

ENFORCEABLE UNDERTAKING

Part 11

Work Health and Safety Act 2011

The commitments in this enforceable undertaking
are given by

John Cook & Sons Pty Ltd

ABN 37001536474

to SafeWork NSW and accepted by SafeWork NSW

Privacy statement

SafeWork NSW 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 SafeWork NSW given for the purposes of part 11 of the WHS Act. This information will be managed within the requirements of the current state government privacy regime.

SafeWork NSW 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. SafeWork NSW 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 is available at safework.nsw.gov.au.

Purpose

The purpose of this enforceable undertaking is to document the undertakings given to SafeWork NSW and accepted by SafeWork NSW pursuant to Part 11 of the Work Health and Safety Act 2011 (**WHS Act**) in connection with matters relating to alleged contraventions of the WHS Act or the Work Health and Safety Regulations 2011 (**the Regulations**). The Agreed Terms of the Enforceable Undertaking are set out below.

Section 1 – General information

a. Details of the person giving the undertaking

Entity Name:	John Cook & Sons Pty Ltd
ACN / ABN:	ABN 37001536474
Registered Address:	98A Great North Road, Five Dock, NSW 2046
Postal address:	PO Box 221, Five Dock, NSW 2046
Telephone contact:	[REDACTED]
Email address:	[REDACTED]
Legal structure:	Australian Proprietary Company
Type of business:	Timber Distribution and Warehousing
Commencement date of the entity:	7 April 1997
Number of workers:	Full-time: 38 Part-time: N/A Casual: N/A
Products and/or services:	John Cook & Sons Pty Ltd is a distributor of building products, predominately timber, in New South Wales.
Comments:	-

b. Commencement

This Undertaking comes into effect when:

- i. the Undertaking is executed by John Cook & Sons Pty Ltd (**John Cook & Sons**);
- ii. SafeWork NSW accepts the executed Undertaking (**Commencement Date**).

c. Duration

- i. Section 5 identifies timeframes for the completion of each strategy identified in this enforceable undertaking;
- ii. the enforceable undertaking will be concluded on written advice from SafeWork NSW to John Cook & Sons when all requirements of the undertaking have been satisfactorily executed.

Section 2 – The alleged contravention

a. Details of the alleged contravention

It is alleged by SafeWork NSW that on 1 February 2021, John Cook & Sons failed to discharge its obligations as a person conducting a business or undertaking under section 19 of the WHS Act in that it did not ensure so far as reasonably practicable the health and safety of workers and/or others.

b. Details of the events surrounding the alleged contravention

On 1 February 2021 a contracted truck driver (**Worker**) was in the process of securing a load of timber that had been loaded onto their truck in the John Cook & Sons yard located at 116 Links Road, St Marys, NSW 2760 (**Site**) when an unattended Nissan 45 model forklift (**Forklift**) struck them. Unfortunately, the Worker sustained fatal injuries (**Incident**).

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

The Worker suffered fatal injuries.

d. An acknowledgement that SafeWork NSW alleged a contravention has occurred

It is acknowledged by John Cook & Sons that SafeWork NSW has alleged that John Cook & Sons has contravened sections 19/32 of the WHS Act.

e. A statement of regret that the incident occurred

John Cook & Sons regrets that the Incident on 1 February 2021 occurred.

f. Prior work health and safety convictions

John Cook & Sons has had no prior work health and safety convictions in NSW or other work health safety jurisdictions.

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

The following support has been provided to the worker and/or their family:

Date	Brief description of support provided
March 2021	John Cook & Sons provided the Worker's family an initial \$20,000 to assist with the costs of bringing the Worker's parents to Australia, from India.
February 2021	John Cook & Sons organised a counsellor that was providing ongoing assistance to the Worker's family and remains available if required.
February 2021	John Cook & Sons guarantees full time work for the Worker's company.
From February 2021 to current	John Cook & Sons continued to pay the monthly repayments for the Worker's truck.
30 March 2021	John Cook & Sons arranged for assistance and training for the new driver of the Worker's company for a period of two weeks and paid two weeks equivalent revenue to the Worker's company.

April 2021	John Cook & Sons assisted the Worker's company with setting up software for businesses invoicing and providing training on those processes including making the monthly payment of licence fees for accounting software.
From April 2021 to February 2022	John Cook & Sons paid for major repairs required for Worker's company's truck, including replacement of tyres, rebuilding the crane, replacement of electrical lights and repair of the tray.
June 2021	John Cook & Sons is assisting with sourcing servicing for the Worker's company's truck and has assisted with setting up memberships such as for Truck Assist.
September 2021	John Cook & Sons provided \$2,000 to the Worker's family to support the return of family members to India.

Section 3 – Enforcement Notices and Rectifications

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

Were enforcement notices received?

Yes

Date issued	Notice type	Notice number	Contravention	Action taken in response to notice
02/02/2021	Improvement Notice	7-390654	Workers and others i.e. drivers are exposed to risk(s) to their health and safety from coming in contact with mobile plant such as forklifts, due to the duty holder failing to review and as necessary revise control measures implemented to maintain, so far as is reasonably practicable, a work environment that is without risks to health or safety after an incident occurred. For example, recent incident involving a driver sustaining fatal injuries due to coming in contact with mobile plant (forklift at the workplace).	John Cook & Sons completed a WHS Incident Investigation. John Cook & Sons also developed an enhanced traffic management plan.
02/02/2021	Improvement Notice	7-390657	Workers and others i.e. drivers are exposed to risk to their health and safety arising from coming in contact with mobile plant such as forklifts in the workplace, due to inadequate information,	John Cook & Sons developed refreshed safe operating procedures for forklift trucks, strapping timber packs, stacking timber packs, and loading and unloading trucks. John

			training and instruction being provided.	Cook & Sons also re-trained workers in operational procedures from 19 April 2021 to 23 April 2021, as well as issuing a driver induction document on 3 March 2021.
02/02/2021	Improvement Notice	7-390658	Workers and others may be exposed to a risk to their health and safety due to inadequate safe systems of work in place for the loading and unloading of trucks throughout the workplace. For example, recent incident involving a driver sustaining fatal injuries due to coming in contact with mobile plant (forklifts at the workplace).	John Cook & Sons developed refreshed safe operating procedures for forklift trucks, strapping timber packs, stacking timber packs, and loading and unloading trucks. John Cook & Sons also re-trained workers in operational procedures from 19 April 2021 to 23 April 2021, as well as issuing a driver induction document on 3 March 2021.
02/02/2021	Improvement Notice	7-390659	Workers and others i.e. drivers are exposed to risk to their health and safety arising from coming in contact with mobile plant and other vehicles in the workplace, due to inadequate information, training and instruction being provided.	John Cook & Sons developed refreshed safe operating procedures for forklift trucks, strapping timber packs, stacking timber packs, and loading and unloading trucks. John Cook & Sons also re-trained workers in operational procedures from 19 April 2021 to 23 April 2021, as well as issuing a driver induction document on 3 March 2021.
02/02/2021	Improvement Notice	7-390661	Workers and others may be exposed to risk of injury due to lack of appropriate maintenance on forklift trucks being used at the workplace including but not limited to; Insufficient Pre-start checks completed or recorded for forklift: Nissan 4.5 tonne gas operated, Model:	John Cook & Sons reinforced the pre-start safety check for forklift operators and introduced a folder system for all documentation relating to forklifts on Site.

			JIF4A450U, Serial No: 000141 at the workplace.	
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b. Any rectifications or changes made to work health and safety systems and/or practices as a result of the alleged contravention

Description	\$ Amount
Created a safety e-portal including introducing the use of Safety Hub, which is a training portal for the whole business and learning management system for employees, including a dashboard for monitoring safety. Monthly reporting on WHS metrics to the Board of Directors was established.	
Established (or improved upon pre-existing) registers: training, contractor compliance register, incident register, risk / hazard register, and documentation of tool box talks.	N/A
Established a WHS Strategic Action Plan and developed a new safety system.	
Development of application for forklift pre-start checks, including electronically housing the records and setting up functions for alerts and reports.	
Conducted a review of the Traffic Management Plan, which included making provision for the separation of forklifts and pedestrians.	
Conducted Site specific inductions for all drivers including providing and requiring the signing of a safety guidelines and safe work procedure sheet for the Site.	
Reviewed and updated the contractor induction training package, including introduction of a system whereby contractors that enter through the dispatch area of the Site provide their mobile phone number as a sign in, and John Cook & Sons verifies whether they have completed an induction within the last 6 months (noting the contractor is re-inducted if they have not).	
Reviewed and enhanced safe work procedures for stacking timber packs, strapping timber packs, loading and unloading trucks, and operating forklift trucks.	
Engaged in forklift truck task observations and trained relevant workers in any new or updated systems for stacking timber packs, strapping timber packs, loading and unloading trucks, and operating forklift trucks.	
Reinforced the requirement to undertake a pre-start safety check for forklift operators and introduced a folder system for all documentation relating to forklifts on Site.	
Trained relevant workers in the updated WHS systems and organised / delivered WHS refresher training, including forklift refresher training which was delivered by The National Timber and Hardware Association (NTHA) (at the time, called TABMA – Timber & Building Materials Association).	

Construction of a Gate House and purchase of office furniture and computer for Gate House	██████████
Erection of Traffic Management Plan Signage	██████████
Committed to bi-annual line marking.	██████████
Installation of yard barriers.	██████████
Installation of new lighting.	██████████
Electrical upgrades at Site.	██████████
Installation of a boom gate.	██████████
Purchased new tablets and software.	██████████
Purchased a driver safety cage.	██████████
Installation of a new gate between the Site and adjacent site.	██████████
Installation of height restriction bars in the shed at Site.	██████████
Installed wall bracing.	██████████
Purchased driver aids, tarps pullers and corner grabber.	██████████
Installed new CCTV devices and system.	██████████
Hired trades to complete physical rectifications at Site.	██████████

TOTAL AMOUNT SPENT ON RECTIFICATIONS

\$532,387

Section 4 – Statements, commitments, and acknowledgements

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

John Cook & Sons commits that the behaviour that led to the alleged contravention has ceased and that it will take all reasonably practicable steps to prevent recurrence of this type of incident.

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

John Cook & Sons is committed to complying with its obligations under the 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 undertakings.

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

John Cook & Sons commits that it will, so far as reasonably practicable, maintain ongoing effective management of work health and safety risks.

- d. An acknowledgement that the enforceable undertaking will be published and publicised

John Cook & Sons acknowledges that the enforceable undertaking will be published on SafeWork NSW's internet site until the completion of the enforceable terms and may be referenced in SafeWork NSW's publications.

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

John Cook & Sons and its parent company acknowledge that they have the financial ability to comply with the terms of this enforceable undertaking and has provided evidence with this undertaking to support this declaration.

f. An acknowledgement consultation has occurred within the workplace regarding the proposal of an enforceable undertaking

John Cook & Sons acknowledges that it has consulted within the workplace in relation to the development of the enforceable undertaking proposal, including consultation between senior management (directors, group WHS manager, business manager) and worker consultation to determine the needs of the business whilst developing the strategies discussed below.

g. Intellectual property licence

John Cook & Sons grants SafeWork NSW a permanent, irrevocable, royalty-free, worldwide, non-exclusive license to use, reproduce, distribute, electronically transmit, electronically distribute, adapt, and modify any materials developed as a result of this enforceable undertaking.

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

John Cook & Sons acknowledges that the responsibility for demonstrating compliance with this undertaking rests with John Cook & Sons. Evidence to demonstrate compliance with the terms will be provided to SafeWork NSW by the due date for each Strategy item identified in Section 5.

John Cook & Sons acknowledges that SafeWork NSW may undertake other compliance monitoring activities to verify the evidence that is provided for each Strategy item identified in Section 5. The evidence provided to demonstrate compliance with the undertaking will be retained by John Cook & Sons until advised by SafeWork NSW that the undertaking has been completely discharged.

John Cook & Sons acknowledges that SafeWork NSW may initiate additional compliance monitoring activities, such as inspections, as considered necessary.

John Cook & Sons acknowledges that should there be any delay in the delivery or compliance of the Enforceable Undertaking this will be subject to mutual agreement (confirmed in writing) between John Cook & Sons and SafeWork NSW.

i. A commitment regarding linking the strategy and promotion of benefits to the enforceable undertaking

John Cook & Sons is committed to ensuring that any real or perceived promotion of a benefit arising from this enforceable undertaking will clearly link the benefit to the enforceable undertaking and that the enforceable undertaking was entered into as a result of the alleged contravention identified in section 2 above.

Where products or other deliverables are externally promoted or have a direct link to the enforceable undertaking John Cook & Sons will include the following statement:

This (insert product or service) has been (produced, held) pursuant to an enforceable undertaking between John Cook & Sons, ACN: (insert ACN No.) and SafeWork NSW entered into on (insert DATE EU commenced).

Any variation to the above statement requires prior written agreement between John Cook & Sons and SafeWork NSW.

j. A commitment to gain review and approval for industry and/or community safety information

John Cook & Sons commits that any strategies to be implemented by John Cook & Sons in compliance with this Enforceable Undertaking that involve safety information being provided to the industry and/or community will be subject to SafeWork NSW's review and approval of the content prior to dissemination.

k. Inconsistent Statements

John Cook & Sons commits that it will not make any statement or otherwise imply anything that is inconsistent with the statements, commitments or acknowledgements contained in this Undertaking and will take steps to ensure its representatives, employees and officers do not make any such statements.

l. Reliance on Commitments

John Cook & Sons acknowledges that SafeWork NSW may rely upon the commitments and statements set out in Section 4 (a), (b) and (c) above when making decisions regarding enforcement action if John Cook & Sons fails to comply with its work health and safety obligations in the future, including but not limited to any failure to comply with its obligations under this Undertaking.

m. Withdrawal or variation

John Cook & Sons may with the written agreement of SafeWork NSW withdraw or vary the undertaking in accordance with section 221 of the Work Health and Safety Act 2011.

n. Acknowledgement of Enforceable Undertakings Guidelines and Contravention of the Undertaking

John Cook & Sons has read and understood SafeWork NSW Enforceable Undertakings Guidelines.

John Cook & Sons acknowledges that if John Cook & Sons contravenes any of the terms of this Enforceable Undertaking, SafeWork NSW may apply to the District Court for an order in accordance with section 220 of the Work Health and Safety Act 2011.

Section 5 – Strategies

John Cook & Sons undertakes to deliver the following Strategies.

Each strategy in the enforceable undertaking aims to provide lasting work health and safety benefits across the workplace, the industry, and the community, or a combination of these.

Strategies that relate to the dissemination of information in relation to the enforceable undertaking

Strategy 1 – Enforceable undertaking public notice

Summary:

John Cook & Sons will place a public notice advising of the enforceable undertaking with SafeWork NSW.

WHS outcome and beneficiaries:

The public notice serves to advise the general public about the enforceable undertaking and serves as a form of both education and deterrence for industry.

Strategy delivery and verification:

The strategy will be delivered and verified by SafeWork NSW in accordance with the table below.

How is it occurring	When will it happen	Position Title(s) or Area responsible and/or involved	Evidence that will be provided to SafeWork NSW
<p>John Cook & Sons will cause a public notice to be published in the Sydney Morning Herald using the script provided in Annexure 1.</p> <p>The notice in the Sydney Morning Herald will be 1/8 of a page in size.</p> <p>John Cook & Sons agrees that the script for the notices (in Annexure 1) must be approved by SafeWork NSW prior to the public notice being published. Failure to adhere to these conditions may result in SafeWork NSW requesting another public notice be published.</p>	<p>Within 30 days of the Commencement Date of the enforceable undertaking but not prior to SafeWork NSW publishing a copy of the enforceable undertaking on its website.</p>	<p>Responsible: Group WHS Manager and Business Manager</p>	<p>Within 7 days of placing the published notices John Cook & Sons will provide SafeWork NSW with the following evidence of placement.</p> <p>A copy of the full page of the Sydney Morning Herald showing the public notice and the name and date of the publication.</p>

Strategy 2 – Dissemination of information about the enforceable undertaking

Summary:

John Cook & Sons agrees to disseminate information about the enforceable undertaking with SafeWork NSW to all workplaces in the wider ITI Group operating in NSW (ITI NSW Pty Ltd) including to workers, the members of any health and safety committee, health and safety representatives and all subcontractors working for John Cook & Sons and to any other relevant parties.

WHS outcome and beneficiaries:

The dissemination of information about the enforceable undertaking is an important step in maintaining effective dialogue with the workforce about the enforceable undertaking and safety more broadly.

Strategy delivery and verification:

The strategy will be delivered and verified by SafeWork NSW in accordance with the table below.

How is it occurring	When will it happen	Position Title(s) or Area responsible and/or involved	Evidence that will be provided to SafeWork NSW
A summary of the enforceable undertaking will be displayed at John Cook & Sons workplace and ITI NSW Pty Ltd workplaces for a period of 30 days.	Within 30 days of the Commencement Date of the enforceable undertaking	Responsible: Business Manager	Copy of the notice and photographs of the notice in situ at 116 Links Rd, St Marys NSW 2760 and 59 Dunheved Circuit, St Marys NSW 2760.
An email will be sent out to all John Cook & Sons employees / employees of ITI NSW Pty Ltd containing a copy of the enforceable undertaking.	Within 30 days of the Commencement Date of the enforceable undertaking.	Responsible: Business Manager	A copy of the email and recipients will be provided to SafeWork.

Strategies that will deliver benefits to the workplace, industry and the community

Strategy 3 – Real-Time Location System – Interaction with Forklifts

Summary:

John Cook & Sons commits to undertaking a trial of and subsequently implementing a Real Time Location System (RTLS) that monitors the interaction between people and forklifts at its Site and responds by slowing forklifts and/or setting off alarms. The trial will take place in the

Engineered Wood Products warehouse and surrounding vicinity (**EWP Warehouse**). The trial of the RTLS will identify if the technology is effective in a timber distribution and warehousing environment.

John Cook & Sons recently conducted a review of its Site to identify the extent of interactions between people, mobile powered plant and equipment or stacks of timber. The review identified that on its Site there are approximately 72,000 potential collision events over one year (noting that this event occurrence has potentially been under-estimated). To eliminate and/or minimise potential collisions, this strategy involves engaging Litum UWB RTLS Solutions (**Litum**) to trial and implement a RTLS to prevent the collision of forklifts with people or other plant.

Litum is a Turkey based technology company that develops RTLS services and software. The RTLS technology locates and monitors any person or asset within a defined zone covered by a radio frequency network. The RTLS uses a combination of hardware and software to create a location tracking network. The network uses receivers (known as RTLS anchors) that are placed throughout the area to receive the signals sent by active RTLS tags.

John Cook & Sons intends to implement the RTLS as follows:

- (a) The EWP Warehouse will be geo-fenced and have strategic RTLS anchors placed in all trafficable areas;
- (b) Tags will be applied to all forklifts and pedestrians at the EWP Warehouse;
- (c) The RTLS will track the precise location of forklifts and pedestrians at the EWP Warehouse;
- (d) Sensors on the forklifts will detect the proximity between forklifts and pedestrians to prevent collision. The sensors will also have the ability to:
 - i. slow the forklifts electronically through the engine management system (Can – Bus) ; and
 - ii. Activate an alarm (to both the driver and pedestrian) if triggered.
- (e) The RTLS software will record interactions, alerts and hotspots (heat maps) which will be investigated as near miss incidents or opportunities of improvement.

The scope of the trial will include 24 employee tags (for drivers and pedestrians) and 12 tags for site visitation, 3 - 4 vehicle units for collision warning and the installation of anchors and gateways will be contained to an area decided on in conjunction with Litum.

John Cook & Sons will be working extensively with Litum to ensure that the technology is suitable for a warehouse environment, recognising that prior to proceeding with a trial of the RTLS, it will need to extensively risk assess the process and technology to ensure it is safe for use at the EWP Warehouse. Consultation with Litum will include extracting and considering hourly, daily, weekly and monthly data reports to iron out issues regarding measurements and parameter options ahead of undertaking the trial, to determine and where necessary re-determine the scope for the proof of concept. John Cook & Sons is committed to testing how the effectiveness of the technology may be affected by changing operational scenarios and the technology's adaptability to the same.

John Cook & Sons intends to run the trial for a period of 5 months. At the end of the trial, John Cook & Sons (in conjunction with Litum), will extract key data to determine whether the trial was successful and confirm implementation of RTLS on an ongoing basis at the EWP Warehouse. Prior to commencing the trial, John Cook & Sons will develop key objectives and criteria in conjunction with Litum to evaluate the success or otherwise of the trial. Indicators that John Cook & Sons expects to use to measure the RTLS's success include:

- Results of heat mapping of the EWP Warehouse;

- Data relating to the extent the slow down function was activated;
- Data relating to the extent the forklifts impacted the geo fences;
- Data relating to the extent the pedestrian tags were activated;
- Data relating to the extent that forklift drivers alight from forklifts and are then recognised as pedestrians;
- Data relating to pedestrian interactions where multiple work activities are taking place in the EWP Warehouse; and
- Consultation with workers in relation to their view on the trial.

John Cook & Sons will then develop a report that will include the information listed above. The report will also include an audit of the suite of forklift operational procedures to ensure that they are compliant with WHS legislative requirements.

John Cook & Sons has, since the date of the Incident and submission of the enforceable undertaking, undertaken significant research into the availability of control measures to minimise the risk of plant and pedestrians colliding. Control measures identified by John Cook & Sons included (but are not limited to) special lights on forklift trucks, reversing alarms and proximity pendants. As part of its research, John Cook & Sons engaged and consulted with various forklift suppliers about whether they could provide alternative control measures. A common risk control measure suggested by suppliers was interactive camera systems. John Cook & Sons does not consider interactive camera systems are suitable for its workplace because they rely on clear views. Clear views are not practical for John Cook & Sons's workplace due to blind spots within the typical warehouse situation and short travel distances between the end of aisles and material stacks.

Instead, John Cook & Sons acknowledges that it requires a more complex solution, being a holistic system, that will proactively assist it with managing the specific risks present in its workplace. Accordingly, John Cook & Sons has, to date, invested a significant amount of resource into developing the RTLS concept with Litum. This investment has provided John Cook & Sons with a level of confidence that the trial will be successful.

However, should the trial find that the RTLS technology is not appropriate for its workplace, John Cook & Sons intends to re-consider alternative, existing technologies, such as alarm warning monitoring systems. Notwithstanding any unsuccessful trial outcome, John Cook & Sons intends to share the learnings with the industry through the roadshows described in Strategy 6 regardless. This will include any positive outcomes, negative outcomes, and shareable data (for example, the frequency of pedestrian tags activated throughout the course of the trial).

John Cook & Sons notes that the measures it has implemented post-incident were implemented for the purpose of mitigating the risk of rollaway forklifts. For example, additional controls introduced include: mandating that drivers park only in authorised flat areas; mandating that forklift wheels are chocked if the forklift breaks down on a slope and relocating those forklifts as soon as possible to safe areas. John Cook & Sons is also considering changing its forklift fleet to include forklifts that have seatbelt or handbrake alarms built in and are investigating whether handbrake alarms could have the ability to lower forklift tines. Additionally, John Cook & Sons notes that it is continuing to consider the scope of the Litum system and its ability to warn a pedestrian or driver when a forklift is within a certain distance from them, even when switched off. John Cook & Sons is considering setting up two distances for the trial in this regard (being 10 metres and 6 metres – subject to the proof of concept trial and practicality in use).

WHS outcome and beneficiaries:

Given that forklift and pedestrian collisions are one of the top causes of death in Australian workplaces, the RTLS technology has the potential to dramatically change the risk profile in the warehousing and logistics industry, and John Cook & Sons anticipates that sharing the outcomes of its trial with RTLS with the industry will provide it with invaluable learnings. The intention is that John Cook & Sons' work with Litum will 'iron out' operational issues relating to use of the RTLS in a warehousing environment and provide a solution that is ready to be implemented in other warehouses across NSW and Australia. This strategy has potential to save lives and reduce injuries in the warehouse environment.

As a result of this strategy WHS benefits are expected in the:

- ✓ Workplace
- ✓ Industry
- ✓ Community

Strategy delivery and verification:

The strategy will be delivered and verified by SafeWork NSW in accordance with the below.

What is happening	How is it occurring	When will it happen	Position Title(s) or Area responsible and/or involved	Evidence that will be provided to SafeWork NSW
Engage Litum to begin developing trial of RTLS system.	Group WHS Manager will formally engage Litum.	Within 1 month of commencement of the enforceable undertaking.	Responsible: Group WHS Manager	Copy of the signed agreement will be emailed to SafeWork NSW.
Obtain technology to implement RTLS.	Group WHS Manager will order and acquire technology required for implementation of RTLS.	Within 3 months of the Commencement Date of the enforceable undertaking.	Responsible: Group WHS Manager	Invoice and delivery docket will be emailed to SafeWork NSW.
Completion of work with Litum to identify and resolve issues that arise in the warehousing operational environment (for example, worker complacency), and mapping out geo fencing considerations (including	John Cook & Sons will perform risk assessments in tandem with Litum around changing work conditions to determine the effectiveness of the technology in differing environments. These risk assessments will include risks associated with trucks with loads, risks associated with	Within 5 months of the Commencement Date of the enforceable undertaking	Responsible: Group WHS Manager	John Cook & Sons will provide extracted data and worker feedback to SafeWork NSW via email. This data and feedback will be from both a pedestrian and operational aspect and will include the time, area and frequency of

distances and pedestrian patterns).	drivers becoming pedestrians when they alight from vehicles, and risks associated with multiple work activities occurring in the area.			interaction between mobile plant and pedestrians or mobile plant and mobile plant movement for hot spot mapping. It will also include data regarding other vehicle type movement throughout the yard.
5 month trial of RTLS system delivered to consider proof of concept.	John Cook & Sons will implement the RTLS technology at the EWP Warehouse to determine effectiveness and run the trial for a total of 5 months. A communication and consultation process will be implemented to manage the RTLS trial with workers. John Cook & Sons proposes to develop a specialised form in Smartsheet to allow workers to report on the trial in real time and provide any feedback.	Within 10 months of the Commencement Date of the enforceable undertaking and after the completion of working with Litum to risk assess the proof of concept as described above.	Responsible: Group WHS Manager	A copy of the communication sent to workers stating that the trial has commenced will be emailed to SafeWork NSW.
Production of report evaluating success of trial.	John Cook & Sons will produce a report using data captured by Litum from the trial, likely including (but not limited to) results of heat mapping at the EWP Warehouse, data relating to the extent the slow down function was activated and data relating to the extent the pedestrian tags were activated. The report will also include worker feedback gathered	Within 4 weeks after the completion of the trial.	Responsible: Group WHS Manager	The report will be emailed to SafeWork NSW.

	through consultation in relation to their view on the trial.			
Evaluation of trial delivered and communication strategy to industry complete.	<p>John Cook & Sons will evaluate the effectiveness of its trial and prepare a 'wrap up report' regarding the scope of the trial and John Cook & Sons' experience of successes, learnings and limitations. The 'wrap up' report will be shared with industry via strategy 6. For context, John Cook & Sons considers any 'successes' to include any features which appear to create a safer working environment. This includes:</p> <ul style="list-style-type: none"> • an increase in the identification of near miss incidents (measured by the individual tag activation reports; and • successful forklift truck alerts and how often the slow down feature is successfully triggered). <p>In the medium to long term, John Cook & Sons expects to see a fall in the number of near miss incidents identified and a better understanding of the behavioural safety aspects of all workers involved in the proof of concept and implementation of the system.</p>	Within 8 weeks after the completion of the trial.	Responsible: Group WHS Manager	John Cook & Sons will email SafeWork NSW a copy of the 'wrap up report' that will be disseminated at the roadshows to SafeWork NSW.

Implement RTLS at John Cook & Sons.	Should the trial be effective, John Cook & Sons will implement the RTLS on an ongoing basis, and ensure all workers are trained in the procedures relating to the RTLS and the features of the technology.	Upon results from trial evaluation being determined.	Responsible: Group WHS Manager	John Cook & Sons will advise SafeWork NSW whether the RTLS has been implemented at the Site on an ongoing basis via email.
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Cost:

Description	\$ Amount
24 x Litum Badge V2	
12 x Litum Tag Compact	
12 x Blue Silicone Wristband	
4 x Litum Endurance Forklift Collision Warning System Alert Box	
26 x Litum Anchor Endurance AC	
3 x Litum Gateway Endurance 85-265 AC	
1 x Orbit V2	
10 x Qi Wireless Charger	
1 x Litum Location Engine Software License	
1 x Litum Application Software – People Monitoring Module	
1 x Litum Forklift Tracking System Software Licence	
18 x On-Site Professional Services	
8 x Litum Remote Professional Services	
Installation	
Total estimated costs	AUD (approx.) \$127,991.35

Strategy No. 4 - QIN CodeSafe mobile application in conjunction with the Royal Melbourne Institute of Technology focussed on Forklift Safety

Summary:

John Cook & Sons to partner with QIN CodeSafe Solutions (**CodeSafe**) or a similar organisation, a mobile application developer that specialises in developing training content for workers in high risk industries, and the Royal Melbourne Institute of Technology (**RMIT**) to develop a QR Code operated mobile application that acts as a hub for education, operational procedures, safety procedures, information and training relevant to forklift operation.

John Cook & Sons received feedback from peers in the timber and warehousing industry that the Incident 'could have happened to them'. John Cook & Sons will share the CodeSafe mobile application training materials with other PCBUs in the timber and/or warehousing industries. The CodeSafe application will have a 'QIN', or Quality Information Now element, through being operated by a QR Code that can be activated anytime and anywhere via a mobile phone device. CodeSafe focuses on delivering critical safety information via a mobile application by the most visual means possible. The purpose of the mobile application is to provide tailored instruction, information and training to John Cook & Sons workers and then share the mobile application with others in the warehousing and logistics industry.

John Cook & Sons acknowledges that a large amount of guidance materials on forklift safety are available in the market. John Cook & Sons has observed that the abundance of materials have created a level of confusion which CodeSafe will attempt to resolve by drawing PCBUs attention to the most relevant and practical resources. CodeSafe's point of difference is that it provides a single location and platform for accessing information that is otherwise available on a piecemeal basis. CodeSafe will allow John Cook & Sons to combine a multitude of resources into one application for PCBUs in the warehousing and logistics industry. John Cook & Sons considers that this will remove what some PCBUs may consider as laborious searching for information on what will better assist them in meeting their safety obligations, noting that sometimes PCBUs may not even know the information exists. Additionally, John Cook & Sons considers that the CodeSafe application will be aligned with SafeWork NSW's strategic plan and be amenable to continuous improvement.

The three key features of the CodeSafe application will be as follows:

- (1) A central location that triages users to key Regulator information and guidance, including SafeWork NSW material relating to:
 - a. WHS responsibilities (PCBUs, officers and workers);
 - b. Managing the risks of plant in the workplace;
 - c. Traffic management;
 - d. How to conduct safety talks with workers; and
 - e. Health and wellbeing tools and factsheets, through BraveHeart, which can be used as a resource during periods of incident response (and otherwise) to support workers.

- (2) A hub of content created by John Cook & Sons in conjunction with CodeSafe that includes reporting templates and operational and safety procedures on (for example):

- a. Forklift safety features and pre-inspection of forklifts;
- b. Forklift load handling;
- c. Forklifts and pedestrians;
- d. Loading and unloading trucks;
- e. Pallet racking;
- f. Corrective action plan templates;
- g. Incident / injury reporting templates;
- h. Site induction templates for workers and contractors;
- i. Safety alert examples; and
- j. Toolbox talk templates.

(3) A gap analysis tool that is specifically designed to identify gaps in a PCBU's processes for managing the interaction of forklifts and pedestrians in a warehousing environment:

The gap analysis tool will be a key function of the CodeSafe application because it will assist PCBUs to identify gaps in their current arrangements for managing the safety of forklift operations, as well as other risks which arise in the logistics and warehousing space.

The gap analysis tool will be in the form of a questionnaire, comprising some 100 questions that relate to the PCBU's Safety System. Following completion of the questionnaire, the user will receive results that identify the key areas of improvement with their safety system and direct them to guidance relevant to those areas of improvement. When this gap analysis tool is used, it will generate an action plan with steps for further incremental analysis (6, 12 and 18 months), with the user being able to nominate the next audit date.

We note that the CodeSafe application will have the ability to be fully customisable for use by other PCBUs to enable them to tailor the mobile application to the specific risks of its operation. That is, the CodeSafe application will – in the first instance – be at no cost to other PCBUs for two years. When the PCBU signs up, the CodeSafe application will include the PCBU's branding, which is maintained for the first two years. If the PCBU chooses to move into usage for a third year, there will be a minimal cost for the basic standard data movement and storage (approximately \$2,000 - \$2,500). However, if the PCBU is hosting a larger volume of data, the cost is estimated to be between \$2,000 - \$5,000 depending on scope.

The CodeSafe application also includes personal user profiles, which host information about employee verifications, licenses, qualifications and personal details.

CodeSafe has an existing relationship with Professor Helen Lingard of the RMIT. Ms Lingard heads the Department for Construction and Trade Sector research which evaluates the effectiveness of systems and processes in the construction trade-based sectors. Ms Lingard and her team were previously invited by WorkSafe Victoria to evaluate CodeSafe's framework and the methodology that it uses for its training programs before CodeSafe received the WorkSafe Victoria and SafeWork Australia Awards in 2014 for Safety Innovator of the Year. RMIT's evaluation of CodeSafe's programs confirmed that CodeSafe was effective in that it delivered a reduction of workers demonstrating 'at risk behaviour'. This was because the training programs developed by CodeSafe provided an effective way to transfer knowledge and upskill capability. RMIT found that the CodeSafe's training programs contributed to the delivery of an 'optimum mechanism for adult learning and

knowledge retention.’ RMIT also suggested that the approach of empowering workers through ‘mobile visual microlearning, embedded in the flow of work’ would have a positive impact on workers’ state of mind and by default would also have a positive impact on psychosocial risks. Due to RMIT’s historical involvement with CodeSafe and the research it has undertaken on the optimisation of learning, it has been selected to partner with John Cook & Sons and CodeSafe to deliver this strategy. The purpose of RMIT’s involvement in the strategy will be to evaluate the effectiveness of the training methods contained in CodeSafe’s training programs (delivered via the mobile application) and determine whether it’s content effectively promotes the key intended learnings and outcomes.

WHS outcome and beneficiaries:

The CodeSafe mobile application will provide an accessible hub for John Cook & Sons’ and ITI NSW Pty Ltd workers to undertake training and access procedures and other WHS tools.

The core components of the mobile application (including those listed above) will be able to be shared at no cost with other PCBUs. Sharing the core components of the mobile application will provide tangible benefit to all PCBUs in the timber and/or warehousing industry but in particular smaller PCBUs who may not have dedicated WHS resourcing and/or the capability to identify and effectively manage risk by implementing technological solutions such as the CodeSafe mobile application. The gap analysis tool is particularly key, as PCBUs will be provided a dynamic and instant tool to perform a self-assessment of it’s safety system within the application, and provided instant guidance to material that will better assist those PCBUs in achieving compliance.

PCBUs will be able to extend or further customise the mobile application to their needs. Whilst the customisation (such as particular logos and templates) will come at a minimal cost, it is optional and without it, the CodeSafe mobile application promotes an important sharing of data and learnings.

John Cook & Sons will financially support the establishment of the CodeSafe mobile application for two years. That is, it will absorb the cost of setting up the CodeSafe application, as well as absorb the costs that would ordinarily be payable by a PCBU as annual fees. John Cook & Sons considers that the two-year trial period is sufficient to allow PCBUs to determine whether they want to continue with its use. John Cook & Sons is hopeful that other PCBUs will appreciate the value of the application and continue to participate by purchasing their own direct subscription. By the end of the contract with CodeSafe, John Cook & Sons will also consider whether there is a need to develop its own, separate app, or whether it can continue in support and use of CodeSafe along with industry. Additionally, other PCBUs will have the opportunity to expand and develop their CodeSafe application further to meet the needs of their individual businesses.

As a result of this strategy WHS benefits are expected in the:

- ✓ Workplace
- ✓ Industry
- ✓ Community

Strategy delivery and verification:

The strategy will be delivered and verified by SafeWork NSW in accordance with the below table.

What is happening	How is it occurring	When will it happen	Position Title(s) or Area responsible and/or involved	Evidence that will be provided to SafeWork NSW
Formal engagement of CodeSafe and RMIT.	Group WHS Manager and Business Manager will formally engage CodeSafe and RMIT to carry out the tasks described in the strategy above.	Within 1 month of commencement of the enforceable undertaking.	Responsible: Group WHS Manager and Business Manager.	Copies of any agreements / engagement instructions will be emailed to SafeWork NSW.
Sample CodeSafe mobile application template is developed for review ('Phase 1')	Group WHS Manager and Business Manager will decide on inclusions for the core components of the mobile application and CodeSafe will mock - up a template, to pilot and implement an innovative communication and educational platform to engage and equip warehousing workers with health and safety information. (Appropriate review time frames will be negotiated with SafeWork NSW upon commencement of this strategy).	Within 4 months of the Commencement Date of the enforceable undertaking.	Responsible: Group WHS Manager and Business Manager.	A mock - up template will be emailed to SafeWork NSW for their review prior to the development of the application.

Communicate and consult with all key stakeholders (Workers) involved in the Litum RTLS proof of concept trial.	Group WHS Manager and Business Manager will consult with John Cook & Sons' and ITI NSW Pty Ltd workers to determine whether the proposed mobile application appears to be user friendly and gather any suggestions for content inclusions.	Within 4 months of the Commencement Date of the enforceable undertaking.	Responsible: Group WHS Manager and Business Manager.	John Cook & Sons will provide any email correspondence with workers in respect of the proposed template to SafeWork NSW. This email correspondence will be evidence of consultation with workers in which they are prompted to provide comments and feedback on the proposed template. John Cook & Sons will also run toolbox talks specific to the Litum RTLS proof of concept.
Consult with RMIT on the proposed template CodeSafe mobile application.	Once John Cook & Sons (in conjunction with CodeSafe) has developed the template application and inclusions, it will approach RMIT to provide commentary, including whether any other resources should be included and whether the template is projected to be effective in achieving it's intended purposes.	Within 4 months of the commencement date of the enforceable undertaking.	Responsible: Group WHS Manager and Business Manager.	Any feedback provided by RMIT will be emailed to SafeWork NSW.
CodeSafe mobile application is developed.	Group WHS Manager and Business Manager will provide final version of the mock-up mobile application to CodeSafe for development.	Within 6 months of the Commencement Date of the enforceable undertaking.	Responsible: Group WHS Manager and Business Manager.	Once developed, John Cook & Sons will provide a pilot version of the mobile application for SafeWork to test. A SafeWork Inspector will be able to interact and navigate through the functioning of the application and provide any considerations for review during its development.
CodeSafe mobile application is trialed.	John Cook & Sons will pilot / trial use of the CodeSafe application for a period of	Within 8 months of the commencement date of the	Responsible: Group WHS Manager and Business Manager.	John Cook & Sons will provide a copy of the plan to SafeWork and invite

	<p>three months against a plan. As part of this plan, John Cook & Sons will seek feedback from an internal user group at this stage. John Cook & Sons proposes to provide the user group with targeted questionnaires to gather essential feedback to ensure the application is meeting its purpose. John Cook & Sons will also welcome ad hoc feedback via any platform (including the feedback form which will be embedded in the application itself). The purpose of this feedback will be to allow John Cook & Sons to review any necessary changes to the layout, content and workflow before its release, noting that the CodeSafe application will not be static and thus will be subject to continuous improvements. Of course, this feedback will also be welcomes from external user groups for the same purpose.</p>	Enforceable Undertaking.		<p>any feedback to maximise the success of the application.</p> <p>John Cook & Sons will also share worker feedback (in accordance with the plan) from the trial with SafeWork NSW via email.</p>
CodeSafe mobile application is implemented for use at	John Cook & Sons will implement use of the CodeSafe mobile application.	Within 8 months of the commencement date of the	Responsible: Group WHS Manager and Business Manager.	John Cook & Sons will provide SafeWork NSW with the electronic communication it sends out to John Cook & Sons workers confirming

John Cook & Sons and ITI NSW Pty Ltd.		Enforceable Undertaking.		implementation. At this stage, John Cook & Sons notes that the wider industry will not have access to the application. John Cook & Sons will be able to provide reportable data and evidence of John Cook & Sons workers using the CodeSafe application.
Consult with RMIT to determine effectiveness of CodeSafe mobile application use.	John Cook & Sons will consult with RMIT, to seek their evaluation on whether the CodeSafe application has been effective in achieving the projected WHS outcomes in the first 6 months of use by John Cook & Sons.	3 months after implementation of use of the CodeSafe application.	Responsible: Group WHS Manager and Business Manager.	Any feedback provided by RMIT will be emailed to SafeWork NSW.
CodeSafe mobile application shared with wider industry including PCBUs working in the timber and/or warehouse industries.	John Cook & Sons will launch the CodeSafe mobile application at the targeted roadshows and facilitate questions and answers to encourage uptake. John Cook & Sons will develop and (at the roadshows) disseminate a 'wrap up report' that includes information about CodeSafe and John Cook & Sons' experience using CodeSafe, including any successes and limitation of the application.	During the targeted roadshows described at strategy 6. The period of two years in which John Cook & Sons will absorb the CodeSafe costs will activate upon launch at the first roadshow.	Responsible: Group WHS Manager and Business Manager.	John Cook & Sons will email SafeWork NSW a copy of the 'wrap up report' handout that will be disseminated during the roadshows. John Cook & Sons also appreciates that SafeWork will want to verify real-time use of the application within the industry so welcomes SafeWork to visit other PCBUs to speak with workers within the industry. John Cook & Sons will be provided data reports from CodeSafe allowing it to collect data sets, information and statistics regarding the take up and use of the CodeSafe application by industry which SafeWork is welcome to observe (subject, of course, to any issues related to privacy).

Cost:

Description	\$ Amount
Price invoiced at execution of contract with CodeSafe Solutions	
Price invoiced on completion of pilot phase 1 has been completed in one location and the national roll out strategy is confirmed	
Price invoiced once the strategy is successfully implemented for use at John Cook & Sons	
Second year annual platform subscription renewal fee	
Costs associated with engaging RMIT	
Internal costs	
Total estimated costs	\$308,763

Strategy No. 5 – Sharing ‘Smartsheet’ Successes

Summary:

In the first instance, John Cook & Sons notes that Smartsheet is a separate software system (‘off the shelf’ product) to CodeSafe which will be hosted in the CodeSafe Application (as described at Strategy 4). John Cook & Sons proposes to share the successes it has experienced using Smartsheet with the wider warehousing and logistics industry. Smartsheet is a dynamic, comprehensive platform which has become a key pillar of John Cook & Sons’ daily operational safety oversight as a means of centralising its safety and compliance documentation and data.

Smartsheet comprises a range of safety management capabilities, including housing key safety documentation and workplace registers, from which key, live data can be shared. Smartsheet can also be customised to send out automated reminders and alerts to licensed users for matters such as the lapsing of key documents that require refreshing (including first aid certificates, contractor management assurances and workers compensation certificates). Other resource collections on Smartsheet include project management, marketing management, construction management, operations management, strategic planning, and change management.

John Cook & Sons’ experience with Smartsheet has been immensely valuable operationally and therefore sees benefit in sharing its experience with the wider industry. For example, John Cook & Sons has benefited from Smartsheet data analysis which identifies when there is an issue that needs immediate action. Smartsheet is an ‘off the shelf’ product that alerts management personnel in real time if there is a potential issue which requires their attention. For example, training registers can be set up to track changing High Risk Work Licenses (for forklifts) requirements and any impending expiration of those held by workers.

To do so, John Cook & Sons proposes to enter an arrangement with Smartsheet in their “**Mobilizer Program**” whereby it can provide access for other PCBU’s to trial relevant WHS Registers and Forms to implement in their business. To note, John Cook & Sons does not propose to gain any financial benefit or any benefit otherwise by sharing or collaborating our WHS Tools & Resources. John Cook & Sons has yet to agree with Smartsheet on a way to measure the uptake of these resources by other businesses.

The first Smartsheet license is free (noting that this cost is not per person, rather per license) and grants the user administrative rights to edit and control the content of the Smartsheet. Accordingly, small PCBUs may only require one licence and therefore this will enable small PCBUs to implement a Smartsheet system at no cost, as senior employees or managers are able to work collaboratively and populate the information using their log in details. Further, John Cook & Sons understands that any additional licenses cost approximately \$400. As such, larger PCBUs can engage senior personnel or relevant workers to have access to that data and documentation also.

John Cook & Sons proposes to share these successes through its targeted roadshows, described in strategy 6. John Cook & Sons also proposes to include a hyperlink to Smartsheet in the tools section of the CodeSafe application described in strategy 4.

WHS outcome and beneficiaries:

The wider industry and community will be exposed to the capabilities of Smartsheet, which has become an integral part of John Cook & Sons’ management of safety documentation and data and in turn provides timely insights into the effective identification and management of WHS risks.

Should PCBUs decide to try and implement Smartsheet (and potentially implement the program on a more ongoing basis), they will have access to a system which consolidates their safety system, makes verification of contractor management more seamless, and produces key data for the purpose of staying informed of the businesses key areas of risk.

As a result of this strategy WHS benefits are expected in the:

- ✓ Workplace
- ✓ Industry
- ✓ Community

Strategy delivery and verification:

The strategy will be delivered and verified by SafeWork NSW in accordance with the below table.

What is happening	How is it occurring	When will it happen	Position Title(s) or Area responsible and/or involved	Evidence that will be provided to SafeWork NSW
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Enter formal arrangement with Smartsheet.	John Cook & Sons will enter into a formal arrangement with Smartsheet which includes the capability for John Cook & Sons to share a guest code with interested PCBUs.	Within 1 month of commencement of the enforceable undertaking.	Responsible: Group WHS Manager and Business Manager.	A copy of any such arrangement will be emailed to SafeWork NSW.
Warehousing and logistics industry PCBUs are introduced to Smartsheet.	John Cook & Sons will share the features and successes of Smartsheet as part of its targeted roadshows in strategy 6.	Throughout the targeted roadshows in strategy 6.	Responsible: Group WHS Manager and Business Manager.	SafeWork NSW will be provided a list of interested businesses that guest codes have been shared with at the close of the targeted roadshows.

Cost:

Description	\$ Amount
Internal Costs	\$50,000
Total estimated costs	\$50,000

Strategy No. 6 - Targeted Roadshows

Summary:

After consultation with other PCBUs, John Cook & Sons believes that some PCBUs hold a misconception that a fatal workplace incident will not 'happen to them'. John Cook & Sons wants to help other PCBUs understand the devastating effects a fatal workplace incident can have. Beyond this, John Cook & Sons wants other PCBUs to understand that these types of incidents do not just affect the workplace and businesses themselves. Rather, the effects continue to have a deep impact on all people who are connected in any capacity, and that impact will continue to affect them for a very long time, if not forever. The Incident had a profound effect on the directors, management team and all levels of the workforce.

John Cook & Sons intends to:

- Engage a suitable legal practitioner to deliver an educational session on the legal requirements for PCBUs whose operations involve operating forklifts;
- Share how the Incident had a profound impact on the Worker's family (subject to the Worker's family's permission) and John Cook & Sons' workers and management (including directors);

- Share its experience with RTLS;
- Provide information on the availability, functionality, and benefits of the CodeSafe mobile application; and
- Share its successes with Smartsheets and refer PCBUs looking to implement the system, as well as guiding those PCBUs in implementation.

The roadshow will include time for a panel of safety experts that will facilitate an interactive question and answer session with attendees. SafeWork NSW will be invited, at least three months prior, to participate in this panel by way of providing an inspector at each roadshow location to sit on that panel and provide regulator insight.

The roadshow will be led by a keynote speaker and will be for a total duration of two hours.

John Cook & Sons is planning roadshows in 10 locations to encompass the greatest geographical coverage in NSW, noting that there will be multiple sitting sessions at each location (depending on the estimated number of attendees):

- (a) Wollongong;
- (b) Dubbo;
- (c) Far South Coast;
- (d) Newcastle;
- (e) Coffs Harbour;
- (f) Canberra;
- (g) Sydney;
- (h) Sydney North;
- (i) Sydney South; and
- (j) Sydney West.

As part of the targeted roadshows, John Cook & Sons will also develop and present a video which will emphasise the impacts of serious incidents on businesses and employees. Various levels of the workforce (warehouse staff, Managers and a director) will discuss the impact of the Incident on them personally. The intention of sharing personal accounts is to impart to the wider industry that regardless of legal proceedings, a workplace incident has a profound effect on many people. The video will be provided to SafeWork for it to share should it choose to do so. The roadshows will also present an opportunity for furthering the advertising strategy (set out at strategy 7).

Additionally, as part of the targeted roadshows, a safety lawyer will be engaged to present a 30-minute-long presentation on pertinent issues in the in the timber and/or warehousing industries including WHS legal responsibilities, including: the PCBUs primary duty of care, the duties of officers, the duties and rights of workers, and advice on risk management.

John Cook & Sons proposes to invite attendees through industry publications (discussed further below), emphasising the event as a free event for safety awareness. Ultimately, John Cook & Sons will be aiming for an attendance of approximately 50 individuals at each roadshow session. Following the roadshow events, John Cook & Sons intends to measure the take up of PCBUs on the suite of tools on offer to start or

improve upon their journey to safety compliance (including the CodeSafe application and Smartsheet). The success of the roadshows will be measured by the uptake of those tools and feedback from industry experience (including through the feedback form embedded in the CodeSafe application).

WHS outcome and beneficiaries:

The wider industry and community will be exposed to the personal impact of serious incidents in the workplace, including that such incidents have effects on individuals at every level of PCBUs. The roadshow is also a key platform for John Cook & Sons to share its experiences with the technology described in strategies 3, 4 and 5 and promote them for uptake, to encourage better safety outcomes across the industry.

As a result of this strategy WHS benefits are expected in the:

- Workplace
- Industry
- Community

Strategy delivery and verification:

The strategy will be delivered and verified by SafeWork NSW in accordance with the below table.

What is happening	How is it occurring	When will it happen	Position Title(s) or Area responsible and/or involved	Evidence that will be provided to SafeWork NSW
Production of Video.	John Cook & Sons will script the video and engage a videographer to film and edit the video.	Within 4 months of the Commencement Date of the enforceable undertaking.	Responsible: Group WHS Manager and Business Manager.	Once produced, John Cook & Sons will share the video with SafeWork NSW as part of the above content sharing. SafeWork NSW will approve the final draft of the script (as well as the family of the Worker). A contract between John Cook & Sons and the videographer will also be provided as evidence of their engagement.
Roadshow content developed	John Cook & Sons will develop the content / schedule for the road shows, including creation of the video and	Within 2 months of completion of the RTLS trial.	Responsible: Group WHS Manager and Business Manager.	Once developed, John Cook & Sons will email the roadshow content plan /

	development of any physical collateral for the roadshows.			schedule to SafeWork NSW.
Roadshow advertising developed.	John Cook & Sons will develop necessary advertising for its roadshow including a communication plan for reaching out to industry (such as the members of the NTHA) in each roadshow area to secure attendance. At this stage, John Cook & Sons proposes to invite the following industry groups to participate: TTIA (Timber Trade Industrial association), ATIF (Australian Timber Importers Federation), FTMA (Frame & Truss Manufacturers association), TDA (Timber Development association, AFPA (Australian forest product association), EWPAA (Engineered Wood Product association Australia) and Wood Solutions. John Cook & Sons will also utilise targeted marketing techniques on platforms such as Facebook and LinkedIn to reach further potential participants.	Within 2 months of completion of the RTLS trial.	Responsible: Group WHS Manager, Business Manager and Director.	John Cook & Sons will provide SafeWork NSW with a copy of the proposed advertising and communication plan ahead of its release.
Completion of Roadshows at 10 locations in New South Wales.	John Cook & Sons will complete delivery of the roadshows between August to September 2025.	Within agreed window of August to September 2025 (to maximise attendance).	Responsible: Group WHS Manager and Business Manager.	John Cook & Sons will provide SafeWork NSW with a wrap-up summary of the Roadshows at 10 locations once completed. As noted above, a SafeWork NSW inspector will also be invited to attend each of the Roadshows and engage in the panel to provide regulator insight.

Cost:

Description	\$ Amount
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Wollongong • 2 sittings (\$3,000 cost per session), Speaker Costs (\$10,000)	
Dubbo • 2 sittings (\$3,000 cost per session), Speaker Costs (\$10,000)	
Far South Cost • 2 sittings (\$3,000 cost per session), Speaker Costs (\$10,000)	
Newcastle • 4 sittings (\$3,000 cost per session), Speaker Costs (\$10,000)	
Coffs Harbour • 2 sittings (\$3,000 cost per session), Speaker Costs (\$10,000)	
Canberra • 4 sittings (\$3,000 cost per session), Speaker Costs (\$10,000)	
Sydney • 4 sittings (\$2,000 cost per session), Speaker Costs (\$10,000)	
Sydney North • 4 sittings (\$2,000 cost per session), Speaker Costs (\$10,000)	
Sydney South • 4 sittings (\$2,000 cost per session), Speaker Costs (\$10,000)	
Sydney West • 6 sittings (\$2,000 cost per session), Speaker Costs (\$10,000)	
Cost of producing video for showing at roadshows (noting this video will also be available on the CodeSafe Application)	
Internal Costs	
Total estimated costs	\$259,000

Strategy No. 7 – Advertising (Separation of pedestrians and plant)

Summary:

John Cook & Sons will fund advertising regarding forklift safety in several industry publications such as Timber Trader (4500 subscribers), Timber and Forestry E News (15,200 global readers weekly). Hardware Journal and Wood Central (5000 users a week and 27,000 viewers a month - about 90% of the total traffic for timber and paper-based media), as well as through John Cook & Sons EDMs (3000 subscribers),

social media and the John Cook & Sons website. John Cook & Sons anticipates using LinkedIn as its social media platform. LinkedIn has capability to report on how many people have been exposed to an advertisement and the event of people ‘clicking’ on the advertisement.

WHS outcome and beneficiaries:

Subscribers and readers of Timber Trader, Timber and Forestry E News, Hardware Journal, Wood Central and LinkedIn users will be reminded of the importance of separating pedestrians and plant in the workplace.

As a result of this strategy WHS benefits are expected in the:

- Workplace
- Industry
- Community

Strategy delivery and verification:

The strategy will be delivered and verified by SafeWork NSW in accordance with the below table.

What is happening	How is it occurring	When will it happen	Position Title(s) or Area responsible and/or involved	Evidence that will be provided to SafeWork NSW
Preliminary discussions with industry publication held.	Engage in discussions with Timber Trader, Timber and Forestry E News, Hardware Journal, Wood Central and LinkedIn to determine scope and time for publishing advertisements.	Within 3 months of the Commencement Date of the enforceable undertaking.	Responsible: Group WHS Manager.	John Cook & Sons will provide the details of any agreements made to SafeWork NSW.
Advertising campaign developed.	John Cook & Sons to develop a bespoke advertising campaign, including imagery and wording that will capture readers attention. Mock advertisement will be provided to SafeWork NSW for it to approve prior to publication.	Within 6 months of the Commencement Date of the enforceable undertaking.	Responsible: Group WHS Manager.	John Cook & Sons will provide the proposed advertising campaign to SafeWork NSW for commentary ahead of publishing.
Advertisements published in industry publication.	Industry publication publishes advertisements on a set date for a set duration of time (recurring advertisement).	Within 12 months of the Commencement Date of the enforceable undertaking.	Responsible: Group WHS Manager.	John Cook & Sons will provide SafeWork NSW a copy of the advertisement as published.

Cost:

Description	\$ Amount
Publication of advertising in four industry publications at a cost of \$3,000 each x 3 issues in the lead up to the Roadshows	
Publication of advertising on website and social media	
Total estimated costs	\$66,000 - \$81,000

Strategy No. 8 – WHSMS audit strategy

Summary:

John Cook & Sons' is part of the ITI Group of companies. The ITI Group has an existing WHSMS but this has not been assessed against the principles of AS/NZS ISO 45001. John Cook & Sons will identify and engage a suitably qualified auditor to assess the WHSMS against the principals of AS/NZS ISO 450001.

John Cook & Sons will ensure the ITI Group's existing WHSMS complies with the principles of AS/NZS ISO 45001 - *Occupational health and safety management systems – Requirements with guidance for use* within 6 months from the date the enforceable undertaking is accepted. John Cook & Sons acknowledges that the WHSMS will be maintained in accordance with the standard.

John Cook & Sons will ensure the WHSMS is audited by accredited third party auditors to meet the requirements of AS/NZS ISO 45001 - *Occupational health and safety management systems – Requirements with guidance for use*. John Cook & Sons acknowledges that the third-party auditors selected to perform WHSMS audits must be certified by a certification body accredited by AS/NZS ISO/IEC 17024 - *Conformity assessment – General requirements for bodies operating certification of persons*.

WHS outcome and beneficiaries:

This strategy will ensure that John Cook & Sons identifies any gaps in its processes or systems as they relate to the requirements of AS/NZS ISO 45001 and develop / see out an action plan for closing any such gaps, as well as ensure that John Cook & Sons secures ongoing compliance with the system.

As a result of this strategy WHS benefits are expected in the:

- Workplace
- Industry
- Community

Strategy delivery and verification:

The strategy will be delivered and verified by SafeWork NSW in accordance with the below table.

What is happening	How is it occurring	When will it happen	Position Title(s) or Area responsible and/or involved	Evidence that will be provided to SafeWork NSW
Engage auditor and develop audit plan.	John Cook & Sons will identify and engage a suitably qualified and certified WHS auditor to audit it's WHSMS against the principles of AS/NZS ISO 45001 in relation to operations at the Site.	Within 3 months of the Commencement Date of the enforceable undertaking.	Group WHS Manager.	Evidence of auditor engaged including the relevant qualifications of the auditor will be emailed to SafeWork NSW.
Audit conducted.	The suitably qualified and certified WHS auditor will complete its audit of the WHSMS and Site and develop a report.	Within 6 months of the Commencement Date of the enforceable undertaking.	Group WHS Manager.	Copy of final audit plan certified by the auditor as an unaltered copy of the original will be emailed to SafeWork NSW.
Recommendations from audit developed into corrective action plan.	With the advice of the auditor, John Cook & Sons will develop a corrective action plan on the basis of any recommendations made for the Site. The corrective action plan will be submitted to SafeWork NSW for approval prior to its commencement.	Within 7 months of the Commencement Date of the enforceable undertaking	Group WHS Manager.	Copy of the plan to action the audit recommendations including actions required and timeframes to complete each action will be emailed to SafeWork NSW.
John Cook & Sons commits to fully implementing the intended actions arising from the audit unless otherwise agreed by SafeWork NSW.	John Cook & Sons will ensure it implements the actions arising from the corrective action plan by following the terms of the plan accordingly.	Within 24 months of the Commencement Date of the enforceable undertaking.	Group WHS Manager.	John Cook & Sons will provide 6 monthly updates to SafeWork NSW comprising progress reports in relation to the recommendations and corrective action plan.

Cost:

Description	\$ Amount
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Cost of engaging suitably qualified and certified external auditor.	Approximately [REDACTED]
Estimated costs to action audit recommendations	Approximately [REDACTED]
Total estimated costs	\$16,000 - \$26,000


TOTAL ESTIMATED VALUE OF THE UNDERTAKING

\$827,754.35 - \$852,754.35

¹ We note that this estimate is subject to change on the basis of the scope of any recommendations arising as a result of the evaluations. Real-time, more accurate estimations may be provided.

Section 6 – Execution of Undertaking

John Cook & Sons give this undertaking and commit to the terms herein.

Signed: 

Executed on behalf of John Cook & Sons Pty Ltd, ABN 37001536474 in accordance with section 127(1) of the Corporations Act 2001

Name: 

Position: Director

Dated this 10th day of May, 2024

Signed: 

Executed on behalf of John Cook & Sons Pty Ltd, ABN 37001536474 in accordance with section 127(1) of the Corporations Act 2001

Name: 

Position: Director

Dated this 10th day of May, 2024

Section 7 – SafeWork NSW's acceptance of undertaking

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

Signed: 

Name: Andrew Gavrielatos

Position: Executive Director, Strategy and Programs.

Authorised delegate for SafeWork NSW, an agency within the Department of Customer Service.

Dated at Parramatta this 5th day of June, 2024

Annexure 1 – Public Notice of SafeWork NSW’s acceptance of undertaking

Notice of Acceptance of an Enforceable Undertaking under Part 11 of the Work Health and Safety Act 2011.

On 1 February 2021, a contracted truck driver suffered fatal injuries when struck by an unattended forklift whilst securing a load of timber that had been loaded onto his truck, in St Mary’s NSW.

SafeWork NSW investigated the incident and subsequently alleged that John Cook & Sons contravened section ss 19/32 of the Work Health and Safety Act 2011.

SafeWork NSW has accepted an enforceable undertaking from John Cook & Sons, ABN 37001536474 in accordance with Part 11 of the Work Health and Safety Act 2011 in relation to the abovementioned alleged contravention. This notice has been placed under the terms of the Enforceable Undertaking and acknowledges acceptance of the Enforceable Undertaking by John Cook & Sons.

The undertaking requires the following actions:

- Engaging Litum technology and systems to trial a Real Time Location System to prevent the collision of pedestrians and plant, namely forklifts.
- Partnering with CodeSafe Solutions to develop a mobile application that provides instruction, information and training to workers at John Cook & Sons and templates that can be adopted and used by other businesses in the industry.
- Sharing the successes of ‘Smartsheet’ as a means of managing and centralising safety documentation and data.
- Undertaking targeted roadshows to communicate the above strategies as well as the impact the incident has had on the business and individuals in the business, to try and thwart the misconception that a fatal workplace incident “won’t happen to me”.
- Advertising in an industry publication the importance for businesses to prioritise the separation of pedestrians and plant.

The full undertaking and general information about enforceable undertakings is available at safework.nsw.gov.au.