

ENFORCEABLE UNDERTAKING

Part 11, Work Health and Safety Act 2011

The commitments in this undertaking are offered to the regulator by

**Coast Entertainment Operations Limited
(formerly Ardent Leisure Limited)**

ABN 22 104 529 106

COMMENCEMENT OF UNDERTAKING

This enforceable undertaking is given on the day and date that it is accepted and signed by the regulator. The undertaking and its enforceable terms will commence to operate as a legally binding commitment on the part of Coast Entertainment Operations Limited (formerly Ardent Leisure Limited) from the date it is given.

DEFINITIONS

Contravention means an alleged contravention.

OIR means the Office of Industrial Relations.

SMS means a Safety Management System.

Person means an individual who or a legal entity which has a duty under the *Work Health and Safety Act 2011*, the *Electrical Safety Act 2002* or the *Safety in Recreational Water Activities Act 2011* and can give a written undertaking. The term includes individuals, each partner in a partnership, corporations, individuals or corporations as trustees of trusts, statutory corporations, public authorities, the State of Queensland, the Commonwealth of Australia and other Australian states and territories.

Regulator means the Deputy Director-General, Office of Industrial Relations, being the person appointed by the Governor in Council as regulator under the Safety Acts.

Safety Acts means *Work Health and Safety Act 2011*, *Electrical Safety Act 2002* and *Safety in Recreational Water Activities Act 2011*.

Very Serious Injury means, for this publication, is an injury that has caused nervous system damage liable to lead to mental incapacity or permanent restriction of mobility or involves a major amputation a major amputation of a limb or part of the body – for example amputation above the knee or elbow.

WHS Act means *Work Health and Safety Act 2011* (Qld).

WHS undertaking or undertaking or enforceable undertaking means a written undertaking given under Part 11 of the *Work Health and Safety Act 2011* by a person in connection with a matter relating to a contravention or alleged contravention by the person of the *Work Health and Safety Act 2011* and includes all of the contents of that document including the general information, general and enforceable terms.

WHSQ means Work Health and Safety Queensland.

PRIVACY STATEMENT

The OIR respects your privacy and is committed to protecting personal information. The information provided in this document is for the purpose of an undertaking given to the regulator under Part 11 of the *Work Health and Safety Act 2011*. This information will be managed within the requirements of the current state government privacy regime.

The OIR may publish the undertaking and information contained in it for purposes identified in the undertaking or for other appropriate purposes in publications such as newspapers and on its website. The OIR may be required to disclose personal information to other agencies such as the Queensland Police Service and WorkCover Queensland in accordance with enforcement activities that may be conducted as part of an investigation. Information on our privacy policy is available at www.worksafe.qld.gov.au.

SECTION 1: GENERAL INFORMATION

1.1 Details of the person giving the undertaking

Nominated person:	Coast Entertainment Operations Limited (formerly Ardent Leisure Limited) (Company)
Street address:	Dreamworld Parkway, Coomera, Queensland 4209
Mailing address:	Dreamworld Parkway, Coomera, Queensland 4209
Telephone:	(07) 5588 1111
Email address:	regulatory.affairs@dreamworld.com.au
Legal structure:	Australian Proprietary Limited Company
Type of business:	Leisure and Entertainment
Commencement date:	2003
Workers:	Full time: 192
	Part time: 274
	Casual: 445
Products and services:	Theme Parks and Attractions
Comments:	Coast Entertainment Operations Limited's (Coast Entertainment) primary business is the operation of leisure and entertainment businesses, including, Dreamworld Theme Park, White Water World, SkyPoint and SkyPoint Climb.

1.2 Detail the contravention

The Work Health and Safety Prosecutor has alleged that Coast Entertainment, as a person who was conducting a business or undertaking failed to comply with the WHS Act on two separate occasions. Specifically, it is alleged that:

- (a) On **19 November 2020**, Coast Entertainment (formerly Ardent Leisure Limited) breached section 19(1) of the WHS Act in that it failed to ensure, so far as was reasonably practicable, the health and safety of workers engaged by the Company and whose activities were influenced or directed by the Company contrary to section 32 of the WHS Act. The charge alleges that on 19 November 2020, the mechanical arms of an amusement device were being reconnected following scheduled maintenance, when the mechanical arms fell from trestles they were resting on, and that uncontrolled movement posed a risk of death or serious injury to the workers involved in the activity.
- (b) On **23 February 2021**, Coast Entertainment (formerly Ardent Leisure Limited) breached section 19(1) of the WHS Act in that it failed to ensure, so far as was reasonably practicable, the health and safety of workers engaged by the Company and whose activities were influenced or directed by the Company contrary to section 33 of the WHS Act. The charge alleges that on 23 February 2021, maintenance activities were being undertaken on the mechanical arms of an amusement device, when one of the mechanical arms slowly raised into the air, and that uncontrolled movement posed a risk to the health and safety of workers.

No injuries or illnesses were sustained or suffered because of either event.

The event on 23 February 2021 did not fall within the definition of a "notifiable incident" under the WHS Act.

The events occurred while the amusement devices were undergoing scheduled, routine maintenance and were not available to the public.

1.3 Detail the events surrounding the contravention

19 November 2020

- (a) Workers were carrying out preventative maintenance on the amusement device known as the Pandamonium. In accordance with the maintenance instructions from the manufacturer, the arms of the Pandamonium were required to be disassembled. Each arm comprised of two parts, the main section and the counterweight section, which were separated after they were removed from the Pandamonium.
- (b) On 19 November 2020 workers were commencing the re-assembly of the arms, by joining the main and counterweight sections together. This activity was being completed within the Engineering Maintenance Centre at Dreamworld.
 - (i) The Engineering Maintenance Centre is not accessible to members of the public.
 - (ii) An overhead gantry crane is installed in the Engineering Maintenance Centre.
 - (iii) All tooling was readily accessible to workers.
- (c) No detailed instructions were available from the manufacturer as to how to carry out this activity, so consequently there had been detailed discussions between workers and their supervisor as to how they approach the task safely. The manufacturer's maintenance manual did however direct that the maintenance activity was to be performed every four (4) years.
- (d) The overhead gantry crane had been used to position one component of the arm above the other. A difficulty was encountered as components were being joined together, such that the components were connected though not seated completely in their final position.
- (e) The workers decided to pause and take a lunch break to consider how best to proceed with the task. Prior to doing so, the components were secured to avoid any inadvertent movement, and the gantry crane was disconnected, to not leave a suspended load unattended.
- (f) When the workers returned from lunch, one of the straps securing the partially joined arm components was released prior to the crane being reattached.
- (g) The arm components moved and subsequently fell to the ground from the stand that had been supporting them.
- (h) Workers were in the vicinity, though no injuries were sustained.
- (i) The scene was immediately secured, and Workplace Health and Safety Queensland (**WHSQ**) was notified of the incident.
- (j) The Company complied with all directions and notices issued by WHSQ as summarised below at 1.4.
- (k) The Company fully cooperated with the ensuing investigation by WHSQ.

23 February 2021

- (a) On 23 February 2021, maintenance activities were being undertaken on the amusement device, Tailspin, at Dreamworld. The maintenance activities involved the removal of the seats (more specifically, the gondolas). The gondolas were resting on a trolley bench, such that as the gondolas were detached from the amusement device, they could be moved with limited manual handling. A Safety Advisor, who was dedicated to the Engineering Team observed a gap starting to form between the trolley bench and the gondola that had previously been resting on it. Work activities were ceased. Through consultation, a plan was devised to anchor the arm of the ride in a position that enabled the trolley bench to be placed under each of the gondolas and enable the resumption of the maintenance activity.
- (b) The amusement device was isolated when the maintenance activities were being performed. It was anticipated, based on prior experience that the hydraulics would prevent the arm from moving. While it evidently did not prevent the arm from moving, the movement was incredibly

slow. Consequently, the workers were able to clear the area promptly, and well before there had been any significant movement.

- (c) No injuries were sustained by any worker or other person.
- (d) The incident itself was not a 'dangerous incident' as defined by section 37 of the WHS Act, and therefore not notifiable.
- (e) Workplace Health and Safety Queensland (WHSQ) nevertheless commenced an investigation, which the Company fully cooperated with.
- (f) A documented system of work in place for the activity, though it did not specifically include a requirement for the arm to be anchored into position, prior to work commencing.
- (g) A detailed risk assessment meeting had taken place prior to the work activity commencing and as noted above, a documented system of work was developed.
- (h) Based on prior experience, the vertical movement of the arm when performing this activity was considered unforeseeable, prior to the incident occurring.

1.4 Detail the enforcement notices issued that relate to the contravention detailed in term 1.2

Date issued	Notice Type	Notice Number	Contravention or prohibited activity	Action taken in response to notice
23.11.20	Prohibition	P1024379	Reassembly of arms prohibited until a comprehensive risk assessment of the activity has been undertaken. [Pandamonium]	The Company complied with the notice by undertaking a comprehensive documented risk assessment and documenting the work procedure.
23.11.20	Non-Disturbance	NDI1005751	Arms that fell from supporting trestles are not to be moved until a safe method of removal has been developed and approved by WHSQ. [Pandamonium]	The Company complied with the notice by engaging a contractor to develop a lift plan utilising a crane, which was provided to the WHSQ Inspector and approved.
23.11.20	Improvement	I1055125	An assessment of how the arms would react during the assembly process had not been undertaken. [Pandamonium]	The Company complied with the notice by undertaking a comprehensive documented risk assessment and documenting the work procedure.
30.03.21	Improvement	I2018648	There was no documented safe work procedure in place to prevent the arm from raising uncontrolled, prior to the removal of the gondolas. [Tailspin]	The Company complied with the notice by documenting the procedure.

1.5 Detail the injury sustained, or illness suffered by worker/s or other/s as a consequence of the contravention detailed in term 1.2

There were no injuries or illnesses sustained or suffered by any workers or other person because of the alleged contraventions.

1.6 Detail the employment status and the workers' compensation or other insurance status regarding the worker/s who sustained injury or suffered illness as detailed in term 1.5

Not applicable as there was no injury or illness sustained or suffered by any worker or other person because of the alleged contraventions.

1.7 Detail the support provided or proposed by the person to the injured worker/s and/or family or other/s

The Company adopts a 'just culture' within the workplace and relevantly in response to these events, ensured that workers were empowered and supported to give a full and frank account of how the events occurred, with confidence the information is being used to assist the Company reduce the risk and prevent reoccurrences.

Workers were encouraged to speak up if they required any additional assistance and/or wanted to discuss any concerns. This encouragement and support were provided by their immediate managers and through access to the company's Employee Assistance Program. This was reinforced particularly within the Engineering Team given their direct involvement in the events.

As no injuries were sustained in either event, no worker, their families, or others required direct support for any medical treatment.

1.8 Detail any current SMS implemented and maintained by the person

Coast Entertainment operates under and maintains a Major Amusement Park License, issued by WHSQ.

In obtaining a Major Amusement Park License, Coast Entertainment submitted to the WHS Regulator a Safety Case, which is underpinned by the SMS that applies across all operations. The SMS deals with both amusement device safety and work health and safety.

Coast Entertainment's SMS is documented within the SMS manual which details the business's systems for managing activities and applying safety principles and processes which identify, manage, control and report safety risk. The SMS is a systematic approach to managing safety, including organisation structures and accountabilities, policies and procedures which have been implemented and maintained through ongoing training of personnel.

The SMS complies with the requirements of WHS Regulation s608O and Schedule 18C. The requirements of AS/NZS ISO 45001:2018 Occupational health and safety management systems – Requirements with guidance for use have been considered throughout the SMS manual and applied subject to specific requirements of the WHS Regulation being met. This is reflected through the granting of individual Major Amusement Park Licenses for Dreamworld and White Water World by the WHS Regulator.

The SMS is documented within the SMS manual and has the following contents:

- **Safety Policy** - detailing management commitment to the SMS
- **Organisation** - outlining the structure of the organisation, roles and responsibilities of key personnel and the safety systems team.
- **SMS Overview** – provides high level safety policy as it relates to key elements of an SMS including Safety Culture, Safety Objectives, Management Commitment, Safety Assurance, Drug and Alcohol Management, Emergency Management Planning, Contractor Management, Risk Management, and the Management of Work Related Injuries.
- **SMS Governance** – establishes the governance systems embedded in the organisation for the management of safety including the structure of safety committees and worker consultation frameworks.
- **Safety Reporting** – outlines the systems in place for the reporting of hazards and events by Workers, the processes for managing these reports and the systems for Regulatory reporting and notifications.

- **Safety Reviews** – this is the internal term for safety investigations, and this section deals with the processes in place to conduct internal investigations into safety occurrences, both operational and work health and safety in nature.
- **Audit Program** – provides the framework for the audit program which is summarised in the next section.
- **Findings and Actions** – provides for the management of findings and actions arising from internal and external audits and investigations.
- **Risk Management** – outlines the organisational risk management framework. This framework is multidimensional and deals with operational, people safety and organisational risk. The organisational risk framework incorporates a critical risk management program to address Critical Risks within the business's operation. This has been done in recognition of the need to effectively manage work health and safety risk associated with identified hazards which, if left uncontrolled, have the potential to result in a fatal injury.
- **Change Management** – the organisation has a structured system to manage change across the organisation. The system provides a framework to establish the need for change, ensure consultation, manage endorsements, approvals and governance, ensure effective implementation and post implementation review.
- **Safety Training and Promotion** – the SMS has an established framework of safety training and promotion to ensure Workers can effectively participate in and benefit from the SMS
- **Safety Performance** – a structured system of monitoring, reporting and governance is established against key safety performance indicators to monitor the SMS effectiveness.
- **Document Management** – a document management framework has been established to maintain controlled documentation across the organisation.
- **Psychosocial and Other Human Factors** – the organisation acknowledges the impact psychosocial hazards and risks have on safety performance. Accordingly, the SMS allows for the identification and systemic analysis of psychosocial hazards and other human factors which has been integrated throughout the SMS processes.

The SMS is maintained through both internal and external audits and reviews. To that end:-

- WHSQ undertakes audits and reviews of Coast Entertainment's compliance with its legislative obligations and obligations to maintain its Major Amusement Park Licenses;
- Coast Entertainment engages independent safety consultants and carries out internal audits and activities to ensure the SMS is implemented effectively and operating as intended.

The details of these audit activities are set out in further detail below.

Summary of Contractor Safety Management Systems

As part of the Safety Management System, Coast Entertainment has a structured and comprehensive Contractor Safety Management Procedure in place that governs the engagement and oversight of contractors performing work at its sites, including Dreamworld, WhiteWater World, and SkyPoint. The procedure is designed to ensure legal compliance, risk management, and the protection of all workers, guests, and visitors. The procedure is supported by a comprehensive contractor onboarding and management IT system, SINE by Honeywell.

1. Scope and Application

The procedure applies to all contractors, consultants, and service providers performing work on site, regardless of engagement method or contract value.

2. Safety Governance Framework

Contractor management is implemented through a **four-stage lifecycle**:

Stage 1: Works Planning and Pre-Engagement

Stage 2: Contractor Engagement and Site Entry

Stage 3: Onsite Contractor Management

Stage 4: Post-Works Safety Assessment

Each stage includes specific governance requirements and responsibilities that align with the risk level of the work being undertaken.

3. Risk-Based Contractor Classification

Contractors are classified into six levels, ranging from low-risk visitors to high-risk construction contractors. Each level dictates the type of induction, supervision, and oversight required.

4. Contractor Registration and Induction

Contractors register through the **SINE Contractor Management System**, uploading:

- Pre-engagement questionnaire to assist in assessment of suitability to conduct works and risk classification of the contractor
- Public Liability Insurance
- Workcover
- Safe system of work for the planned activities (e.g., SWMS, JSA)

Registrations and safety documentation are reviewed for adequacy and currency. Inductions must be completed prior to site entry, and contractors cannot access the site without compliance.

5. Pre-Engagement Risk Controls

Prior to works commencing:

- Hazards are identified and communicated
- Permit-to-Work systems are applied for activities such as confined space, asbestos handling, or work at heights
- Required licences are verified
- Other duty holders are notified of potential impacts arising from the planned works.

6. Onsite Supervision and Safety Assurance

Contractors are supervised according to their risk level, experience, and safety history, using tools like the Contractor Supervision Guidance Tool. Safety inspections are conducted using predefined inspection programs, with results recorded in accordance with the Contractor Safety Inspection Guidance Tool.

Contractors must report all incidents and hazards, and serious incidents are escalated to Safety Systems. Non-compliance with safety procedures may result in a **Safety Non-Compliance Notice** and potential removal from site.

7. Post-Work Safety Performance Assessment

Upon completion of works, contractors' safety performance is assessed. This includes reviewing incident history, inspection outcomes, and compliance behaviour. Contractors deemed unsuitable may be suspended from future engagements through the SINE system.

8. Principal Contractor Oversight

For construction projects valued at over \$250,000, a **Principal Contractor (PC)** is appointed, with additional oversight from Coast Entertainment to ensure:

- A compliant WHS Management Plan is in place
- Subcontractor controls and SWMSs are reviewed
- Consultation and coordination mechanisms are active with other duty holders

1.9 Detail the level of auditing undertaken on the SMS referred to in term 1.8, including compliance audits and audit frequency

Coast Entertainment has a detailed and structured audit program in place to ensure that the SMS is adequately documented, implemented and operating effectively.

The audit program is designed to:

- Monitor compliance with relevant regulations and standards;
- Evaluate and continually improve operational safety performance;
- Ensure the implementation and effectiveness of all aspects of the SMS.

The audit program ensures a scope of auditing that encompasses all areas, across all levels of the organisation (including leadership) that influence safety outcomes. Operational functions include Attractions, Engineering, Facilities, Food and Beverage, and Cleaning and Grounds.

The audit program consists of the following elements:

- An annual schedule of risk-based routine audits which are supplemented by incident triggered audits (due to an unexplained increase in safety events, regulatory non-compliance, significant operational changes, as requested by senior management);
- Audit resource planning;
- Planning and preparation, including audit scope and objectives and checklist development;
- Audit notification;
- Performing the audit - observation and gathering of audit evidence;
- Analysis of audit data including risk assessment, findings and actions;
- Reporting including findings and actions.

The audit program is developed on an annual basis. Safety data that includes, events, prior audit findings, safety investigation findings, risk profile and change management are all considered along with the date of previous audits during the development of the schedule and consists of three levels of audits:

- Level 1 – Health and Safety Committee Inspections

These are local level audits completed by a member of the Health and Safety Committee and/or Health and Safety Representative. These audits focus on validating that the safety systems established under the SMS have been implemented within the Department such that observable safety meets or exceeds company requirements.

- Level 2 – Internal System audits

Audits conducted internally by suitably qualified auditors familiar with the activity. These audits are led by the Safety Systems Department under an annual risk based audit schedule. This schedule includes key functions of the SMS, Critical Risk and key business functions and processes. These audits look across the organisation for similar risk or activity and find opportunities for best practice.

- Level 3 – External validation audits

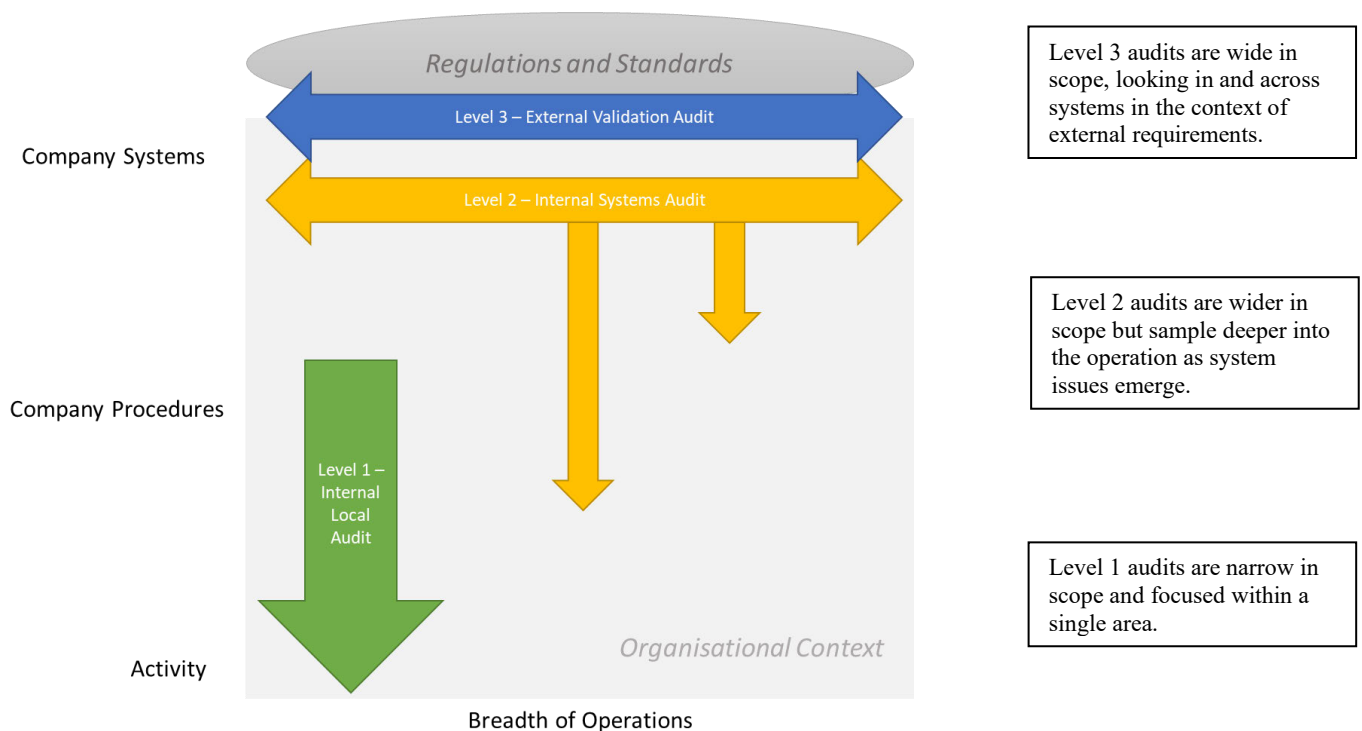
Audits conducted by an external party. These audits provide an external validation that systems are in place to manage the risk, consistent with industry best practice.

Key risk areas for the business are audited by external subject matter expertise with extensive experience within their field:

- Aquatics – Ellis and Associates conduct regular unannounced auditing of aquatic operations to ensure that aquatic safety standards are being met or exceeded. This includes a review of supporting systems and processes. Audits occur at least once per season.

- Ride Operations – International Ride Training conduct regular auditing of ride operations to ensure that rides are being operated to global best practice and internal safety requirements. Audits are unannounced and occur at least once per year.
- Ride Maintenance – All amusement devices are subject to regular detailed reviews by Registered Professional Engineers of Queensland on an Annual and 10 yearly (Major Inspection) frequency. These processes ensure that the business has completed all required maintenance activities in accordance with Regulatory, OEM and internal requirements established under the Engineering Quality Management System.
- Safety Management System – The Safety Case and supporting SMS (which deals with both amusement device safety and general work health and safety – refer s1.8) has been subject to an extensive assessment as part of the Major Amusement Park licencing by OIR. The system is continually audited by OIR through the licence management program.

NOTE: As part of this EU, regular external auditing of the SMS will be undertaken against the requirements of ISO45001 by an appropriately qualified external auditor.



This approach to auditing drives local accountability supported by independent oversight and validated by external subject matter expertise. This approach is consistent with ISO9001 Quality Management principals.

The audit program aims to:

- Ensure that controls associated with the safe operation of an amusement device are implemented and are effective in mitigating the risk associated with the hazard including a defined Amusement Device Incident;
- Hazard identification of potential risks to operational and occupational safety, security, and quality deficiencies;
- To establish the level of conformance to regulatory requirements, company or business requirements, contractual requirements and applicable external standards;
- To determine whether the methods/activities in use comply and conform to policies, procedures and instructions as planned, and whether they are effectively implemented to sufficiently achieve objectives;
- To provide an opportunity to review and improve the effectiveness of operational systems, processes and the safety management system;
- To provide management with safety data on which informed decisions can be made; and
- To ensure that the activity is delivering the intended outcome.

The annual audit program is prepared annually by the Manager Safety Assurance and presented to the Executive Safety Risk Review Committee for approval.

Additional 'ad-hoc' audits may be added to the program based on risk identifiers and intelligence from the SMS.

Audit reports are distributed to the Executive Manager of the Department subject to the audit, the Responsible Manager for the area being audited and Safety and Environment Director. The outcomes of audits are presented to risk owners and summarised at the Executive Safety Risk Review Committee. Formal findings and actions are monitored through to closeout, with reporting systems implemented to oversight risk mitigation.

The details of all findings are also entered into Coast Entertainment's safety management software platform, which enables actions to be assigned to individuals (e.g. risk owners) and prioritised, providing the mechanism for tracking actions taken to address recommendations made.

1.10 Detail the consultation undertaken or proposed to be undertaken, in relation to this undertaking

The business has in place an established Health and Safety Consultation framework and elected Health and Safety Representatives (HSRs) in accordance with the WHS Act and *Work health and safety consultation, cooperation and coordination Code of Practice 2011*.

The business recognises that consultation is an essential part of managing safety and we achieve this through effective consultation with our team members, contractors and industry stakeholders.

The duty to consult on health and safety matters is based on the recognition that worker input and participation promotes ownership, encourages a positive safety culture and assists in reducing work related injuries.

The broad definition of a worker under the WHS Act means that consultation shall occur with team members and anyone else who carries out work for the business or undertaking. This includes consulting, so far as is reasonably practicable, with contractors and subcontractors, volunteers and any other parties directly affected by health and safety matters.

Consultation arrangements are in place, suitable to our business, which ensure there is effective consultation between the business and team members, as well as consultation, co-operation, and co-ordination with other duty holders such as contractors and service providers.

By negotiation with Workers, the business has established two work groups: 'Guest facing roles' (Attractions, Guest Services, Aquatics, Food and Beverage, Retail, Life Sciences, Security); and 'Back of house roles' (Engineering, Facilities, Warehouse, Support Functions). Each of these work groups are represented by an elected HSR within the meaning of the Workplace Health and Safety Act.

A Health and Safety Committee has been established as a joint management/worker consultative group to assist in the development and review of health and safety policies and procedures in the workplace. The Committee is made up of Workers from each Department, the CEO, Safety and Environment Director and General Manager People and Culture. Elected HSRs are invited to participate and both current HSRs are members of the Committee.

The proposed undertakings have been discussed with various levels of the workforce, including Health and Safety Representatives, Management and Executive team as well as being reviewed and approved by the Board of Coast Entertainment Operations Limited.

Further, development of the proposed undertaking has included consultation with the Health and Safety Representative for the impacted business area. Their views on the proposed undertakings have been considered and feedback incorporated.

1.11 Detail the rectifications to the workplace or work practices made as a result of the contravention and events detailed in terms 1.2 and 1.3 and the enforcement notices issued as detailed in term 1.4

In response to the incident on 19 November 2020, involving the Pandamonium:

- A documented safe work procedure was developed by Coast Entertainment and then approved by a WHSQ Inspector. This enabled the Pandamonium ride arms to be lifted from the ground and transported off site to be inspected for any structural damage and for painting.
- A documented safe work procedure was developed for the re-assembly activity prior to work commencing.
- Workers were trained and inducted into those procedures.
- A Safety Advisor, dedicated to overseeing the re-assembly process and activities within the Engineering Department was appointed to monitor and review the safe completion of the activity in accordance with the safe work procedure developed.

In response to the incident on 23 February 2021, involving the Tailspin:

- The documented safe work procedure for the task of removing the gondolas, was updated to reflect the step of tying down the arm of the Tailspin ride, prior to attempting to remove the gondola.
- Workers were trained and inducted into that updated safe work procedure.

The events occurred while the Company was developing its Safety Case, to be submitted to WHSQ for the purpose of obtaining a Major Amusement Park License and the Safety Management System was being reviewed to align with the Safety Case. These broader developments across the Company naturally addressed matters associated with the events, though was not undertaken solely in response to the events. Accordingly, only the direct cost associated with engaging a Safety Advisor to oversee the re-assembly process are referred to below.

Total amount spent on rectifications	\$ 40,461
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1.12 Detail of Engineering Organisational Structure

The Engineering Department is overseen by the Director of Engineering who holds Registered Professional Engineer of Queensland (RPEQ). The Engineering Director is responsible for all engineering activities within the amusement parks, with the responsibilities distributed to two critical functions:

- Continuing Compliance Management Organisation; and
- Engineering Maintenance Organisation.

The two functions are described in the following sections.

Continuing Compliance Management Organisation

The Continuing Compliance Management Organisation (CCMO) is responsible for the Amusement Device ride-worthiness and setting the standards and instruction for engineering maintenance activities to ensure safe and compliant operation. The CCMO is overseen by the Manager, Continued Compliance and Reliability who holds Registered Professional Engineer of Queensland (RPEQ).

The key responsibilities are:

- Management and provision of Instructions for Continuing Compliance through consultation and engagement of Registered Professional Engineers of Queensland (RPEQ), regulators and OEMs;
- Chairing and running the Technical Review Committee;
- Reliability program and analysis of asset behaviour;
- Compliance and safety assurance within the Department;
- Hazard and risk identification (including of planned maintenance activity);
- Data management;
- Maintenance planning (Active/Short/Long) – Annual and Major Inspections;

- Selection and approval of any third-party maintenance provider;
- Inventory control;
- Records for statutory compliance (e.g. plant design and item registration including alterations to design);
- Amusement device records as required by WHSR 237; and
- Training and competency of Engineering team members.

Engineering Maintenance Organisation

The Engineering Maintenance Organisation (EMO) provides engineering and maintenance services within the organisation for its Amusement Devices following instruction by the CCMO.

The key responsibilities are:

- Engineering and maintenance activities;
- Compliance and safety assurance within the Department;
- Hazard and risk identification;
- Procurement;
- Supply and logistics (storage of equipment, and tools);
- Oversight of any third-party conducted maintenance activities;
- Training and competency of maintenance technicians (see section 1.13);
- Data management of EMO maintenance activities;
- Amusement device emergency response support; and
- Resource scheduling to support the CCMO plan.

The EMO is accountable for the execution of all engineering and maintenance activities using Instructions for Continuing Compliance issued by the CCMO. A core component of EMO responsibility is providing adequate levels of competent resources to support the Instructions for Continuing Compliance issued by the CCMO. The EMO is also responsible for the management of all equipment, tooling, storage of critical components and spare parts procurement including supply and logistics.

1.13 Engineering Training and Competency

Coast Entertainment has processes in place to ensure that Maintenance Technicians have the relevant qualifications from accredited training and/or tertiary institutions and have completed internal instruction and training prior to carrying out any authorised duties.

Coast Entertainment also ensures that specific and prescribed (specialist) maintenance activities are carried out by Competent Persons who hold a recognised licence, accreditation, or qualification. This includes but is not limited to:

- Non-Destructive Testing;
- Welding;
- All electrical and control systems further than operational testing verification, basic fault finding, replacement of like for like components.

All maintenance activities that have been prescribed either by the device manufacturer, the Continuing Compliance Maintenance Organisation (CCMO), a Competent Person or by law, shall be carried out by a suitably qualified person who has been authorised to perform the work and has completed the necessary competencies for each Amusement Device.

The competency process provides a training and assessment pathway based on clearly defined competency requirements applicable to each activity or role.

Assessment and Competency

Each competency comprises of a training package, which consists of the following:

- Competency standard: standard or benchmark to be assessed against;
- Workbook training guide. Amusement Device maintenance SOP / testing procedures / training guide;
- Verification of Competency VOC: (primary competency assessment tool);
- Training session plan: outline the duration, location, resources required etc; and
- Training evidence guide: maintenance records, feedback, etc.

Allocation of Training

Training and the associated competency requirements are contained within the Evolve learning management system. The Evolve system details each module of training required and the record of assessment. The system identifies the need for re-current training by providing a notification to the team member and their Manager prior to and after its expiry.

SECTION 2: GENERAL TERMS

Coast Entertainment acknowledges and commits to the general terms set forth in the sub-terms below.

2.1 Acknowledgement that the regulator alleges a contravention occurred as detailed in term 1.2

Coast Entertainment acknowledges that the Work Health and Safety Prosecutor alleges that contraventions have occurred as detailed in term 1.2.

2.2 Statement of regret that the contravention occurred and the reasons the person considers this undertaking is a more appropriate response to the contravention than a court imposed sanction

Coast Entertainment deeply regrets the incidents that occurred on 19 November 2020 and 23 February 2021. Significant and meaningful improvements have already been made to Coast Entertainment's safety systems, and it remains committed to continuously enhancing those systems to go beyond mere compliance with its legislative obligations.

By entering into this undertaking, rather than a court-imposed sanction, there will be wide reaching and ongoing positive impacts on the health and safety of Coast Entertainment's workers and contractors, industry and members of the community through the implementation of the activities detailed in section 3 of this undertaking.

2.3 Statement of commitment that the behaviour, activities and other factors which caused or led to the contravention has ceased and will not reoccur

Coast Entertainment is committed to ensuring the behaviours, activities and other factors that caused or led to the contraventions detailed at section 1.2 herein, will, as far as reasonably practicable, not reoccur. Coast Entertainment has demonstrated this commitment through the steps detailed in section 1.11 and the undertaking to take the steps detailed in section 3 of this undertaking.

2.4 Acknowledgment of the guidelines published by the regulator for the acceptance of an undertaking

I have read and understood:

Guidelines for the acceptance of an enforceable undertaking Version: 1 Dated: November 2017.

2.5 Acknowledgement that this undertaking may be published and publicised

2.5.1 Coast Entertainment acknowledges that the undertaking may be published on the OIR's website and referenced in OIR material.

2.5.2 Coast Entertainment acknowledges that the undertaking may be publicised in newspapers.

2.6 Statement of the person's ability to comply with the terms of this undertaking and meet the projected costs of the activities

2.6.1 Coast Entertainment has the financial ability to comply with the terms of this undertaking and have provided evidence by way of letter from the Company's Group Chief Financial Officer with this undertaking to support this declaration.

2.6.2 In the event of impending liquidation or sale of the entity, Coast Entertainment will advise OIR of the relevant circumstances and its capacity to comply with the outstanding terms of this undertaking.

2.7 Statement regarding person's relationship with any corporations, officers, employees, contractors, proposed beneficiaries of donations or scholarship or other recipient of financial benefit contained in this undertaking

Coast Entertainment does not have any relationships with any corporations, officers, employees, contractors, proposed beneficiaries of donations or scholarships or other recipient of financial benefit contained in this undertaking, other than as the employer of the workers at the workplace or as members of industry associations and volunteers.

2.8 Statement regarding Intellectual Property Licence

Coast Entertainment, grants OIR a permanent, irrevocable, royalty-free, world-wide, non-exclusive licence to use, reproduce, publish, distribute, electronically transmit, electronically distribute, adapt and modify any materials developed as a result of this undertaking.

2.9 Acknowledgement that the person may be required to provide a statutory declaration

OIR has requested a statutory declaration outlining details of any prior convictions, subject to any local legal constraints such as spent conviction legislation, or findings of guilt under the safety Acts.

☐ YES

☒ NO

The statutory declaration is attached (if applicable)

☐ YES

☒ NO

2.10 Statement of commitment from the person to participate constructively in all compliance monitoring activities for this undertaking

- 2.10.1 It is acknowledged that responsibility for demonstrating compliance with this undertaking rests with the person.
- 2.10.2 Evidence to demonstrate compliance with the terms will be provided to OIR by the due date for each term.
- 2.10.3 The evidence provided to demonstrate compliance with this undertaking will be retained by the person until advised by the regulator, that this undertaking has been completely discharged.
- 2.10.4 It is acknowledged that any failure to meet the due date for an enforceable term will result in the matter being escalated and may lead to enforcement action.
- 2.10.5 It is acknowledged that OIR may undertake other compliance monitoring activities to verify the evidence and compliance with an enforceable term, and cooperation will be provided to OIR.
- 2.10.6 It is acknowledged that OIR may initiate additional compliance monitoring activities, such as inspections, as considered necessary at OIR's expense.
- 2.10.7 It is acknowledged that details of all seminars, workshops and training conducted by a non- registered training provider must be notified to OIR, by email, at least one week prior. Notification should include time, date, location and the trainer/facilitator.

2.11 A commitment by the person to perform activities that will ensure the ongoing effective management of risks to health and safety in the future conduct of its business or undertaking

Coast Entertainment and its officers are committed to meeting their obligations under the WHS Act and ensuring risks to health and safety are managed. It recognises that the effectiveness of the SMS is underpinned by a positive safety culture. This culture is fostered by placing a high level of importance

on safety beliefs, values and attitudes. Safety is not a hierarchical exercise – every Team Member in the business is responsible for Safety and are empowered to enact that responsibility.

Coast Entertainment recognises that Management do not hold all the answers. Achieving safety excellence occurs through effective consultation with all Team Members, contractors and industry stakeholders. through the implementation and maintenance of the matters outlined in its Safety Case and Safety Management System.

Coast Entertainment will ensure effective management of WHS risks through the safety leadership initiatives and programs in place at across its businesses, including:

- Safety Management System Governance framework whereby:-
 - A Health and Safety Committee comprised of workers across all areas and elected HSRs meet at least quarterly as a forum to ensure communication between Team Members and management by consulting, advising and making recommendations on all matters relating to work health and safety.
 - Management Safety Risk Review Committee meetings, which are held monthly and are attended by representatives of the department's management team, front line supervisors and representative of Safety Systems, with a particular focus on operational safety and workplace health and safety risks.
 - Executive Safety Risk Review Committee meetings attended by members of the Executive management team, Safety Systems Managers and the Board Safety Advisor, and which are held monthly.
 - Board Safety Risk Review Committee meetings, which are held quarterly to ensure that the focus remains on maintaining best practice in safety management and systems of control.
- The existing Audit Program in place, that is designed to:-
 - Monitor compliance with relevant regulations and standards;
 - Evaluate and continually improve operational safety performance;
 - Ensure the implementation and effectiveness of all aspects of the safety management system.

The audit program consists of an annual schedule of risk-based routine audits which is supplemented by incident audits, as against the:

- Applicable regulatory requirements of WHSQ;
- Australian and International Standards;
- Management and operational requirements.

Coast Entertainment commits to performing the activities below diligently, competently and by the respective completion dates.

2.12 A commitment regarding linking the promotion of benefits by the person to this undertaking

Coast Entertainment is committed to ensuring that any promotion of a benefit arising from his undertaking will be linked to this undertaking.

SECTION 3: ENFORCEABLE TERMS

Coast Entertainment acknowledges all activities set forth in the enforceable terms below must be auditable and include a date for completion and a minimum cost for each activity.

Coast Entertainment commits to performing the activities below diligently, competently and by the respective completion date.

3.1 A commitment by the person to disseminate information about this undertaking to workers, and other relevant parties

Dissemination will be achieved by doing the following:

- The Safety and Environment Director, will present information about this undertaking and a copy of the undertaking will be provided at each of the following meetings:-
 - Board Safety Risk Review Committee Meeting;
 - Executive Safety Risk Review Committee Meeting;
 - Management Safety Risk Review Committee Meetings;
 - Health and Safety Committee Meeting.

The undertaking will also be disseminated via email to all staff advising of the acceptance. Dissemination will occur within 3 months of the date of acceptance of this undertaking.

3.2 Activities to be undertaken to promote the objects of the safety Acts that will deliver benefits for workers/others

	Activities	Minimum Cost	Timeframe
3.2.1	<u>Enhanced Contractor/Visitor/Worker Induction Content</u> Coast Entertainment has in place an existing and comprehensive contractor on boarding and management system database – SINE by Honeywell. This system is underpinned by a contractor management framework as part of the SMS (refer section 1.8). This system recently replaced its previous contractor onboarding and management system – Rapid Global. SINE was selected due to the additional functionality which would enable Coast Entertainment the ability to enhance the current platform and incorporate short videos, animation content etc. Through consultation with its workforce, Coast Entertainment has identified an opportunity to improve the delivery and consequently the engagement in the current Induction process, where amongst other things, critical safety information and expectations are conveyed. Coast Entertainment recognises there is a strong body of evidence that suggests that people tend to remember images and symbols better than words. It also recognises it has a young and diverse workforce of casual employees and contractors.	\$102,500 being an estimated total cost associated with the following activities, for five e-learning modules: The five (5) modules will cover the following topics:- a) Contractor Induction module - \$40,000 b) Safety 101 module - \$20,000 c) Chemical Handling module - \$20,000 d) Lock Out Tag Out	Stage 1 to be completed within 1 month of enforceable undertaking being entered into. Stage 2 to be completed within 2 months of enforceable undertaking being entered into. Stage 3 to be completed within 3 months of enforceable undertaking being entered into. Stage 4 to be completed within 6 months of enforceable undertaking being entered into. Stage 5 to be completed within 12 months of

	Whilst larger intakes are supported by face to face training, it remains a business need to deliver computer based training to new team members and contractors to ensure consistency of content and flexibility in delivery. To improve the delivery and consequently engagement in the current Induction process, Coast Entertainment undertakes to:- • Engage an external vendor to re-develop Coast Entertainment's existing content into 5 e-learning modules: Contractor induction; safety 101 (all team member induction), Chemical handling course and Lock Out Tag Out course. By unpacking key health and safety content, policies and procedures from the current induction process into an immersive online learning experience designed to transfer information in an engaging, scalable and digestible manner. Self-led e-learning modules are designed for consumption on desktops, tablets, or mobile, accessible anytime, anywhere for learner convenience and plug into Coast Entertainment's Contractor/Visitor Management System and Personnel System. • ensure online training experience will have an action-orientated approach, so that learnings can be easily applied to day-to-day activities. • ensure that the material contains assessment tools to verify the understanding of the content. • ensure the online training experience is capable of being translated and delivered in other languages other than English. The following are the stages for this activity: Stage 1 Discovery – collaboration between the business, its employees and vendor to identify program objectives, challenges regarding target audience. Stage 2 Define – learning outcomes, tactics for program design including script and storyboard development. Stage 3 Develop – develop prototype to test content and execution before building out entire package including course design, characters and animations Stage 4 Delivery – load all material into e-learning and contractor management platform and 'go live'. Stage 5	module - \$20,000 e) Subtitles to assist understanding by English as a second language workers - \$2,500	enforceable undertaking being entered into.
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	Validate – Conduct a feedback survey from learners to ascertain the effectiveness of the revised content. <u>Benefits</u> Improved engaging content is aimed at delivering the following benefits to workers and contractors engaged to work for the business at Dreamworld, White Water World and Skypoint:- • Tailored information relevant to the work being performed, leading to a more skilled and aware workplace; • Drive continual improvement in the safety culture within the workplace; • Assist in a faster uptake on minimum safety standards expected in the workplace; • Reduction of workplace injuries and near misses. <u>Evidence</u> Stage 1 • Copies of the existing course content • Scope of works • Purchase order for quoted works Stage 2 • Learning outcomes for each module • Script • Video storyboard Stage 3 • Copies of prototype material • Reporting from vendor on progress Stage 4 • Copies of e-learning modules and evidence that these have “gone live” • Invoices and confirmation of payment to TADApix Stage 5 • Report detailing the results of the feedback surveys and overall program outcome		
3.2.2	<u>Third Party Audits of the Safety Management System (SMS)</u> The company will engage an independent certified third-party auditor to conduct at least three audits of	\$45,000 (\$15,000 per audit)	First audit within 6 mths of EU acceptance

	the SMS against <i>AS/NZS ISO 45001:2018 (Occupational health and safety management systems - Requirements with guidance for use)</i> while also recognising the specific requirements contained in the WHS Act and Regulation regarding Major Amusement Parks and licences. These audits will be conducted in accordance with Terms 3.8-3.10 of this undertaking. Auditor will be certified by a certification body accredited by JASANZ to ISO/IEG 17024:2003, General requirements for bodies operating the certification of persons. At least two different auditors will be engaged to ensure true independence. Timeframes for scheduling the audits to meet the commitment will be as follows: a) Initial audit within 6 months from acceptance of this undertaking b) Second audit within 18 months from acceptance of this undertaking c) third audit within 30 months from acceptance of this undertaking. <u>Benefits</u> Agreeing to undergo three external third party audits of the SMS over a three-year period will assist in identifying any gaps in the SMS and provide an opportunity to implement recommendations that will improve WHS. <u>Evidence</u> The company may provide the regulator with the following evidence for this deliverable: • confirmation of audit scope and booking • confirmation of auditor's qualifications • copy of unaltered audit report • intended actions addressing audit report recommendation		Second audit within 18 mths of EU acceptance (12 mths after first audit) Third audit within 30 mths of EU acceptance (12 mths after second audit) Third audit actions implemented within 6 mths of third audit report (Refer to terms 3.8-3.10)
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3.2.3	<u>Reducing the risk of Occupational Violence and Aggression at Coast Entertainment Properties</u> Like many public facing businesses, Coast Entertainment has seen an increase in antisocial, aggressive and violent behaviour (termed Occupational Violence and Aggression – OVA) as a Psychosocial hazard arising from members of the public, directed toward its team members. The business has in place existing de-escalation processes supported by an emergency response framework and security posture. Coast Entertainment employs a mix of permanent and seasonal workforce, with many of its team members being under 25 years old. International survey¹ findings indicate young people are more likely to face violence and harassment at work, particularly young women. Coast Entertainment will engage an external vendor to support its management of OVA related psychosocial risk by: Part 1 – Evaluation External vendor to conduct a review of the business's existing framework for the management of OVA within its properties, including required site visits, policy and procedure review to form this evaluation. The vendor will make recommendations in relation to improvements that can be made to organisational systems and processes to reduce the risk of OVA to its team members, within the context of an attractions operator. Part 2 – Implement Recommendations Following the review, Coast Entertainment to implement changes recommended and supported into its escalation and emergency response framework and provide to the vendor to assist in training material development. Part 3 – Advanced De-Escalation and Resolution (Emergency Response Team) Training <i>Audience:</i> Chief Wardens, Incident Controllers, Park Supervisors, Security Guards, Park Health (Approx.. 30 attendees) Vendor to deliver a full 1 day face to face training course with workshop materials to address the following suggested topics: • Awareness • De-escalation • Protection and physical intervention • Tactical communication Note: this training to be repeated in 18 months for any new team members in the identified positions. Part 4- Awareness and Basic De-escalation (Frontline Team Members - Dreamworld) Training	Total: \$95,040 being an estimated total cost associated with the following activities: Part 1 – Evaluation \$6,000 Part 2 – Implement Recommendations completed with internal resourcing (nil cost apportioned) Part 3 – Advanced De-Escalation and Resolution (Emergency Response Team) ~\$6,500 training cost Part 4- Awareness and Basic De-escalation (Frontline Team Members - Dreamworld) ~\$37,500 training cost Part 5- Awareness and Basic De-escalation (Frontline Team Members - SkyPoint) ~\$7,500 training cost Part 6 – Phone and Digital De-escalation (Contact Centre)	Part 1 – Evaluation within 6 months of EU acceptance Part 2 – Implement Recommendations within 9 months of EU acceptance Part 3 – Advanced De-Escalation and Resolution (Emergency Response Team) within 12 months of EU acceptance Part 4- Awareness and Basic De-escalation (Frontline Team Members - Dreamworld) Within 24 months of EU acceptance Part 5- Awareness and Basic De-escalation (Frontline Team Members - SkyPoint) Within 24 months of EU acceptance Part 6 – Phone and Digital De-escalation (Contact Centre) Within 24 months of EU acceptance Part 7 – Establish internal training capability Within 24 months of EU acceptance Part 8 – Sharing with Industry Within 24 months of EU acceptance
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	<i>Audience:</i> Frontline team members across Retail, Food and Beverage, Guest Services, Attractions (ride operators), Aquatics (slide operators and lifeguards), Entertainment and Wildlife Attendants (Approx. 500 attendees) Vendor to deliver 3.5 hour face to face training course with workshop materials to address the following suggested topics: • Behaviours of concern • Verbal cues • Environment and situational awareness • Managing emotional response and instincts • Body language • Actions within organisational context including escalation process and safety reporting Part 5- Awareness and Basic De-escalation (Frontline Team Members - SkyPoint) Training <i>Audience:</i> Frontline team members across Food and Beverage, Guest Services and Climb at SkyPoint (Approx. 85 attendees) [Content as per Part 4] Part 6 – Phone and Digital De-escalation (Contact Centre) Training <i>Audience:</i> Frontline team members dealing with guests via telephone, email and social media. (Approx. 15 attendees) 3.5 hour face to face session to address phone & online chat de-escalation sub module as well as any of the ‘Awareness and Basic De-escalation’ content relevant to this cohort. Part 7 – Establish internal training capability Vendor to provide an eLearning package covering the ‘Awareness and Basic De-escalation’ content which can be delivered for future team members and a refresher for existing team members. Part 8 – Sharing with Industry Vendor to deliver a 1 hour session about the program to attendees of the Australian Amusement, Leisure and Recreation Association National Conference (AALARA) designed to provide tangible ‘take-homes’ including handouts, posters, cards, workbooks etc. Coast Entertainment commits to a presentation regarding EU acceptance, lessons learnt, outcome of included activities to date either in conjunction with announcing the Emerging Engineers program or the delivery of the Occupational Violence training at the AALARA conference subject to AALARA's agreement and programming. This presentation will be made within 24 months of the EU being accepted.	~\$2,500 training cost Part 7 – Establish internal training capability Development and licencing of eLearning package \$30,000 Part 8 – Sharing with Industry Vendor providing FOC Catering Allowance \$8pp x 630 = \$5040 NOTE – A conservate estimate of staff wages that would otherwise not be incurred to undertake the training to the value of \$88,201 has not been included in total costs however provided to demonstrate impact to business as usual	
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	<u>Benefits</u> Providing OVP training is an important part of the safe systems of work implemented by Coast Entertainment. The training will support Coast Entertainment's management of occupational violence related psychosocial risk and improve WHS and shared with the Industry more broadly. <u>Evidence</u> The company may provide the regulator with the following evidence for this deliverable: • Copies of Invoices and receipts of payment-contractor and catering • Copy of Part 1 evaluation report • Confirmation recommendations have been implemented under Part 2 • Copy of training packages (course overview and materials) • Copy of employee training registers/records, confirming training has been completed • Copy of AALARA conference presentation / agenda. ¹ Experiences of violence and harassment at work: A global first survey, Geneva: ILO, 2022 (Cited by Safe Work Australia)		
Total estimated cost of benefits for workers and others		\$242,540	

3.3 Activities to be undertaken to promote the objects of the safety Acts that will deliver benefits for industry

Activities	Minimum cost	Timeframe
3.3.1	<u>Emerging Engineers Program</u> There is a limited number of qualified engineers with specific experience in the amusement industry. In conjunction with Australian Amusement, Leisure and Recreation Association (AALARA), establish a program to foster interest in the Amusement industry for engineering students. <i>Open day</i> Coast Entertainment, in conjunction with AALARA would host an open day to create awareness in the engineering discipline opportunities that the amusement industry offers. Coast Entertainment would engage presenters from the Regulator and inspecting Engineers. Coast Entertainment would cover the cost of the presenters attending, facility and catering – capped at 150 pax.	\$44,110:- Made up as follows: \$5,250 Catering. \$2,500 Travel for dignitaries \$6,360 AALARA student membership for two years and attendance for the 3 students to AALARA annual conference in both years (placement and thesis) \$30,000 scholarship split across the 3 Commence in May the year following undertaking being accepted (to align with AALARA and uni calendars). Program will run for two years.

	Facility Day Hire to be provided free of charge. Catering @ \$35 per head \$5250. Travel for dignitaries \$2,500. The open day would create interest in 3rd and 4th year students electing to complete placements in the Amusement industry. <i>Student Placements</i> 3rd Year Undergraduate Engineering students are required to complete 30-60 days of industry placement (program requirements vary). 4th Year students are subsequently required to complete a thesis supported by further industry placement. Coast Entertainment would provide a two year placement program to a cohort of three students. Participants would have the ability to undertake their 3rd year placement through the program and then subsequently return in their 4th year to complete their thesis. Students would complete a rotation across different aspects of Engineering, exposing them to different parts of the industry. This would include Major Amusement Parks and an Inspecting Engineer (transportable amusement devices). Other opportunities may materialise as awareness of the program is made through AALARA. Students will be paid a scholarship to assist with living costs, equal to \$5,000 in year 1 and \$5,000 in year 2 for each student. <i>Mentoring for Thesis</i> The students would be assigned a Coast Entertainment mentor that is a Registered Professional Engineers of Queensland (RPEQ) to provide support as they progress through the placement and complete their studies. It is estimated this would equate to 60-120 hours consisting of weekly 1hr sessions and be primarily centred on assisting the student build on their 3rd year placement to provide coaching and guidance on their thesis. <i>AALARA Conference</i> The student on placement will be provided two years student membership of AALARA and invited to attend the annual conference and associated networking events where the student can explore opportunities and engage with industry stakeholders such as	student placements paid in two tranches. NOTE – A conservate estimate of time to establish and administer program \$10,000 which has not been included in total costs however provided to demonstrate impact to business as usual. NOTE 2 – Day hire of the Dreamworld Exhibition Centre is \$30,000 which has been made available at no cost.	
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	other amusement operators, regulators and existing inspecting engineers. Cost of \$1,060 each per year. <u>Benefits for industry:-</u> Creates a direct path for attracting new engineers to the amusement industry, which is well known to have only a small number of professional engineers who specialise in providing inspection and maintenance services for amusement devices (both fixed and transportable). The amusement industry and ultimately general public would benefit from a greater breadth of experienced engineers to draw upon. <u>Evidence:-</u> Copy of agreement with AALARA Open day program agreed between Coast and AALARA, invitations and travel details for delegates as applicable Invoice for venue payment Student placement agreements Copy of evidence provided to university for placement completion Diary summary of RPEQ mentor sessions with students Copy of thesis for each student Certificate of placement completion Copy of ticket and confirmation of payment for students attending AALARA conference (verifies costs) Final report from Coast Entertainment to establish level of success and confirmation of completion of program		
Total minimum cost of benefits for industry		\$44,110	

3.4 Activities to be undertaken to promote the objects of the safety Acts that will deliver benefits for community

Activities	Minimum cost	Timeframe
3.4.1 <u>Donation</u> A donation of \$20,000 will be made to LIVIN. LIVIN is a local Gold Coast based charity which supports reducing the stigma of mental health, promotes simple tools for peer led support and early education in schools. It has been agreed with LIVIN that donation will be used to particularly support its education activities within schools as those young persons commence entering the workforce, it is important they are provided with information and skills to identify and support positive psychological health and wellbeing. The donation will be put towards:- 50 School Based Sessions reaching approximately 5,000 students. 3 additional Trained facilitators <u>Benefits for Community:</u> Increased capacity for a local organisation to provide education regarding the importance of recognising and supporting those with mental health concerns, particularly to high school students about to embark on entering the workforce. The program seeks to achieve the following learning outcomes:- • Identify warning signs of potential mental health concerns • Strategies to look after people in your life who may need support • Strategies to look after yourself • Information-on when, where and how to access support. The program is delivered by way of storytelling to drive stigma reduction; engaging activities for the audience; and mental health toolkits are made available to continue the conversation long after the program is delivered. <u>Evidence:</u> • Invoice and confirmation of receipt of donation. • Letter detailing the benefits from the donation.	\$ 20,000	Within 12 months of this undertaking being accepted.

3.4.2	<u>Donation</u> A donation of \$40,000 will be made to Queensland Men's Shed Association (Gold Coast Zone), which includes sheds in Pimpama, Oxenford, Ashmore, Nerang, Burleigh, Elanora, Currumbin Waters, Canungra, Springbrook and Wongburra. Queensland Men's Shed Association Inc is a local organisation whose mission is to value add to the community by providing a friendly caring safe facility, that fosters mateship, which provides a caring friendly environment that directly and indirectly addresses men's health issues and depression. <u>Benefits for Community:</u> The Queensland Men's Shed Association will manage those funds as a grant to allocate across Shed's in the Gold Coast region which will support the: • upgrade of workshop equipment (for example, SawStop table saw (which detects blade contact with skin triggering the Stop Brake Technology) • Various assortment of PPE, including face shields, ear protection, gloves, etc. • First Aid courses; • WHS Training for committees <u>Evidence:</u> • Invoice and confirmation of receipt of donation. • Letter detailing the benefits from the donation.	\$40,000	Within 12 months of this undertaking being accepted.
Total estimated cost of benefits for the community		\$60,000	

3.5 Agreement to pay the OIR's recoverable costs

3.5.1 Coast Entertainment agrees to pay OIR's costs associated with this undertaking, as itemised below, and it is acknowledged that payment is due 30 days after receipt of the OIR invoice:

Recoverable costs	Amount
Administrative costs	\$3,900
Legal costs	\$1,500
Compliance monitoring costs	\$3,410
Publication costs	\$2,000
Total of OIR recoverable costs	\$10,810

3.6 Minimum spend

3.6.1 Coast Entertainment acknowledges the minimum spend for this undertaking will comprise of the:

Estimated total value of	Minimum spend
Benefits to workers/others	\$242,540
Benefits to industry	\$44,110
Benefits to community	\$60,000
OIR recoverable costs	\$10,810
Estimated total minimum spend for the undertaking	\$357,460

3.6.2 Coast Entertainment agrees to spend any residual amount arising from the total minimum spend value not being met. Agreement on how to spend this residual will be sought from the regulator.

3.7 A commitment to maintain an SMS

3.7.1 Coast Entertainment acknowledges there is a formal documented SMS acceptable to the regulator that satisfies the principles of *section 608O of the Work Health and Safety Regulation 2011*, currently in place and which conforms with the requirements of *AS/NZS ISO 45001:2018 (Occupational health and safety management systems - Requirements with guidance for use)* (ISO45001).

3.7.2 Coast Entertainment commits to ensuring that the SMS will be maintained and remains compliant with the principles of *section 608O of the Work Health and Safety Regulation 2011* and conforms to ISO45001.

3.8 A commitment to ensure the SMS is audited by third party auditors

3.8.1 Coast Entertainment acknowledges that the auditors selected to perform SMS audits must meet the qualification requirements as set by the regulator.

3.8.2 Coast Entertainment commits to ensuring the SMS will be audited by certified third party auditors.

- 3.8.3 Coast Entertainment acknowledges that details of the auditors' qualifications will be provided with audit reports submitted to OIR under 3.9.3.
- 3.8.4 Coast Entertainment acknowledges that costs associated with these audits will be met by it as part of the undertaking.
- 3.8.5 Coast Entertainment commits to ensuring the SMS will be audited against criteria that meets the principles of *section 608O of the Work Health and Safety Regulation 2011* and conforms with ISO45001.
- 3.8.6 Coast Entertainment acknowledges that the current SMS in place, as detailed in term 3.7.1 is acceptable to the regulator and commits to ensuring that an initial third-party audit will be undertaken within six months of this undertaking being accepted.
- 3.8.7 Coast Entertainment commits to ensuring at least two further third-party audits will be undertaken at 12-month intervals after the initial audit mentioned in term 3.8.6.

3.9 A commitment to provide a copy of each finalised SMS audit report to OIR

- 3.9.1 It is acknowledged that audit reports received from the auditor will be sent to OIR within 30 days of the audit along with written confirmation that the report has not been altered from the copy provided to the person by the auditor.
- 3.9.2 It is acknowledged that within 30 days of receipt of the auditor's written report, OIR will be advised of the intended actions for addressing each of the report's recommendations.
- 3.9.3 It is acknowledged that the auditors' qualifications will be provided with audit reports submitted to OIR.

3.10 A commitment to implement the recommendations from third party audits

- 3.10.1 Coast Entertainment commits to ensuring the recommendations resulting from the first SMS audit, as detailed in 3.9.2 will be fully implemented and recorded as actioned by the auditor within the second SMS audit report, unless OIR grants an exemption due to the actions being unreasonable.
- 3.10.2 Coast Entertainment commits to ensuring the recommendations resulting from the second audit, as detailed in 3.9.2 will be fully implemented, so far as is reasonably practicable, and recorded as actioned by the auditor within the third audit report unless OIR grants an exemption due to the actions being unreasonable.
- 3.10.3 Coast Entertainment commits to ensuring the recommendations from the third audit report, as detailed in 3.9.2 will be fully implemented, so far as is reasonably practicable, within six months of receiving the third audit report, unless OIR grants an exemption due to the actions being unreasonable.
- 3.10.4 Coast Entertainment commits to providing a detailed action plan or statutory declaration by an authorised officer of Coast Entertainment confirming recommendations arising from the third audit have been fully implemented, so far as is reasonably practicable, unless OIR grants an exemption due to the actions being taken.

SECTION 4: EXECUTION

This undertaking is given by the person on the date it is accepted by the regulator as set forth in section 5 below.

SIGNED for and on behalf of **Coast
Entertainment Operations Limited** by its
authorised representative



Greg Yong, Chief Executive Officer

20 February 2026

Date

SECTION 5: ACCEPTANCE

This undertaking is accepted by the regulator on the 22nd day of JUNE , 2026



Signature of regulator

MEGAN BARRY

Name of regulator

Appointed by the Governor in Council as regulator under Schedule 2, Part 1 of the *Work Health and Safety Act 2011*, Schedule 2 of the *Electrical Safety Act 2002* and section 32 of the *Safety in Recreational Water Activities Act 2011*.

Work Health and Safety Act 2011

Part 11 Enforceable Undertakings

REASONS FOR DECISION

Event Number	294447 and 299627
Entity	Coast Entertainment Operations Limited (formerly Ardent Leisure Limited)
ABN	22 104 529 106
Entity Address	Dreamworld Parkway, Coomera Queensland 4209
Location of alleged contravention	Dreamworld Parkway, Coomera Queensland 4209
Date of alleged contravention	19 November 2020 and 23 February 2021

1 History of the application

- 1.1 Coast Entertainment Operations Limited (formerly Ardent Leisure Limited (Ardent)) (Coast Entertainment) operates leisure and entertainment businesses that include Dreamworld Theme Park (Dreamworld), White Water World, SkyPoint and SkyPoint Climb.
- 1.2 On 31 October 2022, Ardent notified the Office of Industrial Relations (OIR) of their intention to give a Work Health and Safety undertaking (undertaking).
- 1.3 On 13 December 2023 Ardent changed its name to Coast Entertainment.
- 1.4 The undertaking given by Coast Entertainment relates to the following two alleged contraventions (incidents) of the *Work Health and Safety Act 2011* (WHS Act) that occurred at the Dreamworld Theme Park:
 - 1.4.1 Incident one (Event 29447) - On 19 November 2020 during preventative maintenance work being completed on the Pandamonium ride within the maintenance workshop, two partially assembled arms from the ride rolled off the trestle supports and came to rest upside down on the ground. As the arms rolled off the supports, two workers in the vicinity were at risk of being crushed by the falling arms. No injuries were sustained by any workers.
 - 1.4.2 Incident two (Event 299627) - On 23 February 2021 during maintenance work on the Tailspin amusement ride (within a restricted, no public access area), workers were attempting to disconnect one of the gondolas from the arm, when the arm began slowly rising uncontrollably to four metres. Workers were able to safely clear the area promptly before there had been any significant moment. No injuries were sustained by any workers.
- 1.5 Both incidents were investigated by Workplace Health and Safety Queensland (WHSQ). Two prosecutions were then commenced by the Work Health and Safety Prosecutor, by complaint and summons against Coast Entertainment, for failing to comply, so far as reasonably practicable, with their health and safety duties under section 19(1), contrary to section 32 (incident one) and section 33 (incident two) of the WHS Act.

Preliminary process

- 1.6 On 28 September 2020, Ardent was convicted of three charges under section 32 of the WHS Act connected with the death of four people at Dreamworld on 25 October 2016.
- 1.7 Because of the convictions referred to in paragraph 1.6 Coast Entertainment falls into the general exclusion category of *recent criminal history* in the *Guidelines for the acceptance of an enforceable undertaking* (Guidelines).
- 1.8 In accordance with the preliminary process for matters within a general exclusions category, Coast Entertainment were required to show exceptional circumstances as to why an enforceable undertaking is an appropriate enforcement response to the incidents outlined in paragraphs 1.4.1 and 1.4.2.
- 1.9 On 23 November 2023 the then WHS regulator, considered:
 - 1.9.1 The objective gravity of incident one (paragraph 1.4.1) to be low to medium and the objective gravity of incident two (paragraph 1.4.2) to be low;
 - 1.9.2 That enforcement notices issued in relation to incident one (paragraph 1.4.1) and two (paragraph 1.4.1) were complied with;
 - 1.9.3 That no worker was injured in either incident and that no member of the public was at risk in either incident;
 - 1.9.4 Since the fatal incident in 2016 Coast Entertainment have implemented numerous initiatives to drive a focus on continuously improving safety and were granted a Major Amusement Park Licence in 2023;
 - 1.9.5 Coast Entertainment's uplift in safety provides an opportunity to address, through an enforceable undertaking, safety across the whole amusement device industry.
- 1.10 On 23 November 2023 the then WHS regulator found that Coast Entertainment had satisfactorily demonstrated why an enforceable undertaking would be an appropriate enforcement option in relation to the incidents outlined in paragraph 1.4.1 and 1.4.2.

Offered undertaking

- 1.11 On 2 July 2025, an EU Evaluation Panel (panel) evaluated Coast Entertainment's initial undertaking including all supporting documentation.
- 1.12 Initially, the panel were not willing to recommend acceptance of the undertaking. The panel provided Coast Entertainment with written feedback and advised they were willing to re-evaluate a revised undertaking that appropriately addressed the feedback.
- 1.13 On 20 February 2026, Coast Entertainment submitted a revised undertaking and supporting documents.
- 1.14 On 18 May 2026, following a return evaluation, the panel unanimously recommended the revised undertaking be considered for acceptance as an EU.

2 Legislation and Policy

- 2.1. It is alleged that Coast Entertainment failed to comply with section 32 and section 33 of the WHS Act.
- 2.2. Pursuant to section 216 (1) of the WHS Act the WHS regulator may accept a written undertaking given by a person in connection with a matter relating to a contravention or alleged contravention by the person of the WHS Act.

- 2.3. The Deputy Director-General (DDG), OIR has been appointed as the WHS regulator by the Governor in Council under Schedule 2, Part 1 of the WHS Act.
- 2.4. OIR provided Coast Entertainment with the relevant publications outlining information regarding the OIR EU Program and the WHS regulator's expectations for giving an undertaking.
- 2.5. Pursuant to section 216(4) of the WHS Act, the WHS regulator must issue, and publish on the WHS regulator's website, guidelines in relation to the acceptance of WHS undertakings under the WHS Act.
- 2.6. Section 217(1) of the WHS Act provides that the WHS regulator must give the person/s seeking to give an undertaking written notice of the decision to accept or reject the undertaking and the reasons for the decision.

3 Material and evidence considered by the WHS regulator

- 3.1. In making a decision regarding this matter, the WHS regulator has considered the following documents:
 - 3.1.1. *Work Health and Safety Act 2011, [Part 11; section 3].*
 - 3.1.2. *Guidelines for the acceptance of an enforceable undertaking* - dated July 2024.
 - 3.1.3. WHS undertaking – Coast Entertainment – 20 February 2026.
 - 3.1.4. Preliminary process for matters within General exclusions – 23 November 2023.
 - 3.1.5. Complaint and Summons – Coast Entertainment – 15 September 2022 and 24 November 2022.
 - 3.1.6. Statements of Facts – Coast Entertainment.
 - 3.1.7. OIR statutory enforcement notices issued in relation to the alleged contraventions dated 23 November 2020 and 30 March 2021.
 - 3.1.8. Statement of Compliance History – Coast Entertainment 5 October 2023 to 9 June 2026.
 - 3.1.9. Workers Compensation Information – Coast Entertainment – 6 February 2025.
 - 3.1.10. Supporting documents:
 - 3.1.10.1. Term 2.6.1 – Coast Entertainment Financial capability letter – 9 April 2025.
 - 3.1.10.2. Term 3.2.1 – Third party letter of acknowledgement and consent to be named in the EU – 17 February 2025.
 - 3.1.10.3. Term 3.2.3 – Third party letter of acknowledgement and consent to be named in the EU – 6 August 2025.
 - 3.1.10.4. Term 3.3.1 – Third party letter of acknowledgement and consent to be named in the EU – 17 February 2024.
 - 3.1.10.5. Term 3.4.1 – Third party letter of acknowledgement and consent to be named in the EU – 17 February 2025.
 - 3.1.10.6. Term 3.4.2 – Third party letter of acknowledgement and consent to be named in the EU – 13 March 2025.
 - 3.1.11. Initial Evaluation Panel feedback – Coast Entertainment – 10 July 2025.

3.1.12. Return Evaluation Panel Assessment – Coast Entertainment – 23 March 2026.

3.1.13. EU Unit Chronology Statement – Coast Entertainment – 23 February 2026.

4 Findings on material questions of fact

- 4.1. I regard the Guidelines contain considerations which are relevant and appropriate to my decision.
- 4.2. I find the undertaking given by Coast Entertainment satisfies the formal requirements of the WHS Act and the policy requirements discussed above with respect to the operation of Part 11 of the WHS Act as they have been published.
- 4.3. I find the factual background to the alleged contravention is as set out in section 1 of the undertaking given by Coast Entertainment.
- 4.4. I find that the procedural history relating to the undertaking is set out in paragraph 1 above.
- 4.5. I find the objective gravity for the alleged contraventions by Coast Entertainment as:
 - 4.5.1 Incident one– Category 2 offence - Low to medium.
 - 4.5.2 Incident two– Category 3 offence – Low.
- 4.6. I find the quantum of the undertaking and the respective financial commitments of Coast Entertainment are proportionate to the objective gravity of the alleged contravention by Coast Entertainment and account for the benefits that would accrue to them through avoiding prosecution.
- 4.7. I find that Coast Entertainment have acknowledged the alleged contraventions and shown regret regarding the occurrence and the consequences of the alleged contraventions.
- 4.8. I find that Coast Entertainment who have a health and safety duty under the WHS Act, failed to comply, so far as reasonably practicable, with that duty contrary to section 32 and section 33 of the WHS Act.
- 4.9. I acknowledge the assurance given by Coast Entertainment that the behaviour that led to the alleged contraventions has ceased and the commitment to ensuring the ongoing effective management of risks to health and safety in the future.
- 4.10. I find the undertaking commits Coast Entertainment to a standard that is higher than the recognised compliance for the activity and to activities over and beyond recognised compliance levels.
- 4.11. I find the undertaking would constitute tangible benefits for workers, industry and the community as Coast Entertainment are committing to:
 - 4.11.1. Disseminating information about the undertaking through a presentation and a copy of the undertaking provided by Coast Entertainment's Safety and Environment Director to the Board, Executive, Management Risk Review Committees, Health and safety Committee and an email to all staff.
 - 4.11.2. Engaging a third-party production consultant to enhance the current contractor on-boarding and management system by improving the delivery and engagement of contractor, visitor and worker inductions.
 - 4.11.3. Engaging a third-party auditor to conduct three audits of Coast Entertainment's Occupational Health and Safety Management System (OHSMS) over the life of the undertaking, with all audit reports, intended actions and confirmation of actions implemented to be provided to OIR.

- 4.11.4. Engaging a third-party consultant specialising in occupational violence and aggression (OVA) to evaluate the existing framework for the management of OVA, implementing recommendations and then developing and delivering training to workers to support Coast Entertainment's management of OVA related psychosocial risks.
- 4.11.5. Delivering a one-hour presentation on the OVA program and a separate presentation regarding details of this undertaking, lessons learnt and outcomes from the undertaking activities, at an Australian Amusement Leisure and Recreation Association (AALARA) National Conference.
- 4.11.6. Delivering an Emerging Engineers Program (program) in conjunction with AALARA to foster interest in the amusement industry for undergraduate engineering students.
- 4.11.7. Donating to LIVIN, a local Gold Coast based charity that supports reducing the stigma of mental health, promotes simple tools for peer led support and early education in schools.
- 4.11.8. Donating to Queensland Men's Shed Association (Gold Coast zone) to upgrade workshop equipment, personal protective equipment and provide first aid courses and WHS training for committees
- 4.11.9. Agreeing to pay OIR's recoverable costs.
- 4.12. I acknowledge that panel members have recommended acceptance of the undertaking as an appropriate enforcement outcome in the circumstances of this case.

5 Decision

- 5.1 In making my decision, I have considered and had regard to the evidence and other material referred to in paragraph 3 above, and to the facts I have found referred to in paragraph 4 above.
- 5.2 Because the proposed undertaking given by Coast Entertainment meets the formal requirements of the WHS Act and policy requirements, my discretion whether to accept the undertaking under section 216(1) of the WHS Act is enlivened.
- 5.3 Based on the evidence, findings and having regard to the objects of the WHS Act, I have carefully considered this matter and am of the opinion that the undertaking given by Coast Entertainment is an appropriate enforcement option in regard to this case.
- 5.4 I have concluded that an EU is the preferred enforcement option, rather than continuing with the prosecution, due to the opportunity to provide lasting organisational change within Coast Entertainment and the implementation of monitored and targeted health and safety improvements that will deliver benefits to workers, industry and the community, which may not be achieved by prosecution.
- 5.5 Under section 216(1) of the WHS Act, it is my decision to accept this undertaking as an EU.



Megan Barry

**Deputy Director-General
Office of Industrial Relations**

22 JUNE 2026