

# Enforceable Undertaking Amendment

Date: 11/1/21

Amendment of an undertaking to the Work Health and Safety Commissioner given for the purposes of part 11 of the *Work Health and Safety Act 2011* (WHS Act).

By Hindmarsh Construction Australia

ACN 126 578 176

## Privacy statement

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## SECTION 1 - GENERAL INFORMATION

## a) Details of the person proposing the amendment to the undertaking

Nominated person	Dane Brown
Street address:	Level 1, 41/65 Constitution Avenue Campbell ACT 2612
Postal address (if different from street address):	
Telephone contact number:	02 6129 1500
Mobile contact number:	0405 284 324
Email address:	dane.brown@hindmarsh.com.au
Legal structure:	Proprietary Limited Company
Type of business:	Construction
Commencement date of the entity:	14 <sup>th</sup> August 2007
Number of workers	159
Products and Services:	Residential, retail, government, industrial and commercial property development and construction management
Comments:	

Proposed amendments to original undertaking;

### Strategy 3:

The year, as I'm sure you appreciate, has been disjointed due to COVID and the apprentice awards took a very different look this year. Due to this, we unfortunately were not able to run the scholarship at an awards ceremony. Further to this, CITC advertised widely with key industry stakeholders, but could not foster any interest from the graduating class of apprentices. Both CITC and HCA were disappointed by this, however, CITC have been assisting us in looking into other ways that together CITC and HCA can encourage participation of apprentices within the industry and give true benefit to apprentices in the ACT region. CITC has proposed a recommendation as per below extract from an email sent to HCA:

*"I am recommending that Hindmarsh establish a 'Trust' for students and other members of the ACT community who would like to undertake a Pre-apprenticeship program and for whatever reason, cannot afford the fees etc. to undertake these types of programs. This is an issue for some programs that are conducted by industry that utilise School students, a number of the students are unable to afford the fees and/or associated costs of these programs. Schools make significant contributions but do not have the financial resources to ensure that all interested students are able to participate.*

*The establishment of a 'Trust' and appropriate management of the 'Trust' would allow a number of students and/or community members to participate in these Pre-apprenticeship programs.*

*This Hindmarsh 'Trust' would be overseen and managed by the CITC. The CITC would establish a Committee of CITC and Hindmarsh people to formally oversee all requests for funding and accounting for these Pre-apprenticeship programs."*

Hindmarsh sees this as a real opportunity to encourage diversity within the industry and agree with CITC that this would have a lasting and beneficial impact on the construction industry in the ACT Region. We agree that for governance purposes CITC would be involved in the committee to oversee the trust and requests to the trust.

The trust value would commence matching the agreed value within the current EU (for Strategy 3 - \$6,500).

CITC have stated that they are available for any meetings to discuss further, as are HCA.

**Timeframe: Trust to be set up and by September 2021**

Total amount to be spent on benefits to the industry \$6,500

**Total cost of all the strategies proposed**

Total amount to be spent on activities \$6,500

**Safety Outcome**

More positions for new pre-apprentices gaining quality training in the industry sets the ACT industry up with a safer workforce for the future. This is a different approach to gaining more qualified apprentices in the industry an area that HCA is passionate about as we see programs such as the pre-apprenticeship programs as integral to the appropriate training of and mentoring of safe future leaders within our industry. CITC and HCA are very excited about this program and would very much look forward to acceptance of this variation proposal.

SECTION 3 – OFFER OF UNDERTAKING

I offer this undertaking and commit to the terms herein.

Signed

[Signature]

Name

Rowan Hindmarsh

Position

CEO

Dated at NIMSTONEY this 1st (suburb)

day of FEBRUARY 20 21

OR

As a duly authorised person of

[Blank box]

I offer this undertaking and commit to the terms herein.

Signed (duly authorised person)

[Blank box]

Name

[Blank box]

Position

[Blank box]

Dated at [Blank] this [Blank] (suburb)

day of [Blank] 20 [Blank]

SECTION 4 – WORKSAFE ACT ACCEPTANCE OF UNDERTAKING

The duration of an enforceable undertaking is determined by the content of the agreed terms. An enforceable undertaking commences and is enforceable once accepted by the regulator. The enforceable undertaking will be concluded on written advice from the regulator when all requirements of the undertaking have been satisfactorily executed.

I accept this undertaking as an enforceable undertaking under section 216 of the WHS Act.

Signed

[Signature]

Name

WHS Commissioner Jacqueline Angus

Position

WHS Commissioner

WorkSafe ACT

Dated at Canberra this 1st (suburb)

day of Feb 20 21

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