



ACT
Government

**Access
Canberra.**

*Work Health and Safety Act 2011 (WHS Act) –
Work Health and Safety Regulation 2011 (WHS Regulation)*

Enforceable undertaking proposal

Date: 10th July 2019

Enforceable undertaking

Undertaking to – Access Canberra - given for the purposes of part 11 of the *Work Health and Safety Act 2011 (WHS Act)*.

Section 216.

by **Re.Cycle Operations (Canberra) Pty Ltd**

ACN **610 379 078**

Privacy statement

Access Canberra respects your privacy and is committed to protecting personal information. The information provided on this document is for the purpose of making an undertaking to the Access Canberra given for the purposes of part 11 of the WHS Act. This information will be managed within the requirements of the current ACT government privacy policy. The department may publish the undertaking and the information contained in it for purposes identified in the undertaking or for other appropriate legal purposes in various publications such as newspapers and on its website. The department may be required to disclose personal information to other regulatory agencies in accordance with other law enforcement activities which may be conducted as part of an investigation. Further information on our privacy policy can be found at <http://www.cmd.act.gov.au/legal/privacy>.

SECTION 1 - GENERAL INFORMATION**1. Details of the person proposing the undertaking**

<i>Residential address:</i>	1 Recycling Road, Hume ACT 2620
<i>Postal address (if different from residential address):</i>	
<i>Telephone contact number:</i>	(02) 9235 1377
<i>Mobile contact number:</i>	
<i>Email address:</i>	info@re-group.com
<i>Legal structure:</i>	Proprietary Limited company
<i>Type of business:</i>	Material Recovery Facility
<i>Commencement date of the entity:</i>	25 January 2016
<i>Number of workers: (Full Time / Part Time)</i>	27 Full time (plus up to 10 casual labour hire personnel)
<i>Products and Services:</i>	Recycling facility
<i>Comments:</i>	

2. Details of the alleged contravention

It is alleged by WorkSafe ACT that in January 2019 in the Australian Capital Territory, Re.Cycle Operations (Canberra) Pty Ltd had a health and safety duty within the meaning of section 30(a) of the Act, specifically the primary duty of care required by section 19 of the Act, and it failed to comply with that duty.

3. Details of the events surrounding the alleged contravention, e.g. incident details

On 11th January 2019, Access Canberra WorkSafe issued a Non-Disturbance Notice on the Material Recovery Facility (MRF) located at 1 Recycling Road, Hume, ACT, which is operated by Re.Cycle Operations (Canberra) Pty Ltd. The Non-Disturbance Notice was issued following an inspection of the Hume MRF which was undertaken on the 10th January and into the 11th January 2019, by Worksafe ACT. The inspection alleged that the person conducting the business or undertaking had failed to ensure, so far as reasonably practicable, the health and safety of workers and other persons, due to the provision and maintenance of a work environment without risks to health and safety.

The measures to be taken to preserve the site and prevent disturbance included:

- 1) Gates to be padlocked by the Acting Plant Manager – and access only allowed as and when authorised by a Worksafe ACT Inspector
- 2) Stop Work sign erected by Worksafe ACT on the entry gates.

The above measures were implemented.

On 12th January 2019, Re.Cycle Operations (Canberra) received notification from Worksafe ACT that employees could enter the site to assist with rectification works, on 15th January 2019 WorkSafe ACT allowed staff to recommence processing material already on site, and on 16th January 2019, Worksafe ACT and ACT Fire and

Rescue confirmed the MRF could re-commence receiving deliveries of commingled material, which it did on 17th January 2019.

There were no injuries or notifiable incidents that led to the alleged contravention.

4. An acknowledgement that Access Canberra alleged a contravention has occurred

It is acknowledged by Re.Cycle Operations (Canberra) that Access Canberra WorkSafe has alleged that Re.Cycle Operations (Canberra) failed to ensure, so far as reasonably practicable, the health and safety of workers and other persons, due to the provision and maintenance of a work environment without risks to health and safety.

5. The details of any injury that arose from the alleged contravention

No injuries occurred in relation to the alleged contravention.

6. The details of any enforcement notices issued that relate to the alleged contravention:

Notices received:

Yes (provide details) No

Please see section b above, which provides the details of the Non-Disturbance Notice.

7. A statement of assurance about future work health and safety behaviour

Re.Cycle Operations (Canberra) is committed to complying with its obligations under the Work Health and Safety Act 2011 (WHS Act) and ensuring, so far as reasonably practicable, the health and safety of all workers and those who may be affected by its business or undertaking. Re.Cycle Operations (Canberra) will, so far as reasonably practicable, provide and maintain a safe and healthy workplace for its workers, guests and visitors.

When an alleged contravention is associated with an injury/illness

No injuries occurred in relation to the alleged contravention.

8. The details of the type of workers compensation provided (if the injured person(s) is a worker of the person)

There were no injuries or illnesses associated with the alleged contravention, and as such, no Workers Compensation has been provided as a result of the alleged contravention.

9. The details of the support provided, and proposed to be provided, to the injured person(s) to overcome the injury/illness

Does the contravention involve injury to person?

Yes No

The following support has been provided to the injured person(s) or injured person(s) family:
Not applicable as there were no injured persons in relation to the alleged contravention.

10. If the matter involves a fatality or very serious injury¹, a claim to demonstrate that exceptional circumstances exist that the enforceable undertaking is a more appropriate response than pursuing prosecution

Does the contravention involve a fatality or very serious injury¹?

Yes

No

11. The details of any existing occupational health and safety management system at the workplace including the level of auditing currently undertaken

Re.Cycle Operations (Canberra) has an existing Work Health and Safety Management System (WHSMS or System). The System is developed in accordance with the WHS legislative framework and AS4801- 2001 and is tailored to the risks and operating characteristics of the business.

A review of the current WHSMS is underway and incorporates policy review; compilation of a business related WHS framework that outlines the systems and practices designed to enable Re.Cycle Operations (Canberra) to identify and control health and safety risks, reduce the prevalence of incidents, and ensure compliance with all relevant legislation. The review will also outline the scope and commitment to continuous improvement and review of the WHSMS; quality internal audit and external surveillance audit. WHS audit scheduling and scope is currently held within our waste licence audit requirements and are conducted on a quarterly internal basis. The last internal audit was conducted in June 2019.

Due diligence audit (external approved auditor) to be scheduled for annual surveillance audits and subsequent preparation for certification audit for AS/NZS4801/9001/14001.

Whilst the review of the WHSMS is on-going, several modifications have already been made and improvements to various sections of the WHSMS are already being implemented in a timely manner.

12. The details of any consultation undertaken within the workplace regarding the proposal of an enforceable undertaking

Re.Cycle Operations (Canberra) has consulted with the site team and included feedback and recommendations into the final proposal.

13. A statement of regret that the incident occurred (i.e. not an admission of guilt)

Re.Cycle Operations (Canberra), its directors, officers, managers and employees, regret the circumstances that led to the non-disturbance notice being issued on the 11th January 2019 and is committed to ensuring, so far as reasonably practicable, the ongoing health and safety of its workers, guests and visitors.

¹ 1. An injury that has caused nervous system damage liable to lead to mental incapacity or permanent restriction of mobility or involves a major amputation of a limb or parts of the body, for example, amputation above the knee or elbow. This term is not defined in the WHS Act; it is used within this document to identify certain circumstances which will trigger additional steps in the enforceable undertaking process.

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14. Any rectifications made as a result of the contravention

Re.Cycle Operations (Canberra) acknowledge that the health, safety and wellbeing of workers, contractors, visitors and clients are of primary importance. As far as reasonably practicable, Re.Cycle Operations (Canberra) is fully committed to the following: -

- achieving a high level of work health and safety standards for workers, contractors, visitors and clients;
- improving the provision of a clear WHS policy framework that supports the setting, maintaining and reviewing of health and safety objectives in accordance with industry practice and risk management guidelines;
- exceeding applicable legal requirements related to work health and safety;
- providing supportive health and safety leadership to workers, contractors, visitors and clients who deliver material to site on a daily basis;
- taking all reasonably practicable measures to eliminate, mitigate or minimise risks to the health, safety and welfare of workers by applying the hierarchy of controls;
- driving continuous improvement of health and safety management systems, communication and implementation
- communication with and encouragement of workers, contractors, visitors and clients at all levels to be involved in the site health and safety initiatives;
- ensuring all workers, visitors and contractors understand their health and safety obligations whilst on site.

Since the alleged contraventions, Re.Cycle Operations (Canberra) has instigated the following actions. Some of these actions have been completed, and some are in the process of being completed.

Item
Fire Safety: Daily fire safety compliance checklist implemented.
Stock Management: Improved the Escalation policy implemented to better manage safe incoming stock levels
Guarding and Exclusion Zones: All conveyors and machinery reviewed against guarding standard and guards installed where required. Where guarding has been modified, appropriate exclusion zones have been established and are monitored.
Stock Management: Concrete blocks being used for bunker walls
Exclusion Zones: Additional exclusions zones installed to protect people from mobile plant and equipment
Stock Management and Traffic Management: Excess product removed to a new site to enable safe heavy vehicle and B-double loading
Stock Management: Secured additional land for the storing finished product prior to its sale
Fire safety - Ensuring the stock is stored in accordance with good fire safety protocols
Electrical Safety: Electrical safety certification work is underway; testing & tagging to AS/NZS 3000:2018 AS/NZS 3017:2007 AS/NZS 3760:2010 In-service safety
Traffic Management: improved traffic management systems and procedures that have been implemented on site
Truck Loading: Updated safe work procedures for forklifts and loading of B-doubles and heavy vehicles
Elevated access walkways: Additional fall protection installed on identified elevated walkways
Confined Spaces: Confined spaces access locks replaced
Fire Safety: Confirmation of fire equipment in accordance with evacuation diagram, additional equipment placed around Fuel storage and surplus equipment removed
Cleaning: additional labour employed to improved site cleaning and housekeeping across the site
Commenced upgrade of workers training needs analysis

Total amount spent on rectifications

\$77,000

15. An acknowledgement that the enforceable undertaking may be published and publicised

Re.Cycle Operations (Canberra) acknowledges that the enforceable undertaking may be published on the WorkSafe ACT website and may be referenced in WorkSafe ACT publications. We also note that WorkSafe already publicised its actions, resulting in local and national media coverage during the period.

16. A statement of ability to comply with the terms of the enforceable undertaking

Re.Cycle Operations (Canberra) confirms it has the resources and financial ability to comply with the terms of this enforceable undertaking proposal. This enforceable undertaking has the support of the Board of Directors.

17. Statement regarding relationships with beneficiaries

Re.Cycle Operations (Canberra) acknowledges there are no known current relationships with any of the beneficiaries outlined in the undertaking, other than the current employees of Re.Cycle Operations (Canberra), the industry and community.

18. Intellectual property licence

Re.Cycle Operations (Canberra) grants WorkSafe ACT a permanent, irrevocable, royalty free, worldwide, non-exclusive licence to use, reproduce, distribute, electronically transmit, electronically distribute, adapt, and modify any materials developed as a result of this enforceable undertaking.

19. The person may be required to provide a statutory declaration

Not applicable.

20. Acknowledgement of enforceable undertakings overview and guidelines

Re.Cycle Operations (Canberra) has read and understood enforceable undertakings overview (WSACT HB 0069) and guidelines as listed on WorkSafe ACT website.

SECTION 2 – ENFORCEABLE TERMS

1. A commitment that the behaviour that led to the alleged contravention has ceased and will not reoccur

Re.Cycle Operations (Canberra) commits that the behaviour that led to the contravention has ceased and that it has taken and will continue to take reasonably practicable steps to prevent recurrence of this type of incident.

2. A commitment to the ongoing effective management of work health and safety risks

Re.Cycle Operations (Canberra) commits that it will take reasonably practicable steps in respect of the ongoing effective management of work health and safety risks.

3. A commitment to disseminate information about the undertaking to workers, and other relevant parties (which may include work health and safety representatives), and in the annual report (if applicable)

Re.Cycle Operations (Canberra) agrees to disseminate information about the undertaking within the workplace, including to the members of any health and safety committee, health and safety representatives, workers and other relevant parties. This information will be disseminated through management and staff meetings, toolbox talks and general publication and will be completed within 1 month (30 days) of the enforceable undertaking being approved by the Commissioner. This information will also be disseminated in a similar manner across related entities of Re.Cycle Operations (Canberra).

4. A commitment to participate constructively in all compliance monitoring activities of the undertaking

It is acknowledged that responsibility for demonstrating compliance with this undertaking rests with Re.Cycle Operations (Canberra). Evidence to demonstrate compliance with the terms will be provided to WorkSafe ACT by the due date for the term. Re.Cycle Operations (Canberra) acknowledges that WorkSafe ACT may undertake other compliance monitoring activities to verify the evidence that is provided and compliance with the relevant term. The evidence provided to demonstrate compliance with the undertaking will be retained by the person who has given this undertaking until advised by WorkSafe ACT that the undertaking has been completely discharged. Re.Cycle Operations (Canberra) acknowledges that WorkSafe ACT may initiate additional compliance monitoring activities, such as inspectors, as considered necessary at WorkSafe ACT expense.

STRATEGIES THAT WILL DELIVER BENEFIT TO WORKERS, INDUSTRY AND THE COMMUNITY.

STRATEGIES THAT WILL DELIVER WORKER BENEFITS

Strategy 1 – WHS Training packages and training resources

Estimated cost \$130,000

Scope

Identification and implementation of WHS training programs for all staff and employment of a dedicated safety professional to report directly to the Chief Operating Officer and the company directors on all aspects of work health and safety compliance including due diligence. The WHSE manager's responsibility is to oversee safety management systems across the company, enabling Re.Cycle Operations (Canberra) to better manage and improve work safety practices and safety behaviour. A key part of the WHSE manager's role will be to educate, certify and enhance and promote WHS knowledge, focused on practical application of workers knowledge of safe systems of work related to plant operations, mobile plant, high risk work and emergency management. The WHSE manager position is a newly developed role.

Tangible outcome

Deliver a comprehensive and site specific WHS training program for all workers, managers and supervisors at Re.Cycle Operations (Canberra), including eligible sub-contractors, which exceeds the minimum legislative requirements and promotes best practise in safety behaviour. Measured outcomes delivered through certification and verification in the training matrix.

The full-time WHSE manager will deliver a proactive approach to health and safety and has a tertiary level OHS qualification with experience in waste, recycling. The WHSE manager has extensive training experience, Cert IV TAE, experience and training experience in high risk work environments, lead auditor and lead incident investigator qualifications, and a minimum of 10 years demonstrated experience in safety roles.

Improved training facilities for workers on site.

Beneficiaries/Audience

All workers, managers and supervisors at Re.Cycle Operations (Canberra) including eligible sub-contractors.

Delivery Method

A blended delivery of on-line, face to face and practical competency-based training, provided by internal qualified site-based safety professional and external training companies. Delivery of HRW courses, WHS hazard Identification and Risk assessment.

Improved training facilities for workers on site.

Timeframe

Commenced in April 2019 and will be fully implemented and completed within 18 months from the commencement of this undertaking.

Safety outcome

All staff trained and supported on an ongoing basis by a site-based safety professional, which will enhance the ability for all workers to initiate and maintain safe systems of work, and influence the positive safety behaviour of all stakeholders and sub-contractors.

Strategy 2 – Plant improvements

Estimated cost \$195,000

Scope

A range of physical plant upgrades will be undertaken to, as far as reasonably practical, reduce or eliminate potential hazards associated with the site:

- Skirting extensions to limit high volume conveyor waste spillage points and increase conveyor capability; this additional conveyor skirting helps prevent hazards associated with spillage points and provide a safer working environment for workers;
- Repairs to spillage points and wear points throughout the plant, which will help reduce hazards associated with spillage points;
- Mobile plant upgrades including the purchase of new mobile plant that is more reliable and has improved safety features that offer the operator an enclosed cab that enhances the protection for the driver and minimises risk from noise, nuisance dusts and hazardous waste. The new loader will also eliminate the need for any pedestrian workers to manually handle received waste and also minimise any plant pedestrian hazard. This is a new acquisition, which is made outside of the normal mobile plant purchase life-cycle.

Tangible outcome

The processing plant machinery and mobile plant upgrades are aimed at reducing worker exposure to hazardous manual tasks and other workplace hazards associated with waste plant operations and exceed legislative requirements. Additional plant up-grades will benefit workers by reducing the double handling of loose and baled product, and removing the risks associated with workers manually clearing large areas of material, eliminating exposure to musculoskeletal disorders related to excessive manual tasks and limiting the need for workers to clean under conveyors.

Measured outcomes delivered through certification and visual verification of the completed purchases, installations and repair works.

Beneficiaries/Audience

All workers, managers and supervisors at Re.Cycle Operations (Canberra) including relevant sub-contractors.

Delivery Method

Professionally designed, installed, tested and certificated skirting fitment.

Professionally installed and tested repairs to wear points.

Replacement mobile plant.

Timeframe

Implementation commenced in April 2019 and will be fully implemented within 18 months from the commencement of this undertaking.

Safety outcome

Reduced worker exposure to workplace hazards associated with recycling plant operations.

Improved ease of operation and housekeeping through reduced spillage from conveyors and other plant, resulting in minimised worker exposure to hazardous manual tasks through accessing plant and cleaning. The improved replacement mobile plant will provide better and safer use of mobile plant, while operating in a pedestrian exclusion zone that will mitigate the potential for injury to workers from collision with mobile plant.

Strategy 3 – Occupational health surveillance

Estimated cost \$20,000

Scope

Engage a consulting industrial health care provider to supply health services to full time workers in the form of pre-employment health checks and ongoing health surveillance services.

Tangible outcome

Provide worker access to health checks (hearing; eye sight; lung function; Influenza inoculation and Hepatitis A+B inoculation (Twinrix) where required, as well as support health surveillance initiatives to establish base line workplace exposure to potential work environment hazards.

Beneficiaries/Audience

All workers, managers and supervisors at Re.Cycle Operations (Canberra) including eligible sub-contractors.

Delivery Method

Pre-employment medicals and health surveillance to be implemented within 6 months of the commencement of the undertaking by health service partner.

Timeframe

Fully implemented and completed within 12 months from the commencement of this undertaking

Safety outcome

Early identification and diagnosis of potential workplace related illnesses and the ongoing monitoring of workers health and the work environment in order to prevent hazards as far as reasonably practical, arising that may be detrimental to workers health.

Total amount to be spent on benefits to workers

\$ 345,000

STRATEGIES THAT WILL DELIVER INDUSTRY BENEFITS

Strategy 4 – Commission a training scenario module

Estimated cost \$10,000

Scope

Organise the production of a waste industry process plant (Material Recovery Facility, MRF) safety module to highlight the hazards associated with working in a recycling facility, and demonstrate mitigation measures to reduce these hazards.

Tangible outcome

Produce at least one waste industry focused safety module, to be presented to the wider recycling industry and waste industry organisations, to raise awareness of hazards and safety issues that are related to the industry. Measured through visual inspection and participant feedback.

Beneficiaries/Audience

Recycling industry partners and stakeholders will increase their understanding of specific hazards in the operation of recycling plants.

Delivery Method

Release of a safety training module with free access to industry.

Timeframe

To commence implementation within the first 12 months from the commencement of this undertaking and completed within the second year of the undertaking.

Safety outcome

To support and enhance the ability of the recycling community in the ACT to access industry specific WHS information and compare processes to implement and enhance the safety of workers in the industry, and enhance their understanding of the ACT's WHS legislation.

Strategy 5 – Provide an industry forum for WHS issues

Estimated cost \$15,000

Scope

Facilitate one industry safety meeting, site visit and peer review per annum to share safe work challenges and collaborate to mitigate risk. Share experiences and safety learnings across the recycling industry.

Tangible outcome

Participation and sharing of knowledge gained from the industry safety meeting and site visit. Measured through attendance and participant feedback.

Beneficiaries/Audience

Recycling industry partners and stakeholders seeking to share safety initiatives and increase their understanding of WHS requirements

Delivery Method

An industry safety seminar to be delivered at a local venue, accessible to local ACT business, charity partners and WorkSafe ACT.

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Timeframe

To be implemented within the first 12 months from the commencement of this undertaking and repeated and completed within the second year of the undertaking.

Safety outcome

To support and enhance the ability of the recycling community in the ACT to share safety experiences and learnings, and compare processes to implement and enhance the safety of workers in the industry.

Strategy 6 – Site traffic management & safety module

Estimated cost \$80,000

Scope

Improved measures to manage contractor's trucks during loading and unloading activities, in line with NHVR guidelines and the safe operation of mobile plant around pedestrian workers and site visitors. Supported by appropriate training on site, and a safety training module using the Hume facility to demonstrate to workers and industry how to safely work near mobile plant and heavy vehicles on an industrial site. The module will be provided free of charge for industry and interested parties, shared with waste industry partners and added to site inductions.

Tangible outcome

Implementation of the desired safe flow of pedestrian and vehicle movements, especially associated with the interaction of heavy vehicles, mobile plant and pedestrians, through the use of barriers, walkways and exclusion zones. These outcomes will be supported by appropriate training, including a training module that will be shared with industry partners.

Measured outcomes delivered through certification and visual verification of the completed purchase and installation of traffic management aids, and viewing of the training module.

Beneficiaries/Audience

All recycling industry educational partners, contractors and stakeholders whose drivers and workers visit the site numerous times a week, will be separated from hazards associated with moving, loading and unloading trucks, and working around mobile plant.

Delivery Method

Assessment, design, purchase and fitment of plant/pedestrian segregation barriers and/or booms. Installation of pedestrian only 'green' walkways, exclusion zones and associated warning signage. Visual evidence of training records for traffic management on site, and a training module in appropriate formats to facilitate wide distribution.

Timeframe

Commenced in April 2019, and to be implemented within the first 15 months from the commencement of this undertaking.

Safety outcome

Provide effective ways to warn of loading in progress to other plant operators, drivers and pedestrians, and physical separation to prevent injury to workers from collision with vehicles and mobile plant. Module training will enhance site inductions and enable industry partners to enhance the safety of their workers when working near mobile plant.

Total amount to be spent on benefits to industry

\$105,000

STRATEGIES THAT WILL DELIVER COMMUNITY BENEFITS

Strategy 7 - Donation to charitable partnerships

Estimated cost \$25,000

Scope

A donation support package comprised of a cash donation and purchase of essential equipment for the support of the Salvation Army, St. Vincent de Paul, and Lead in the ACT.

Tangible outcome

A single cash donation to the nominated charity partners, and/ or the purchase of required equipment, PPE, and training courses as requested by the nominated charity partners.

Beneficiaries/Audience

Donations and support of these charities will enable them to better assist local families and individuals seeking support of the charity to provide, shelter, temporary accommodation and drug and employment support programs.

The purchase of required equipment will provide a safer work environment for their employees.

Delivery Method

A mix of cash donations and/or the purchase of identified equipment including 1x powered pallet jacks, 10x 240 litre bins, new PPE and uniforms for staff, training courses for 'test and tag' of electrical equipment as requested by each of the nominated charity partners.

Timeframe

Within the first 12 months from the commencement of this undertaking.

Safety outcome

Cash donation to support and enhance the ability of the charity to provide assistance to their charitable causes, which includes addressing homelessness, providing drug recovery programs, and providing a pathway to meaningful employment for disadvantaged members of the community.

Purchase of powered material handling and safety equipment will reduce the charity workers' exposure to hazardous manual tasks, safety risks on their sites and the risk of sprain and strain injuries while moving donated products at their sites.

Training of charity staff workers on 'test and tag' procedures for electrical equipment.

Strategy 8 – Advertising Campaign for improving community education of hazardous wastes

Estimated cost \$20,000

Scope

Advertising campaign to highlight and reduce the risks of placing hazardous materials in the yellow recycling bins, such as flares and lithium batteries which can cause fires. Fires in refuse collection trucks can pose a significant hazard to the public and drivers as the load may have to be ejected from the truck in a public place or road in order to minimise the risk of hydraulic line burst or fuel tank ignition. Any effort to educate the community on how to reduce this risk, represents a significant public safety message.

Tangible outcome

A campaign specifically focused on increasing consumer education as to the items that can and cannot be placed into the recycling bin, with a focus on safety aspects for the community, the industry and the workers.

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Beneficiaries/Audience

ACT Residential households who gain a better understanding of suitable items to place in the recycling bin, as well as industry truck drivers and other vehicles on the road who benefit from safer material being placed in the yellow bin (e.g. less risk of fires in the trucks).

Delivery Method

An advertising campaign, or through the delivery of standard material which can be distributed through the Canberra Region Joint Organisation of Councils as a resource for all waste and recycling educators in the capital region.

Timeframe

To be implemented within the first 12 months from the commencement of this undertaking.

Safety outcome

Less hazardous waste being transported from residential households, along suburban streets in the ACT, and into the Hume MRF.

Total amount to be spent on benefits to the community **\$ 45,000**

Total amount to be spent on strategies **\$ 495,000**

1. A commitment regarding linking the promotion of benefits to the enforceable undertaking

Re.Cycle Operations (Canberra) is committed to linking any promotion of the benefits arising from this enforceable undertaking.

2. A commitment to establish and maintain (or maintain if a system already exists) an occupational health and safety management system (OHSMS)

Re.Cycle Operations (Canberra) is committed to ensuring its existing WH&S System (and new modifications) is aligned with the principles of AS/NZS 4801: 2001 Occupational Health and Safety Management Systems.

3. A commitment to ensure the OHSMS is audited by third party auditors

Re.Cycle Operations (Canberra) is committed to ensuring its work, health and safety management system will be audited by an accredited third-party auditor that meets the Australian Standard within 24 months

4. A commitment to provide a copy of each finalised OHSMS audit report to Access Canberra

Re.Cycle Operations (Canberra) acknowledges that audit reports received from the auditor will be made available to WorkSafe ACT within 30 days of being completed along with a letter certifying that the report has not been altered from the copy provided to it by the auditor. Re.Cycle Operations (Canberra) acknowledges that it will provide a written report to WorkSafe ACT in a timely manner.

5. A commitment to implement the recommendations from these audits (unless otherwise negotiated with Access Canberra)

Re.Cycle Operations (Canberra) commits to implementing the reasonable recommendations resulting from the OHSMS audit within 12 months of receiving the audit report unless otherwise negotiated with WorkSafe ACT.

Timeframe

Re.Cycle Operations (Canberra) commits to implement the aforementioned strategies within 24 months of providing the undertaking or as agreed in consultation with Access SafeWork ACT.

Date: 10th July 2019

SECTION 3 – OFFER OF UNDERTAKING

I offer this undertaking and commit to the terms herein.

Signed

[Signature box]

Name

[Name box]

Position

[Position box]

Dated at [] this []
(suburb)

day of [] 20 []

OR

As a duly authorised person of

Re.Cycle Operations (Canberra) Pty Ltd

I offer this undertaking and commit to the terms herein.

Signed (duly authorised person)

[Signature]

Name

Daniel Chesson

Position

Director

Dated at Sydney this 10th
(suburb)

day of July 20 19

[Empty box]

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 Access Canberra. The enforceable undertaking will be concluded on written advice from Access Canberra 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: Greg Jones]

Name

GREG JONES

Position

Director Workplace Protection
Work Safety Commissioner

Dated at Dickson this 10th
(suburb)

Access Canberra

day of July 20 19

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ANNEXURE 1 – PUBLIC NOTICE OF ACCESS CANBERRA ACCEPTANCE OF UNDERTAKING

Notice of Acceptance of an enforceable undertaking under Part 11 of the *Work Health and Safety Act 2011*.

The full undertaking and general information about enforceable undertakings will be available at www.accesscanberra.act.gov.au