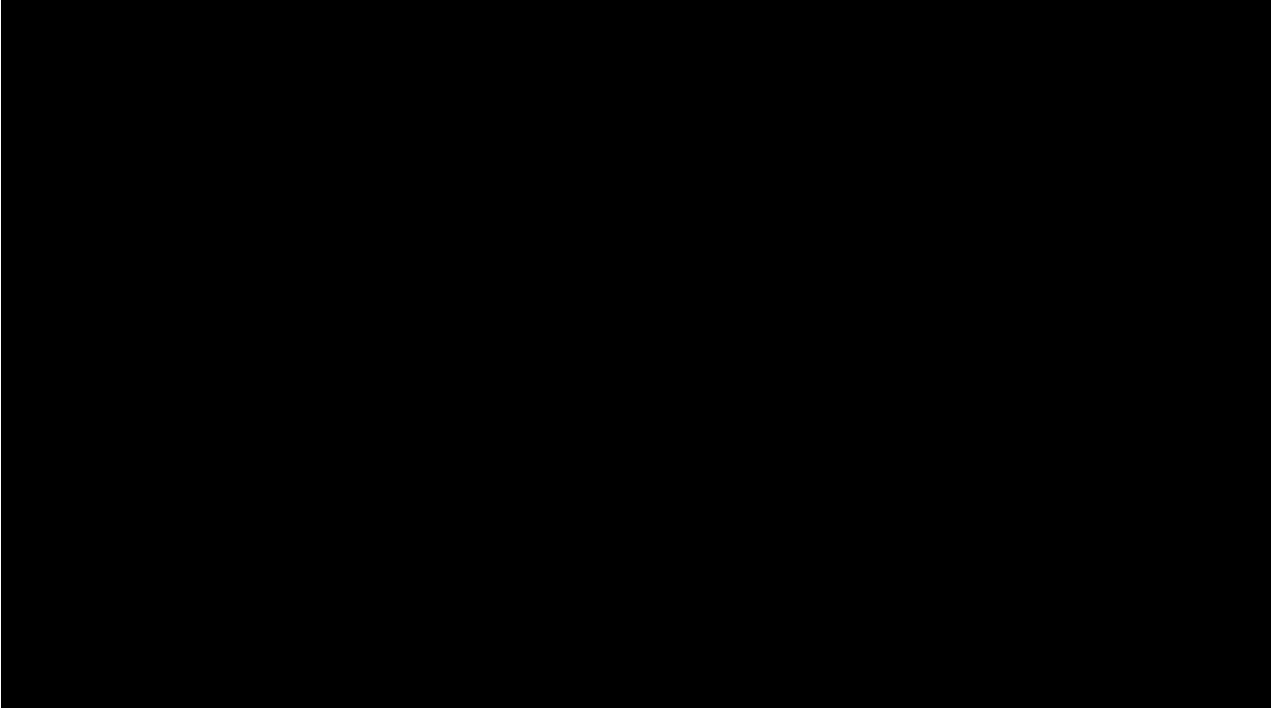
Contact details to respond to this request are:





If there are any queries or concerns about this request, or any way I can assist further, please give me call.

Thanks,

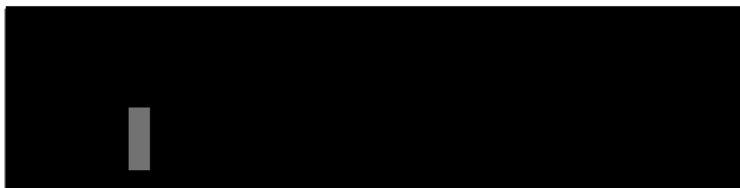




ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI 2018-0133



via email: [redacted]

Dear [redacted]

FREEDOM OF INFORMATION REQUEST

I refer to your request submitted under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 29 May 2018, in which you sought access to information about:

- Milin Builders Pty Ltd
- MILIN Enterprises Pty Ltd
- MILIN Developers Pty Ltd
- Milin Bros Builders Pty Ltd
- MILIN Bros Pty. Limited
- Milin Holding Pty Ltd
- STP MILIN Pty Limited
- MILIN Group Pty Limited
- SADIM Pty Ltd
- MILIN Corporation Pty Limited
- Grebbo Pty Ltd
- MILIN QLD Pty Ltd
- M & K Milin Family Investments Pty Limited

Specifically you sought:

- 1) Any Provisional Improvement Notices issued to any of the abovementioned companies under s90 of the *Work Health and Safety Act 2011* from 29/07/2010 to present.
- 2) Any Improvement Notices issued to abovementioned companies under either s191 of the *Work Health and Safety Act 2011* or s131 of the *Work Safety Act 2008* from 29/07/2010 to present.
- 3) Any Prohibition Notices issued to abovementioned companies under either s195 of the *Work Health and Safety Act 2011* or s140 of the *Work Safety Act 2008* from 29/07/2010 to present.
- 4) Any non-disturbance Notices issued to abovementioned companies under s198 of the *Work Health and Safety Act 2011* from 29/07/2010 to present.
- 5) Any Rectification Order issued to abovementioned companies by ACT Planning and Land Authority or the Environment and Sustainable Development Directorate under s366 of the *Planning and Development Act 2007* from 29/07/2010 to present.

Authority

I am an Information Officer appointed by the Director-General of CMTEED 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, CMTEED is required to provide a decision on your access application by 1 August 2018.

Third Party Consultation

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

Decision on access

Searches were completed for relevant documents and 9 documents were identified that fall within the scope of your request.

I have decided to grant partial access to all 9 documents. The information redacted in the documents I consider 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.

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.

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 decision is below.

Statement of Reasons

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

- the Act, particularly section 17 and schedule 2.2(a)(ii);
- 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 documents and components of these documents are as follows:

Public Interest

The Act has a presumption in favour of disclosure. As a decision maker I am required to decide where, on balance, public interests 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 (Schedule 2.1)

- Contribute to the administration of justice generally, including procedural fairness.

Factors favouring non-disclosure (Schedule 2.2)

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

Having considered the factors identified as relevant in this matter, I consider that release of information contained in these documents may contribute to the administration of justice generally, including procedural fairness by allowing you to have a more complete record of the interactions between Milin Builders Pty Ltd and the ACT Government and the steps taken to report and address safety issues.

However, when considering this finding against the factor favouring non-disclosure, I am satisfied that the protection of an individual's right to privacy, especially in the course of assisting in a line of enquiry with a government agency, is a significant factor as the parties involved have provided their personal information for the purposes of meeting obligations under relevant legislation which, in my opinion, outweighs the benefit which may be derived from releasing the personal information of the individual's involved in this matter. 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. Considering the type of information to be withheld from release, I am satisfied that the factors in favour of release can still be met while protecting the personal information of the individuals 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 this information (contacts names, email addresses and mobile phone numbers) could prejudice their right to privacy under the *Human Rights Act 2004*.

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 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.

Folios 1, 3, 5, 7, 10-11, 13, 17-20 and 23 of the identified documents contain information that I consider, on balance, to be contrary to the public interest to disclose under the test set out in section 17 of the Act.

Charges

Pursuant to *Freedom of Information (Fees) Determination 2017 (No 2)* processing charges are not applicable for this request because the total number folio's to be released to you is below the charging threshold of 50 pages.

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 25 July 2018. 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.

If you wish to request a review of my decision you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601
Via email: actfoi@ombudsman.gov.au

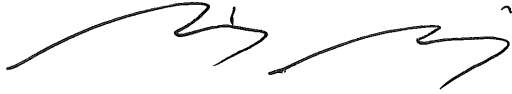
ACT Civil and Administrative Tribunal (ACAT) Review

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,

A handwritten signature in black ink, appearing to be 'DR', written in a cursive style.

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

20 July 2018



ACT
Government

Chief Minister, Treasury and
Economic Development

FREEDOM OF INFORMATION REQUEST SCHEDULE

NAME	WHAT ARE THE PARAMETERS OF THE REQUEST	Reference NO.
[REDACTED]	<p>1) Any Provisional Improvement Notices issued to (SEE BELOW LIST) under s90 of the Work Health and Safety Act 2011 from 29/07/2010 to present.</p> <p>2) Any Improvement Notices issued to (SEE BELOW LIST) under either s191 of the Work Health and Safety Act 2011 or s131 of the Work Safety Act 2008 from 29/07/2010 to present.</p> <p>3) Any Prohibition Notices issued to (SEE BELOW LIST) under either s195 of the Work Health and Safety Act 2011 or s140 of the Work Safety Act 2008 from 29/07/2010 to present.</p> <p>4) Any non-disturbance Notices issued to (SEE BELOW LIST) under s198 of the Work Health and Safety Act 2011 from 29/07/2010 to present.</p> <p>5) Any Rectification Order issued to (SEE BELOW LIST) by ACT Planning and Land Authority or the Environment and Sustainable Development Directorate under s366 of the Planning and Development Act 2007 from 29/07/2010 to present</p> <p>Milin Builders Pty Ltd MILIN GROUP PTY LIMITED MILIN ENTERPRISES PTY LIMITED SADIM PTY LTD MILIN DEVELOPERS PTY LTD MILIN CORPORATION PTY LIMITED Milin Bros Builders Pty Ltd Grebbo PTY LTD MILIN BROS PTY. LIMITED MILIN QLD PTY LTD Milin Holding PTY LTD M & K Milin Family Investments PTY Limited STP MILIN PTY LIMITED</p>	2018-0133

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1-2	WorkSafe ACT Improvement Notice	27-Feb-2014	Partial release	Sch 2 s2.2 (a)(ii)	Yes
2	3-4	WorkSafe ACT Improvement Notice	27-Feb-2014	Partial release	Sch 2 s2.2 (a)(ii)	Yes
3	5-6	WorkSafe ACT Improvement Notice	27-Feb-2014	Partial release	Sch 2 s2.2 (a)(ii)	Yes
4	7-8	WorkSafe ACT Improvement Notice	24-Apr-2015	Partial release	Sch 2 s2.2 (a)(ii)	Yes

5	9-12	WorkSafe ACT Workplace Visit report	06-May-2016	Partial release	Sch 2 s2.2 (a)(ii)	Yes
6	13-15	WorkSafe ACT Prohibition Notice	06-May-2016	Partial release	Sch 2 s2.2 (a)(ii)	Yes
7	16-19	WorkSafe ACT Workplace Visit report	13-May-2017	Partial release	Sch 2 s2.2 (a)(ii)	Yes
8	20-22	WorkSafe ACT Prohibition Notice	12-May-2017	Partial release	Sch 2 s2.2 (a)(ii)	Yes
9	23-25	WorkSafe ACT Prohibition Notice	12-May-2017	Partial release	Sch 2 s2.2 (a)(ii)	Yes
Total No of Docs						
9						



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

Issued by inspector:	Inspector ID number:	Time and Date of service:
Catherine Matthews	21118	3:30 27/2/2014

Recipient:	Method of Service (s 209)	
Sch 2 s2(a)(ii)	Personal <input type="checkbox"/>	Other <input checked="" type="checkbox"/> Email

The person to whom this notice is issued Company individual

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

Milin Builders Pty Ltd 145 495 067

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

Address:

3/57 Eyre Street, Kingston, ACT 2604 email: [Sch 2 s2\(a\)@milin.com.au](mailto:Sch 2 s2(a)@milin.com.au)

The inspector believes that you:

- (a) are contravening a provision of this Act; or
- (b) have contravened a provision in circumstances that make it likely that the contravention will continue or be repeated. (s191(1) and 192(1))

The inspector requires you to:

- (a) remedy the contravention; or
- (b) prevent a likely contravention from occurring; or
- (c) remedy the things or operations causing the contravention or likely contravention. (s191(2))

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 Regulation 78

Briefly, how the provision is being, or has been, contravened (s192(1)(c)):

An inspection of the site located at Wiliara Apartment Complex Block 2 Section 177, Phillip on date 27th February, 2014 failed to show that the Person Conducting a Business or Undertaking had taken all reasonably practicable steps to manage the risks to health and safety associated with a fall by a person from 1 level to another that is reasonably likely to cause injury to the person or any other person.

External stairwells did not have appropriate hand rails or fall protection.

The day by which you are required to remedy the contravention or likely contravention (s192(1)(d)): 5pm 28th February, 2014

This Notice *may* include directions and/or recommendations on the measures to be taken to remedy the risk or contravention. The inspector directs you to:

Put a system in place to ensure that the risks to health and safety arising from a fall from a height is managed.

The inspector recommends that you:

Refer to the Work Health and Safety (Preventing Falls in Housing Construction Code of Practice) 2012 and to WorkSafe ACT Guidance Note 0006 – Fall Prevention in Housing Construction available at www.worksafe.act.gov.au.



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

Issued by inspector:	Inspector ID number:	Time and Date of service:
Catherine Matthews	21118	3:30 27/2/2014

Recipient:	Method of Service (s 209)	
Sch 2 s2(a)(ii)	Personal <input type="checkbox"/>	Other <input checked="" type="checkbox"/> Email

The person to whom this notice is issued	Company <input checked="" type="checkbox"/> individual <input type="checkbox"/>
Name of Individual or Registered Company:	ACN (if company):
Milin Builders Pty Ltd	145 495 067
Business or trading name (if different):	ABN (if any):

Address:
3/57 Eyre Street, Kingston, ACT 2604 email: ^{Sch 2 s2(a)} [redacted]@milin.com.au

The inspector believes that you:
 (a) are contravening a provision of this Act; or
 (b) have contravened a provision in circumstances that make it likely that the contravention will continue or be repeated. (s191(1) and 192(1))

The inspector requires you to:
 (a) remedy the contravention; or
 (b) prevent a likely contravention from occurring; or
 (c) remedy the things or operations causing the contravention or likely contravention. (s191(2))

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 [redacted] Regulation 163

Briefly, how the provision is being, or has been, contravened (s192(1)(c)):
 An inspection of the site located at Wiliara Apartment Complex Block 2 Section 177, Phillip on date 27th February, 2014 failed to show that the Person Conducting a Business or Undertaking had ensured that electrical installations on a construction site complied with AS/NZS 3012:2010 (Electrical installations—Construction and demolition sites).

 In particular, temporary electrical distribution boards found to be non-compliant by:
 Failed to be appropriately affixed to the ground;
 Locks not fitted on RCD covers;
 Fire extinguishers not present in all areas and where present had not been inspected and tested by a competent person.

The day by which you are required to remedy the contravention or likely contravention (s192(1)(d)): 5pm 28th February, 2014

This Notice *may* include directions and/or recommendations on the measures to be taken to remedy the risk or contravention.
 The inspector directs you to:
 Ensure that a competent person inspects all temporary electrical distribution boards and ensure that they meet the requirements set out in AS/NZS 3012:2010.

The inspector recommends that you:
 Refer to the Work Health and Safety (Construction Work Code of Practice 2012) and the Work Health and Safety (Managing Electrical Risks in the Workplace Code of Practice) Approval 2012.

Improvement 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.

Compliance with improvement notice

The person to whom an improvement notice is issued must comply with the notice within the period specified in the notice (s193).

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

Extension of time for compliance

If the period for compliance with this notice has not ended, an inspector may extend the compliance period. (s194)

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. It is not an offence to fail to comply with recommendations in a notice (s 205).

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 s22B 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 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

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	لصتة، ةيوسفشلا ةمجرتللاب ةدعاسم لل تجتحت اذا فتاهللاب	MALTESE	Jekk għandek bżonn l-għajnuna t'interpretu, ċempel
CHINESE	如果您需要口译员帮助, 请拨打电话	PERSIAN	هرامش ني هب ديراد جايت جا يه افش همجرت هب رگا دي نك نفلت
CROATIAN	Ako trebate pomoć tumača telefonirajte	RUSSIAN	Если вам нужна помощь переводчика, звоните по телефону
DARI	ني هب, ديراد ترورض يه افش همجرت كمك هب رگا دي نك نوفل يه هرامش	SPANISH	Si necessita la asistencia de un intérprete, llame al
GREEK	Αν χρειάζεστε διερμηνεία τηλεφωνήστε στο	VIETNAMESE	Nếu bạn cần một người thông ngôn hãy gọi điện thoại

TRANSLATING AND INTERPRETING SERVICE

131 450



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

Issued by inspector:	Inspector ID number:	Time and Date of service:
Catherine Matthews	21118	3:30 27/2/2014

Recipient:	Method of Service (s 209)	
Sch 2 s2(a)(ii)	Personal <input type="checkbox"/>	Other <input checked="" type="checkbox"/> Email

The person to whom this notice is issued	Company <input checked="" type="checkbox"/> individual <input type="checkbox"/>
Name of Individual or Registered Company:	ACN (if company):
Milin Builders Pty Ltd	145 495 067
Business or trading name (if different):	ABN (if any):

Address:
3/57 Eyre Street, Kingston, ACT 2604 email: ^{Sch 2 s2(a)} [redacted]@milin.com.au

The inspector believes that you:
 (a) are contravening a provision of this Act; or
 (b) have contravened a provision in circumstances that make it likely that the contravention will continue or be repeated. (s191(1) and 192(1))

The inspector requires you to:
 (a) remedy the contravention; or
 (b) prevent a likely contravention from occurring; or
 (c) remedy the things or operations causing the contravention or likely contravention. (s191(2))

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 [redacted] Regulation 163

Briefly, how the provision is being, or has been, contravened (s192(1)(c)):
 An inspection of the site located at Wiliara Apartment Complex Block 2 Section 177, Phillip on date 27th February, 2014 failed to show that the Principal Contractor for the Construction Project had taken all reasonably practicable steps to manage the risks to health and safety associated with the storage, movement and disposal of construction materials and waste at the workplace.
 In particular, on the scaffolding work platforms construction materials were obstructing walkways and general housekeeping around the site is required.

The day by which you are required to remedy the contravention or likely contravention (s192(1)(d)): 5pm 28th February, 2014

This Notice *may* include directions and/or recommendations on the measures to be taken to remedy the risk or contravention.
 The inspector directs you to:
 Put a system in place to ensure that the risks to health and safety arising from the storage, movement and disposal of construction materials and waste are managed.

The inspector recommends that you:
 Refer to Section 7.1 of the Work Health and Safety (Construction Work Code of Practice) 2012 and to WorkSafe ACT Guidance Note 0005 – Site House Keeping available at www.worksafe.act.gov.au.



Improvement 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.

Compliance with improvement notice

The person to whom an improvement notice is issued must comply with the notice within the period specified in the notice (s193).

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

Extension of time for compliance

If the period for compliance with this notice has not ended, an inspector may extend the compliance period. (s194)

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. It is not an offence to fail to comply with recommendations in a notice (s 205).

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 s22B 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 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

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	لصتاء، ةي وشف لاء ةم جرت لاء ة دعاس ملل تجت اذ	MALTESE	Jekk għandek bżonn l-għajnuna t'interpretu, ċempel
	ف تاهل لاء	PERSIAN	هرامش ني هب ديراد جايت جا يه افش هم جرت هب رگا
CHINESE	如果您需要口译员帮助，请拨打电话		دي نك نفلت
CROATIAN	Ako trebate pomoć tumača telefonirajte	RUSSIAN	Если вам нужна помощь переводчика, звоните по телефону
DARI	ني هب، ديراد ترورض يه افش هم جرت كمك هب رگا	SPANISH	Si necessita la asistencia de un intérprete, llame al
	دي نك نوفل يت هرامش	VIETNAMESE	Nếu bạn cần một người thông ngôn hãy gọi điện thoại
GREEK	Αν χρειάζεστε διερμηνεία τηλεφωνήστε στο		

TRANSLATING AND INTERPRETING SERVICE

131 450



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

Issued by inspector:	Inspector ID number:	Time and Date of service:
Alan Chipperfield	05757	21-4-15 1225pm

Recipient:	Method of Service (s 209)	
Sch 2 s2(a)(ii)	Personal <input type="checkbox"/>	Other <input checked="" type="checkbox"/> Email

The person to whom this notice is issued	Company <input checked="" type="checkbox"/> individual <input type="checkbox"/>
--	---

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

Milin Builders Pty Ltd	145 495 067
------------------------	-------------

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

--	--

Address:

3-57 Eyre Street Kingston ACT 2604

The inspector believes that you:

- (a) are contravening a provision of this Act; or
- (b) have contravened a provision in circumstances that make it likely that the contravention will continue or be repeated. (s191(1) and 192(1))

The inspector requires you to:

- (a) remedy the contravention; or
- (b) prevent a likely contravention from occurring; or
- (c) remedy the things or operations causing the contravention or likely contravention. (s191(2))

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	Regulation	313
---------------------------------	------------	-----

Briefly, how the provision is being, or has been, contravened (s192(1)(c)):

On the 21-4-2015 Work Safe ACT attended the Brooklyn Apartment project block 19 section 43 Turner where it was established that the Work Health and Safety Plan submitted to the principal contractor ie Milin Builders Pty Ltd from Gungahlin Concrete Services was incomplete. The person must ensure that for the period for which the WHS management plan must be kept under this section, a copy is available for inspection.

The day by which you are required to remedy the contravention or likely contravention (s192(1)(d)):	9.00am 28 April 2015
---	----------------------

This Notice *may* include directions and/or recommendations on the measures to be taken to remedy the risk or contravention. The inspector directs you to:

Ensure a complete copy of the Work Health and Safety Plan and associated documents is provided to Milin Builders Pty Ltd from Gungahlin Concrete Services.

The inspector recommends that you:

Workplace Visit report - submission confirmation

Your submission has been successful. Please keep a copy of this receipt for your records.

Date and time

06 May 2016 3:13:51 PM

Form submission ID

99118220160506150570

Tracking code

JMLWZ8

To save a copy of the completed form and receipt, from the File menu select "Save a copy". To print a copy use the Print icon.

Access Canberra

GPO Box 158
Canberra City ACT 2601

Telephone: (02) 6207 3000

Initial information

Inspector ID *

P05757

Inspection number

WPV-P05757-QJM19Q

Event number

CRM 160506001510

Lead inspector *

Alan Chipperfield

Accompanying inspector/other *

N/a

Date *

06 May 2016

Time commenced *

9:45

Type of WPV *

Proactive

Reactive

Purpose of WPV *

N/A

Legislation *

Work Health and Safety Act 2011

Name of individual or registered company *

Milin Builders Pty Ltd

ABN

51 145 495 067

ACN

Business or trading name (if different)

Registered company address

Address line 1 *

3/57 Eyre Street

Address line 2

Suburb *

Kingston

State *

ACT

Postcode

2604

Contact name *

Sch 2 s2(a)(ii)

Contact number *

Sch 2 s2(a)(ii)

Email address

Sch 2 s2(a)(ii)@milin.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 *

Block 8 Section 20

Address line 2

Suburb *

KINGSTON

State

ACT

Postcode

2604

Notification of entry to (as required by s164) *

PCBU

Manager

Supervisor

HSR

Other

N/A

Inspector notes *

Inspection undertaken at the above location where the following items were discussed as needing attention.
* data conduit attached to temporary fencing marked as construction wiring
* electrical board first level basement- construction wiring from board no mechanical protection
* electrical risk water bubbler next to electrical board first level basement
* slip hazard on off cuts of booker rod - basement first level
* rear of lift shaft lower basement level needing barricading from unauthorised access
* prop pans basement ramps covers need securing

* scaffold- several locations where face bracing not in place or not fully extended to bottom of top deck, trip hazard on scaffold stair access to ground floor and form deck - rectified. It was found hop ups on scaffold around form deck on Giles and Leichardt Street poses a risk of falls - refer to Australian Standard 1576 section 3.10.4. As a result issued verbal Prohibition Notice for all works within 3m of the area described to cease until rectified.

Other items discussed whilst on site

- * scaffold- 2x raker tubes adjacent to pool deck - if required and if so does scaffold design reflect use, use of shade cloth documented wind rating in scaffold design, means of attachment to scaffold of shade cloth - cable ties
- * form work tables use of timber bracing to provide stability during installation in lieu of proprietary bracing needs clear clarification and certification.
- * large independent task lighting in basement if deemed fit for purpose.

Further action

Further action required? *

Yes No

Notices issued *

Yes No

Type of notices

Improvement Prohibition Other

Finalisation details

WPV for asbestos related issue *

Yes No

Industry group *

Construction

Follow up required *

Yes No

Time finished

11:45

The email address below has been derived from the name you entered. Please ensure the email address is correct.

Lead inspector email address *

Alan.Chipperfield@act.gov.au

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

1

Email 1 *

Sch 2 s2(a)(ii)@milin.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'Wlth) 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.



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

Alan Chipperfield

Inspector ID

P05757

Notice Number

PN-P05757-QJM19Q-1

Date and time

06 May 2016 - 9:45

Method of service (s209) *

Personal

Email/Fax

Recipient *

Sch 2 s2(a)(ii)

To whom this notice is issued *

Company

Individual

Name of registered company *

Milin Builders Pty Ltd

ACN

Business or trading name (if different):

Registered company address

Address line 1

3/57 Eyre Street

Address line 2

Suburb

Kingston

State

ACT

Postcode

2604

Site/Workplace address

Address line 1 *

Block 8 Section 20

Address line 2

Suburb *

KINGSTON

State

ACT

Postcode *

2604

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

Working within 3 meters of the form deck along the length of Giles and Leichardt Street as delineated by barrier tape.

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)):

A person conducting a business or undertaking at a workplace must manage, in accordance with part 3.1 (Managing risks to health and safety), risks to health and safety associated with a fall by a person from 1 level to another that is reasonably likely to cause injury to the person or any other person.
Note W
Inspection on the 6 May 2016 found configuration of scaffold may pose a risk of falls from the form deck onto the scaffold hop ups as building design may potentially allow a person to fall through a window void where to gap is in excess of 300mm.

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)):

Work on form deck

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

Section/s

78

This Notice may include directions concerning the measures to be taken to remedy the contravention or prevent the likely contravention, or

Have a competent person undertake the necessary repairs or alterations to the scaffold in accordance with Australian Standard 1576 section 3.10.4 On completion provide Work Safe ACT documented proof of the required works.

The inspector recommends that you:

Prohibition 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.

Compliance with direction or notice The person to whom a direction is given under section 195(2) or a prohibition notice is issued must comply with the direction or 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).

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. 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).

Review of this Notice The person to whom the Notice was issued, the person with management or control of the workplace, plant or substance, a person conducting a business or undertaking whose interests are affected by the decision, a worker whose interests are affected by the decision, a health and safety representative who represents a worker whose interests are affected by the decision or health and safety representative who gave a direct under s85 to cease work, that is relevant to the Prohibition Notice may seek to have an internal review. A review may be sought in relation to the issuing of the Prohibition Notice. A review may be sought within 14 days of the notice being issued. Please ensure you include the Notice number in your application for a review and the reason you are seeking the review. An application for a review can be made by writing, to: The Regulator, WorkSafe ACT. GPO Box 158 Canberra City ACT 2601 or by email worksafe@act.gov.au

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.

TRANSLATING AND INTERPRETING SERVICE - 131 450.

Workplace Visit report - submission confirmation

Your submission has been successful. Please keep a copy of this receipt for your records.

Date and time	Form submission ID	Reference number
13 May 2017 6:39:28 PM	99118220170513162514	FDLTFF

To save a copy of the completed form and receipt, from the File menu select "Save a copy". To print a copy use the Print icon.

Access Canberra

GPO Box 158
Canberra City ACT 2601

Telephone: (02) 6207 3000

Initial information

Inspector ID *

05771

Inspection number

WPV-05771-S76W04

Event number

CRM-170512-001315

Lead inspector *

Bradley Cummins

Accompanying inspector/other *

R CARNALL, A MAJER, A CHIPPERFIELD, C FLANAGAN

Date *

12 May 2017

Time commenced *

13:45

Type of WPV *

Proactive

Reactive

Purpose of WPV *

Notifiable incident

Legislation *

Work Health and Safety Act 2011

Name of individual or registered company *

Milin Builders Pty Ltd

ABN
51145495067

ACN
145495067

Business or trading name (if different)

Registered company address

Address line 1 *
3/57 Eyre Street

Address line 2

Suburb *
Griffith

State *
ACT

Postcode
2603

Contact name *
Sch 2 s2(a)(ii)

Contact number *
Sch 2 s2(a)(ii)

Email address
Sch 2 s2(a)(ii)@milin.com.au

Workers compensation

Is a compulsory Workers Compensation Policy maintained? *

Yes

No

Not applicable

Insurer name

Policy number

Expiry date of policy

Details of inspection

Site/Workplace address

Same as registered address

Address line 1 *

Block 13 Section 25

Address line 2

Suburb *

GRIFFITH

State

ACT

Postcode *

2603

Notification of entry to (as required by s164) *

PCBU

Supervisor

Other

Manager

HSR

N/A

Inspector notes *

12 May 2017 Approximately 1255 hours Notifiable Incident occurred at construction site involving Telehandler being operated with crane jib lifting a load being a mesh framed screen. Load on hook of telehandler dropped at one end falling onto worker (dogman) standing beneath load. Worker fell to ground with screen landing on top of him sustaining injuries. Sch 2 s2(a)(ii)

Investigators attended scene of incident and subjected entire site to Non Disturbance Notice. Scene processed and all witnesses interviewed, safety documentation relevant to the system of work seized by investigators, lifting equipment from telehandler seized and site remained subjected to the non disturbance notice for inspectors and investigators to return to the site Saturday 13 May 2017.

Inspectors and investigators returned to the site 0730 hours 13 May 2017 and undertook a full detailed examination of entire site. Further lifting equipment and documentation from the cabin seized from telehandler. Investigations into load dimensions and telehandler completed on site.

Site safety inspection identified deficiencies related to Safe system of work, scaffolding, electrical safety, form work, mesh screens, fall from heights, general house keeping, amenities, plant generally and Access and Egress.

Staged remediation processes to be established through engagement and consultation with Milin Builders commencing with the initial issuance of prohibition notice relating to the entire site regarding a safe system of work. All work at site prohibited until the establishment and implementation of a safe system of work. Further consultation scheduled with Milin Builders at the site Monday 15 May 2017.

Investigation to be continued and ongoing regarding the initial notifiable incident by WorkSafe ACT Major Investigations Team.

Further action

Further action required? *

Yes

No

Notices issued *

Yes

No

Type of notices

Improvement

Prohibition

Other

Finalisation details

WPV for asbestos related issue *

Yes

No

Industry group *

Construction

Follow up required *

Yes

No

Time finished

*
20:30

The email address below has been derived from the name you entered. Please ensure the email address is correct.

Lead inspector email address *

Bradley.Cummins@act.gov.au

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

2

Email 1 *

sch2sz16@milin.com.au

Email 2 *

robert.alford@act.gov.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.



Prohibition Notice

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

Issued by Inspector Bradley CUMMINS	Inspector ID 05771	Notice Number PN-05771-S76W04-1	Date and time 12 May 2017 - 13:45
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Method of service (s209) *

Personal Email/Fax

Recipient *

Sch 2 s2(a)(ii)

To whom this notice is issued *

Company Individual

Name of registered company * Milin Builders Pty Ltd	ACN 145495067
--	------------------

Business or trading name (if different):

Registered company address

Address line 1
3/57 Eyre Street

Address line 2

Suburb Griffith	State ACT	Postcode 2603
--------------------	--------------	------------------

Site/Workplace address

Address line 1 *
Block 13 Section 25

Address line 2

Suburb * GRIFFITH	State ACT	Postcode * 2603
----------------------	--------------	--------------------

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

All construction work at the site known as Indigo Site Block 13 Section 25

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)):

Occurrence of notifiable incident at the site and identification through the investigation of considerable deficiencies in system of work being worked to at the time of the incident which resulted in the exposure of a worker to risks of serious injury or death. Specifically identified no SWMS being worked to relating to the operation of a telehandler as a non slew crane performing high risk construction work. Safety induction system not sufficient to deliver the requisite safety information relating to work being conducted at the site. Tool box and safety pre work briefings not sufficient to deliver the requisite safety information relating to work being conducted at the site. Deficiencies in safety management system identified from quantity and magnitude of safety issues over a broad range of areas of the site.

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)):

Any and all work at the site of persons not working to a sufficient safe system of work to manage risks exposing persons to serious injury or death.

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

Section/s

19(3)(c)

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

Develop and implement a safe system of work applying to the entire site known as Indigo Site

The inspector recommends that you:

Continue to engage and consult with WorkSafe ACT Inspectors in the staged remediation works of identified safety issues at the site.

Prohibition 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.

Compliance with direction or notice The person to whom a direction is given under section 195(2) or a prohibition notice is issued must comply with the direction or 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).

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. 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).

Review of this Notice The person to whom the Notice was issued, the person with management or control of the workplace, plant or substance, a person conducting a business or undertaking whose interests are affected by the decision, a worker whose interests are affected by the decision, a health and safety representative who represents a worker whose interests are affected by the decision or health and safety representative who gave a direct order under s85 to cease work, that is relevant to the Prohibition Notice may seek to have an internal review. A review may be sought in relation to the issuing of the Prohibition Notice. A review may be sought within 14 days of the notice being issued. Please ensure you include the Notice number in your application for a review and the reason you are seeking the review. An application for a review can be made by writing, to: The Regulator, WorkSafe ACT. GPO Box 158 Canberra City ACT 2601 or by email worksafe@act.gov.au

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.

TRANSLATING AND INTERPRETING SERVICE - 131 450.

Prohibition Notice

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

Issued by Inspector	Inspector ID	Notice Number	Date and time
Bradley CUMMINS	05771	PN-05771-S76W04-2	12 May 2017 - 13:45

Method of service (s209) *

Personal Email/Fax

Recipient *

Sch 2 s2(a)(ii)

To whom this notice is issued *

Company Individual

Name of registered company *

Milin Builders Pty Ltd

ACN

145495067

Business or trading name (if different):

Registered company address

Address line 1

3/57 Eyre Street

Address line 2

Suburb

Griffith

State

ACT

Postcode

2603

Site/Workplace address

Address line 1 *

Block 13 Section 25

Address line 2

Suburb *

GRIFFITH

State

ACT

Postcode *

2603

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

Operation of Bobcat Telehandler registration Sch 2 s2(a)(i), VIN Sch 2 s2(a)(ii)

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)):

Bobcat telehandler involved in notifiable incident with load falling from hook. Investigation identified that Gen 3 lifting computer recorded in daily checks as being unserviceable. Visual examination of jib attachment identified elongated lifting lug excessively worn.

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)):

Operation of plant with identified lifting computer faults and other lifting attachments excessively worn.

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

Section/s

19(3)(b)

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;

Engage a suitably qualified person to undertake a complete plant inspection and undertake any necessary maintenance for the provision of written certification of the safe operation of the plant including independent inspection, repairs and certification of plant's gen 3 lifting system and all attachments of the telehandler owned and available by the recipient to be used on the telehandler.

Obtain any data recorded related to the operation of the telehandler on 12 May 2017

The inspector recommends that you:

Provide a full copy of all data recorded relating to use of the telehandler and any interpretation of the data provided by the computer systems manufacturer.

Prohibition 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.

Compliance with direction or notice The person to whom a direction is given under section 195(2) or a prohibition notice is issued must comply with the direction or 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).

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. 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).

Review of this Notice The person to whom the Notice was issued, the person with management or control of the workplace, plant or substance, a person conducting a business or undertaking whose interests are affected by the decision, a worker whose interests are affected by the decision, a health and safety representative who represents a worker whose interests are affected by the decision or health and safety representative who gave a direct order under s85 to cease work, that is relevant to the Prohibition Notice may seek to have an internal review. A review may be sought in relation to the issuing of the Prohibition Notice. A review may be sought within 14 days of the notice being issued. Please ensure you include the Notice number in your application for a review and the reason you are seeking the review. An application for a review can be made by writing, to: The Regulator, WorkSafe ACT. GPO Box 158 Canberra City ACT 2601 or by email worksafe@act.gov.au

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.

TRANSLATING AND INTERPRETING SERVICE - 131 450.