

## **ANNEXURE TO**

**SUBCONTRACT WORKS AGREEMENT NO:**

**BETWEEN**

**LEGATHA PTY LTS**

**And**

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### **BUILDER PERSONELL AND SUB-CONTRACTOR SAFETY/RISK MANAGEMENT**

#### **1. SAFETY GENERALLY**

The Subcontractor shall be aware of and comply with the Occupational Safety and Health Act 1984 (the "Act") and the Occupational Safety and Health Regulations 1996 (the "Regulations"). The Subcontractor shall also comply with any amendments that may be made to the Act and Regulations from time to time.

The Subcontractor shall be solely responsible for ensuring that wherever practicable, its employees and those engaged by the Subcontractor are not exposed to hazards.

The Subcontractor shall prepare a Safety Management Plan and if considered appropriate, in conjunction with an independent safety consultant accredited by Work Safe.

To assist the Subcontractor meet these obligations the Builder requires the following:

#### **2. SAFETY MANAGEMENT PLAN**

The Subcontractor shall, prior to the commencement of the works, establish, implement and maintain its Safety Management Plan containing provision for, but not limited to, the following elements:-

- a) Maintain and provide, as required, a list of employees, their competencies, qualifications and skills;
- b) induction for new employees;
- c) accident/incident reporting and investigation;
- d) lifting and manual handling skills;
- e) hazard identification and risk control including routine inspection processes;
- f) provide maintained plant/equipment and inspection processes;
- g) pre-job planning;
- h) emergency response;
- i) methods of transmitting new work procedures to employees;
- j) chemical exposure management;
- k) site security and public safety;
- l) wearing of safety equipment suitable for protection eg: hard hats, protective footwear, harnesses;
- m) Safe Work Procedures being required where appropriate (see Section 5).

#### **3. EACH ELEMENT OF THE SAFETY MANAGEMENT PLAN SHALL SPECIFICALLY ADDRESS:**

- a) The Subcontractors representative on the Site who shall take responsibility for the

- successful implementation of each element;
- b) the hierarchical structure by which the responsibility is performed; and
- c) the specific manner by which the element is performed.

#### **4 INDUCTION TRAINING**

The Subcontractor, employees and those engaged by the Subcontractor shall not commence work on the Site until they have been inducted to include:

- a) The Subcontractor shall ensure that all persons who are to be engaged by the Subcontractor to perform work on this site, whether as Subcontractors or employees, will have attended and received recognised industry induction safety training prior to commencing work on site.
- b) Attended a site specific induction, including, but not limited to:-
  - i) special hazards - which shall outline hazards which are or may be peculiar to the site;
  - ii) reporting of accidents and incidents - which shall include the type of events to be reported, how an event is reported and to whom the event is reported;
  - iii) emergency procedures - which shall cover the procedures for a medical emergency and for evacuation of the site in the event of a life threatening situation arising;
  - iv) personal protective equipment - the standard requirements for the site;
  - v) location of and access to First Aid on the site;
  - vi) site security and public safety.
- c) Upon commencement of work on the site, the Subcontractor shall then further induct each employee with regard to all significant hazards associated with their particular activity and area of employment on the site and where relevant, shall include the safe use of powered plant, tools and equipment.

#### **5. SAFE WORK PROCEDURE**

- a) The Safe Work Procedure is a procedure to ensure that any potential hazards and risks are identified and precautions taken to remove or protect persons or property from the hazard prior to the activity being performed.
- b) The Safe Work Procedure shall be completed in each of the following circumstances:
  - i) New activities which could result in injury or damage:

Activities which have not been performed before, or which constitute a deviation from standard industry practices, or where changes in tools, equipment or machinery are introduced are included in this category. Hazards may be created and not recognised through lack of experience in performing the relevant activity. Therefore the Safe Work Procedure must be prepared where such new activity could result in injury or damage.
  - ii) Accident Frequency

If accidents occur on a relatively frequent basis in connection with a specific activity, a Safe Work Procedure must be prepared before the activity is performed.
  - iii) Injury Seriousness

Activities which could result in serious injury may not be performed prior to the preparation of Safe Work Procedure. Activities which have resulted in serious injuries may not be performed prior to the preparation of a Safe Work Procedure. However, a Safe Work Procedure is not required for an activity in respect of which the crew involved in performing it has received adequate training and the activity has been performed before by all members of the crew in a safe manner.

- c) Three (3) steps are required for the preparation of a Safe Work Procedure:
  - i) break the activity into basic steps;
  - ii) identify the hazards involved in the performance of each step;
  - iii) identify systems, precautions and checks to eliminate or control each hazard.
- d) Each member of the crew is required to perform an activity requiring a Safe Work Procedure is to be involved in preparing the Safe Work Procedure for that activity.
- e) A copy of each Safe Work Procedure prepared by the Subcontractor shall be delivered to the Builder before the relevant activity is performed.

It is the Subcontractor's obligation to ensure that the Management Plans and Work Procedures are produced and provided prior to executing any area of works. Commencement of works prior to compliance with these requirements does not constitute acceptance or agreement by the Builder that works may proceed. For the avoidance of doubt, the Subcontractor retains responsibility for all of the actions of its employees or subcontractors.

*Signed by the Builder    Dated*

*Signed by the Subcontractor    Dated*