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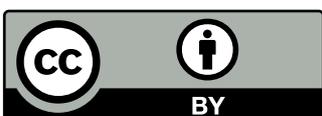
Risk Management of Public Events



Disclaimer

This Guide provides general information about the obligations of persons conducting a business or undertaking and/or persons in control of premises and workers under the *Work Health and Safety Act 2011*. The Guide gives some suggestions for complying with these obligations. However, this Guide is not intended to represent a comprehensive statement of the law as it applies to particular problems or to individuals or as a substitute for legal advice. Full details of legal obligations and responsibilities are set out in the *Work Health and Safety Act 2011* referred to in this Guide. If you refer to the legislation you should take care to ensure that you use the most up-to-date version, available from www.legislation.act.gov.au. You should seek legal advice if you need assistance on the application of the law to your situation.

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Risk Management of Public Events

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1. Introduction

Purpose

The purpose of the “Guide to Risk Management of Public Events” is to provide practical guidance to safety management at public events and minimise the risks of injury or damage to persons or property from hazards existing at public events.

Risks of injury to employees, members of the public and other persons in attendance at public events should be eliminated or, where that is not possible, reduced so far as is reasonably practicable in accordance with the duty of care principles which are discussed in Part 2 of this guide.

Scope

This Guide applies to public events and covers matters including:

- the management and assessment of equipment and devices at public events
- vehicle movements within public event areas
- methods of ensuring that all persons present at public events are, so far as is reasonably practicable, safe from injury and risks to their health.

The reader should be aware there may be other legislative requirements they may require knowledge of. These may include, but are not limited to, requirements contained in the:

- *Work Health and Safety Act 2011*
- *Work Health and Safety Regulation 2011*
- *Scaffolding and Lifts Act 1912*
- *Scaffolding and Lifts Regulation 1950*
- *Machinery Act 1949*
- *Machinery Regulation 1950*
- *Boilers and Pressure Vessels Regulation 1954*
- *Public Health Act 1997*
- *Food Act 2001* (together with regulations and guidelines produced under the Public Health Act 1997 and the Food Act 2001).
- *Emergencies Act 2004*
- *Building Act 2004*
- *Building Regulations 2004*
- Building Code of Australia

- and any applicable Australian Standards, including the Australian Standards referenced in this Guide.

Copies of the above legislation can be obtained by contacting

Legislation and Gazette Sales Government Shopfronts

Enquiries: Phone 13 2281

You can also contact:

WorkSafe ACT: Phone (02) 6207 3000 Fax (02) 6205 0336

Legislation can be accessed online at the following web site:

ACT Government, Parliamentary Council's Office: www.legislation.act.gov.au

Copies of the Building Code of Australia can be obtained by contacting the Australian Building Codes Board on 1300 134 631.

Australian Standards can be obtained from Standards Australia. Phone 6224 2380 or visit www.standards.com.au

Work Health and Safety Act 2011

The *Work Health and Safety Act 2011* emphasises the development of safe work practices and provides the means of developing, administering and enforcing occupational health and safety standards in the ACT.

Definitions

For the purpose of this guide, the following definitions apply:

Act — means the *Work Health and Safety Act*.

Amusement structure — means equipment operated for hire or reward, which provides entertainment or amusement through movement of the equipment or part of the equipment or when passengers travel on, around or along the equipment.

AS/NZS — Australian Standard/New Zealand Standard.

Building — is a structure on or attached to land and includes buildings of a temporary or novel nature used in connection with a fair, circus, carnival, celebration, market, show, concert, display, exhibition, competition, training event, recreational event or publicity event

Carnivals — means regattas, school fetes, rodeos and other similar gatherings.

Contractor — means a person engaged (other than as an employee) by any person to perform work for gain or reward.

Competent person — a person who has acquired through training, qualifications or experience, or a combination of these, the knowledge and skills enabling that person to perform the task required correctly.

Employee — means a natural person employed under a contract of service.

Employer — means a person by whom an employee is employed under a contract of service. An employer may be a natural person or a body corporate.

Food business — means a business, enterprise or activity (other than a business, enterprise or activity that is primary food production) that involves:

- the handling of food intended for sale
- the sale of food regardless of whether the business, enterprise or activity concerned is of a commercial, charitable or community nature or whether it involves the handling or sale of food on one occasion only.

Plant — includes any machinery, equipment, scaffolding, amusement structure, appliance, implement or tool and any component or fitting of any of those things.

Public street — any street, road, lane, thoroughfare, footpath, bridge, or place open to or used by the public, or to which the public have or are permitted to have access, whether on payment of a fee or otherwise.

Regulations — means the *Work Health and Safety Regulation 2011*.

Training — persons involved in public events should have sufficient training, experience and knowledge of the particular device/activity to enable such operation to be carried out in a safe manner.

Workplace — means any premises where employees or self-employed persons work. (This includes workplaces that are business, trade, office (government or private) or industry based, and also includes mobile workplaces of aircraft, vehicles, vessels and mobile plant.)

Workplace — Public Events If a public event area constitutes a workplace the provisions of the Act will apply.

2. Duty Of Care — Public Event Organisers

The law requires a person or organisation who exercises, or is in a position to exercise, management or control over a workplace to ensure that, so far as is reasonably practicable, any person at the workplace is safe from injury and risks to health. Organisers of public events need to be aware of this duty. A breach of this duty may result in prosecution.

The involvement of contractors and sub-contractors will not remove the duty, but will make compliance more difficult. You should note:

- imposing contract responsibilities on a contractor will not remove your duty of care
- more than one party at a time may have a responsibility for health and safety
- it is not an excuse to say that other parties have compromised your ability to adequately address health and safety
- it is not enough simply to rely on someone else to cater for health and safety.

The law, including the Act, requires an organisation with management or control over a workplace to ensure, so far as is reasonably practicable, that its employees and contractors, and any employees of a contractor, carry out their work in safe premises, use proper and safe plant and substances, employ systems of work that are safe, and provide adequate instruction, training and supervision. This obligation applies to each and every aspect of work to be carried out by an employee or contractor.

Outsourcing work to contractors will not remove the duty to ensure, so far as is reasonably practicable, that those who actually perform the work are protected from risks to their health and safety.

An organisation or person with management or control over a workplace also has a legal obligation to ensure, so far as is reasonably practicable, that no person is exposed to risk from the way in which their business is operated. This obligation extends even to people with whom there is no direct or formal relationship.

e.g. members of the public. An organisation or person engaging a contractor to provide services will have a duty to ensure, so far as is reasonably practicable, no one suffers a risk to their health and safety as a result of the provision of services by the contractor. You must accordingly monitor and regulate the conduct of the contractor.

An organisation or person having management or control of a public event has a duty to ensure suitable means of access to and from the public event are provided. This duty is owed to anyone entering the public event. An

organisation or person may be considered to have management or control of a public event even though a contractor has the practical day-to-day control of it.

Employees and officers of an organisation may be liable to prosecution for a failure to manage health and safety at a public event where their actions or omissions result in risk or injury to others.

It is important that an organisation or person with management or control of a public event be able to show the exercise of reasonable care in attempting to meet health and safety obligations when engaging contractors. This may be achieved by taking steps that are reasonable in the circumstances to ensure a competent contractor with relevant experience is engaged, and that the contractor and employees of the contractor carry out the work in a safe manner, in safe premises, using proper and safe plant and substances, employing systems of work that are safe, and in circumstances where employees of the contractor have received adequate instruction, training and supervision.

An organisation or person with management or control of a workplace (remembering this may include a public event) must not allow a contractor engaged by the organisation or person, or any person employed or engaged by that contractor, to carry on work for the organisation or person at the workplace in a manner which the organisation or person reasonably believes would place at risk the health or safety of any person.

Guidelines for Minor Contracts

Contractors providing services in this classification must demonstrate specific understanding of the health and safety requirements of the work to be performed. Furthermore, the minor contract health and safety requirements will require that contractors plan their work, identify the hazards and have in place suitable control measures as part of a risk assessment procedure. The occupational health and safety requirements for contractors focus on the following:

- the contractor has a good understanding of the hazards and risks associated with their activities
- the contractor has established systems and procedures for managing the occupational health and safety risks, although these may not need to be formalised
- the contractor is licensed for the relevant activities and employees have appropriate competencies and licences required for the contract works
- plant and equipment is appropriately licensed or registered and maintained and/or inspected on a regular basis
- the contractor will undertake a contract specific risk assessment to ensure risks are identified and controlled for the contract services.

The minor contract requirements however should not diminish the legal obligations of the contractor and the organisation or person having management or control over the workplace to ensure the contract works are conducted in a safe manner.

It is recognised some minor contracts are undertaken without involving a formal tender process. In these circumstances, a risk assessment conducted by the contractor will be an important requirement to ensure health and safety risks are addressed prior to the contract commencing.

Safety of Facilities

A person having control over a location where a permanent or temporary facility is erected or installed must ensure the facility is erected or installed, and is maintained, so as to minimise the risk to the health or safety of any person.

“Facility” includes the following:

- an amusement structure
- a public stand
- staging
- a portable shelter
- a pole
- a structure for containing or controlling a crowd
- a fence
- a system or service associated with:
 - electrical supply
 - water supply
 - sewerage or storm/water disposal.

3. Hazard Management

The Play it SAFE steps provide an easy reminder of the four steps of hazard management. Use the steps to help you assess if a public event area is safe:

The SAFE Risk Management Model

S	Spot the hazard
A	Assess the risk
F	Fix the problem
E	Evaluate the results

Spot the Hazard

A hazard is anything that may cause harm to anyone at a public event. Hazards can be determined in a number of different ways. These may range from a walk-through survey to, in the case of a high-risk industry, a thorough structured safety audit. You should enlist the help of others. They may know the hazards that exist at a public event.

(a) **Walk-Through Survey** — of the public event area using a hazard checklist.

(b) **Work Process Evaluation** — it is essential to establish a policy for the order in which to analyse:

First: select the area in which most accidents have occurred, and remember, consider all accidents — injury, property damage and near misses.

Second: consider the areas that have a potential for severe accidents.

Third: study newly-established areas carefully or review any change in existing methods or process changes.

(c) **Consultation** — remember employees are usually the best source of what can go wrong and why, based on their experience. Consultation can take the form of:

- formal discussions during safety committee meetings
- informal discussions occurring during on-the-job contact or during work breaks.

In either case, the feedback element is important from a motivational viewpoint. The risk identifier must be kept fully informed of any actions taken.

(d) **Manufacturer's Instructions** — these are an important source of information about hazards associated with plant.

(e) **Specialist Practitioners and Representatives** — of industry associations, unions and government bodies. They may be of assistance in gathering health and safety information relevant to hazards associated with plant.

Assess the Risk

A risk is the likelihood of a hazard actually causing harm to anyone at a public event.

You should ask yourself:

- am I capable of assessing the risks for this public event?
- is someone else capable of assessing the risks and have they done so?
- have I taken reasonable steps to find out what the risks are and what to do about them?

Fix the Problem

Exposure to hazards that may present risks to the health or safety of persons at public events must be controlled. This may be accomplished by a number of methods consisting of six consecutive stages, which are described below in decreasing order of priority and effectiveness.

Control measures may be divided into short-term/immediate control measures and long-term control measures. The long-term aim should always be to eliminate the hazard at the source, but whilst attempting to achieve this aim, other short-term actions should be used.

In some cases, the control of a hazard may involve the combination of two or more of the following control measures:

(a) Elimination

This stage involves removing the hazard from the public event.

(b) Substitution

Involves replacing a hazard with something that, although still a hazard, significantly reduces the level of risk. e.g. using an elevated work platform to assist erection of equipment instead of ladders.

(c) Isolation

Involves separating people from a hazard by relocating the hazard to a remote location, or by segregating the hazard to prevent personal exposure. e.g. erecting barriers to prevent access to rotating machinery.

(d) Engineering Controls

Minimise the creation of the hazard at its source or by controlling the hazard's potential risks by limiting its effect. e.g. install proximity sensors to shut down equipment in the event of people getting too close to a danger zone.

(e) Administrative Controls

Address the health and safety of people at public events by:

- implementing documented safe work procedures
- limiting and/or adjusting the time or conditions of risk exposure.

(f) Personal Protective Equipment Including Clothing

Involves wearing appropriately designed and properly fitted equipment to isolate people from hazards present in their surroundings where other control measures are not practical.

It is to be stressed that the use of Personal Protective Equipment (PPE) is a 'last ditch effort' to provide protection from a hazard and is never to be considered as the primary form of protection. See also Part 14 for further detail.

Hierarchy of controls

1	Eliminate the hazard — remove it completely from your workplace.	If this isn't practical, then...
2	Substitute the hazard — with a safer alternative.	If this isn't practical, then...
3	Isolate the hazard — as much as possible away from workers.	If this isn't practical, then...
4	Use engineering controls — adapt tools or equipment to reduce the risk.	If this isn't practical, then...
5	Use administrative controls — change work practices and organisation.	If this isn't practical, then...
6	Use personal protective equipment (PPE) — this should be the last option after you have considered all the other options for your workplace.	

Evaluate Results

In consultation with employees, review the control measures to be applied in order to determine:

- the potential effectiveness of the control measure: that is, will the risk be reduced if the control measure is applied?
- whether the application of a chosen control measure introduces new hazards
- if the control measure will not introduce any new hazard, will it be effective.

If new hazards, or different systems of work are introduced, a separate risk assessment must be carried out on both the work process and the control measure.

Control measures are to be reviewed at least annually.

Conclusion

All risk management procedures must be repeated at intervals and whenever there is reason to suppose the results are no longer valid. e.g. when there is a change in the workplace, including in any work or work practice or in any plant.

Assessment records should be kept for a period of five years after the last revision.

All risk must be minimised by adoption of the highest ranked control measures practicable.

4. Electrical Safety

Installations Connected by Mains or Generator Supply

All electrical wiring and equipment must be installed to comply with *AS/NZS 3002 Electrical installations — Shows and carnivals*.

The electrical contractor responsible for the temporary wiring at the event **must** comply with the Wiring Rules and AS/NZS 3002. The electrical contractor is required to lodge a Certificate of Verification sourced from the Standard 3002 to declare the electrical compliance of the event prior to its commencement date.

The 230/400volt (previously 240/415volt) electrical supply to amusement devices and rides must be provided via one of the following:

1. An approved generator complying with AS/NZS 2790 Electricity generating sets — Transportable (Up to 25 kW).
2. A supply from the permanent electrical installation via an isolation transformer complying with AS/NZS 3108 Approval and test specification — Particular requirements for isolating transformers and safety isolating transformers.
3. A supply from the permanent electrical installation via a residual current device (RCD) with a maximum residual current of 30mA. RCDs are often referred to as “earth leakage protection devices” or “safety switches”.

All permanent electrical switchboards **must** incorporate RCD protection on all socket outlet circuits (as a method of complying with point 3 above).

All extension leads, plug-in electrical equipment, RCDs and power outlet devices should be tested regularly in accordance with *AS/NZS 3760 In-service safety inspection and testing of electrical equipment* by a competent person. RCDs should also be tested daily or each day they are used, by means of the in-built test button.

All electrical wiring and equipment installed in areas exposed to the weather or other adverse conditions must be suitably protected in accordance with *AS 60529 Degrees of protection provided by enclosures (IP Code)*.

Underground wiring within public event sites should, where possible, be installed where pegs or anchor stakes are not likely to be driven.

Electrical cables that are buried (regardless of how temporary) in areas where pegs or stakes are likely to be driven, must either be at a depth of 1.5 metres or alternatively, 0.5 metres deep and mechanically protected in accordance with AS/NZS 3002.

Cables installed on the ground, in areas frequented by the public, must be suitably mechanically protected and installed in such a way that the cable will not be damaged.

Consideration must be given to whether foot traffic or vehicles will pass over the cable. In some cases, heavy-duty rubber matting over cables laid on the ground will be sufficient; other cases may require cables to be protected by suitable steel piping, rigid planking or purpose-made ducts. In many situations, the mechanical protection will need to be secured in position to avoid any damage to cables.

It is recommended that permanent electrical cables be installed underground to the required depth wherever possible. If it is not practical and cables are installed overhead, then the following requirements must apply (additional to AS/NZS 3002).

If cables are elevated above the ground for vehicular access or where concessions may be erected, then the minimum height must be six metres and installed in accordance with AS/NZS 3002. Overhead wiring must be either insulated aerial conductors or double insulated cables supported by catenary wires. It is recommended that cables be installed to avoid crossing roadways, however, if this is not possible, then separate catenary wires with flagging must be installed on all approach sides of the electrical cable.

Where bare overhead conductors exist, steps should be taken to either insulate the conductors or redirect the cables underground. If this cannot be achieved, a three metres horizontal clearance must be maintained between the conductors and any structure, concession, amusement ride, vehicle or person. No structure, concession, amusement ride, vehicle or person is to extend over bare overhead conductors. The installation of additional bare overhead conductors is not permitted.

NOTE: Allowances should be made for conductor sway (windy weather), in addition to the distances mentioned.

Directly-connected electrical wiring or equipment (not connected by plug and cord) must be installed by appropriately licensed persons in accordance with AS/NZS 3002 and AS/NZS 3000 (the Australian/New Zealand Wiring Rules). Only licensed electricians are permitted to have access to “live” parts within the electrical installation.

Repairs to, or the connection to fixed wiring of, three-phase equipment must be performed by an appropriately licensed person.

A competent person can undertake repairs to equipment fitted with a plug and cord.

The use of the following is not permitted:

- any electrical equipment that is in an unsafe condition
- melted or damaged plug tops
- damaged leads
- multiple leads terminating in a single plug arrangement
- piggyback plugs and double adapters
- any electrical equipment where by virtue of the conditions or location it is unsafe to do so.

5. Gas Safety

Self-Check List for Caterers, Food Outlets and Others

Event organisers and caterers have obligations under the *Work Health and Safety Act 2011* to ensure the safe use of gas cylinders and gas appliances. This gas safety check list is provided as a minimum recommendation to event organisers in requiring caterers, food outlets and other gas users to complete basic gas safety checks prior to commencement of a public event.

The organiser may remove from the site any person using or intending to use gas who fails to complete the checklist, makes a false declaration or knowingly uses an unsafe gas installation.

Completing the check list

All checklist questions should be answered as accurately as possible. The key considerations of this gas safety checklist are—

- public safety
- the safety of operators and their staff.

Start at the cylinders and proceed towards the gas appliances.

Answer each question if applicable. (The shaded box indicates a safe installation.)

If an answer identifies an unsafe installation, the remedy may be quite simple. For example, a cylinder obstructing an exit should be moved. If your gas installation is still unsafe, seek advice from the gasfitter nominated by the event organiser as soon as possible.

When the check list is completed

Please keep the checklist for the duration of the event. You may be requested to produce it as part of a site safety audit. Make sure any repair work or safety work is carried out before the event commences. Thank you for your co-operation.

Guide to gas installations

Fixed/permanent gas appliances and pipework must only be installed by a licensed person. Such persons should produce their licence on request.

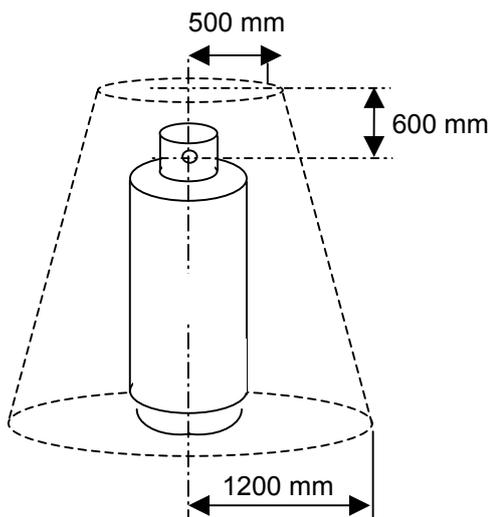
If a gas leak is suspected:

- turn off appliances
- turn off cylinders
- seek assistance.
- do not use any ignition sources

Event Details	
Event	
Location	
Event Organizer	
Phone	
On site organiser	
Phone	
Company or concession Name	
Person completing checklist	
Phone	
Type of Structure (caravan/marquee)	
On site Electrician	
Phone	
On site Gasfitter	
Phone	

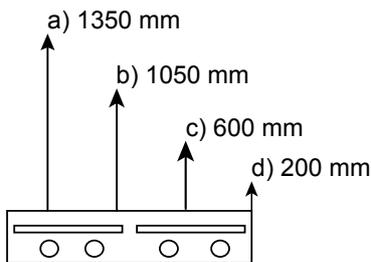
Gas cylinders Checklist	Yes	No	Unsure
Are gas cylinders damaged, rusty or over 10 years old?			
For older cylinders is the last test date within 10 years			
Are in-use cylinders outside the caravan or structure?			
Are spare cylinders, full or empty, stored externally?			
Are cylinders blocking an exit?			
Are cylinders on a level, non-combustible surface?			
Are all cylinders upright and secure?			
Are cylinders in a well-ventilated location?			
Is cylinder safety outlet facing away from the structure?			
Is the area shown below clear of ignition sources?			

Ignition Source Clearances



Gas appliances Checklist	Yes	No	Unsure
Are appliances away from the public?			
Have appliances been checked recently by competent person?			
Have safety devices been tampered with?			
Do thermostats work?			
Do ignition devices work?			
Are supply pipes or hoses in good condition?			
Have joints been tested for gas leakage with soapy water?			
Are combustible materials clear of appliances?			
Is cylinder safety outlet facing away from the structure?			
Is a combustible surface above or to the side of the appliance?			

Gas Appliance Clearances



- a) Chinese cooking tables, griddles, BBQ's, chargrills.
- b) Hotplates and ranges.
- c) Deep fryers and solid grill plates.
- d) Any combustible surface. (600 mm minimum for canvas structures).

Safety procedures Checklist	Yes	No	Unsure
Do staff know what to do in an emergency?			
Is there a suitable fire extinguisher and fire blanket handy?			
Have you addressed electrical issues?			
Has someone been trained to exchange gas cylinders?			

6. Animals

General

The *Work Health and Safety Act 2011*, Section 19 requires a person or organisation with control or management of a workplace to ensure so far as is reasonably practicable, that the work being conducted does not affect the health and safety of any person. Therefore it is expected that event organisers, Contractors, Sub-Contractors and all persons in control of animals at events within the ACT ensure that the health and safety of staff, participants and spectators is considered when conducting risk assessments prior to the commencement of events.

A site specific risk assessment should include but is not limited to:

- Traffic management
- Weather conditions
- Safety of animal enclosures and restraints do not pose a risk to the health and safety of persons at the event
- Maintenance check of animal restraints and equipment (i.e. bridles, saddles, stirrups and ropes)
- Adequate information training and instruction for animal handlers and participants
- Discussions with event organisers as to site specific hazards (i.e. the scheduled time for a fireworks display and if this may affect unattended or unrestrained animals)
- Consultation with relevant persons in relation to potential hazards such as participants, event organisers and animal handlers

Electrical Safety within Animal Sheds and Containment Areas

Electrical wiring and equipment installed in areas accessible by animals must be mechanically protected from damage that is likely to occur. The type of protection applied must take into account the different species of animal likely to frequent the area. e.g. goats and rodents may chew wiring whereas horses may kick wiring or contact lights with their heads. Protection of cables may be similar to a metallic cable guard or steel conduit. It is often better to relocate electrical wiring and equipment away from these areas if practicable.

It is recommended residual current devices be fitted to socket outlets in these areas.

Fire Safety within Animal Sheds

- for general fire safety within animal sheds, refer to Emergencies page 22
- be mindful of the reaction of animals in the event of a fire
- appropriate “no smoking” signs are to be displayed inside and outside of temporary structures or buildings and provide receptacles for discarded cigarettes.

Safety in Cattle Handling

Consider the Handler

- plan ahead — consider safe work practices - get assistance if necessary
- be suitably attired — wear protective footwear and a hat for protection from the sun
- make use of facilities and aids — headbails, branding cradles, whips, drafting canes, dogs, etc.
- know the limitations of yourself and other people — work within those limitations
- respect cattle — they have the strength and speed to cause injury
- concentrate, be alert and try to anticipate an animal’s reaction to a given situation.

Consider the Facilities and Conditions

- yards and sheds are to be strong enough and of a size to match the cattle being handled
- good yard design assists the smooth flow of stock — avoid sharp, blind corners and ensure gates are well positioned
- keep facilities in good repair — free from protruding rails, bolts, wire etc. and free from rubbish
- where cattle need restraining, use crushes, headbails, cradles etc.
- foot holes and well placed gaps in yard fences are important for a hasty retreat
- try to maintain yards in a non-slippery state
- cattle are more unpredictable during cold windy weather.

Consider the Operation

- avoid working in overstocked yards as you could be crushed or trampled
- when moving cattle through a gate, work from one side to avoid being knocked down by an animal trying to go through

- approach cattle quietly and make sure they are aware of your presence
- when closing a gate behind cattle in a crush or small yard, stand to one side or with one foot on the gate in case the mob forces the gate back suddenly
- to avoid injury from being kicked, attempt to work either outside the animal's kicking range or directly against the animal where the effect of being kicked will be minimised
- be careful when working on the head of an animal that it is restrained in a headbail because they can still move forward or backward suddenly
- when leading cattle on a halter, never wrap the lead rope around your arm or hand - if the animal gets out of control you could be dragged
- bulls are to be fitted with a nose ring - when being led, their head is to be held up by the nose lead.
- Be sure to:
 - concentrate and be alert
 - keep facilities in good repair
 - wear appropriate clothing
 - take care when working near animals.

Safety of Cattle Handling within Grounds

Provide safe access for the animals to and from the parade ground.

7. Side Shows

Amusement Structures

Persons with a “duty of care” under the Act should ensure that in relation to any amusement structure, the structure is erected, operated, inspected and maintained in accordance with:

- AS 3533 Amusement rides and devices — Part two — Operation and Maintenance
- any instructions from the designer or manufacturer or a competent person
- log books are made available on the request of an inspector or registered plant inspector.

Amusement rides and devices are designed to provide an ‘exhilarating experience’ or ‘thrill’ to members of the public. As such, this form of entertainment has, at times, a high profile.

In the event of an incident, public attention becomes focused not only on the particular occurrence but also on that industry as a whole.

Consequently, a person with a “duty of care” under the Act (which includes a self-employed person) operating an amusement structure has a duty of care responsibility to ensure it is operated, inspected and maintained in accordance with the manufacturer’s instructions and the requirements of the relevant Australian Standard.

Many amusement structures are transient; that is, they are not set up in a permanent location. Consequently, it is necessary for a person with a “duty of care” under the Act to keep accurate records of all inspections conducted and maintenance work performed on the structure, as well as completing all “Record of Device Set-Up” requirements contained in AS 3533.2 Supp 1 Amusement rides and devices — Operation and maintenance — Logbook. Failure to provide satisfactory evidence of the safe maintenance of equipment will result in the amusement ride not being allowed to operate.

Amusement structures include amusement rides and devices. For further requirements regarding these, refer to AS 3533 Amusement rides and devices.

Access past Stalls/Joints and Amusement Devices

The operator is to ensure that:

- adequate access between stalls/joints is provided, or that stalls/joints are located close enough together to prevent access between stalls/joints
- adequate head height for awnings that are erected above access ways is provided.

Fastening Down Stalls/Joints and Amusement Devices

The operator is to ensure that:

- consideration is given to underground services (consult with Safety Officer or person in charge of event)
- all anchor points are intact and not damaged
- anchor ropes are not worn or chafed
- anchor stakes or ballasts are of adequate size and strength to hold down the stall
- weather conditions are monitored and the anchorage system checked periodically
- stalls are not anchored down to switch boards, fire hydrants or other essential services
- the tops of anchor stakes, that are in public access areas, are covered or highlighted.

8. Fireworks Displays

Someone who wants to put on a fireworks display in the ACT must obtain a special permit from WorkSafe ACT. This includes fireworks displays conducted inside buildings.

Examples of the kinds of displays requiring a permit are:

- outdoor displays of fireworks in association with public events such as the Royal Canberra Show, or outdoor entertainment (such as a game of football at the Canberra Outdoor Stadium)
 - theatrical fireworks used in a children's pantomime indoors at a theatre or
 - an outdoor display of Chinese crackers, to celebrate Chinese New Year.

The Conduct of a Fireworks Display - Generally

The fireworks display permit holder must ensure:

- the display is conducted under the direct supervision of the permit holder
- adequate resources for fire prevention and suitable means for fire fighting, is available at the display site and
- easily ignitable material at the display site is removed, reduced or treated to reduce the risk of fire.

Any person (including from the audience) must not bring a source of ignition (other than the ignition to be used to light the display) within 10 metres of fireworks. This includes things like lit cigarettes.

It is an offence to do so. The maximum penalty is \$3000.

Who can use a Firework in a Fireworks Display?

A person is authorised to use a firework for a fireworks display, if the person:

- holds a display operator licence authorising the use of the firework for fireworks displays
- holds a fireworks display permit authorising the use of that type of firework at a display or
- is engaged (as either an employee or contractor) to use the firework for the display under the supervision of a person who holds a firework display permit.

Refer to "Fireworks Displays in the ACT – Guide for Users" for further information.

9. Communications

Communications between Staff during Public Events

The following recommendations are made for event organisers in regard to their selection of communication equipment for their event.

These recommendations are made in the context of safety management and should be read accordingly.

General Recommendations

Irrespective of the size of the event, a workable and tested communications system is to be developed that will be workable in any emergency.

The system is to be self-sufficient and if an emergency occurs it is not to be:

- overloaded
- too complex
- reliant on a vulnerable power source.

The normal communications system is to be at least part of the emergency communications system, as it is generally found that dedicated emergency networks fail due to human error when needed.

The communications system is to include the on-ground emergency services, for example, ambulance or police.

There should be one central control person who will be the central contact in an emergency.

Clearly explained communication procedures need to be circulated detailing:

- contacts
- the need for keeping the system available and open (irrespective of type of communication)
- the system diagram.

10. Emergencies

The person or organisation organising the public event is to nominate a person as the responsible person in the event of an emergency. Appropriate training and planning will be required.

What is an Emergency Management Plan (EMP)?

Management of a public event is to include the provision of an emergency management plan.

An EMP is a written set of instructions to help employees deal with incidents or situations that could pose a threat to life, health or property.

There are different types of emergency situations, including (but not limited to):

- fire or explosion
- dangerous chemical release
- medical emergency
- bomb threats
- violence or robbery.

An EMP should be simple, flexible, written, tested and reviewed. It is to be readily obtainable by all employees or on display in the public event area; for example, on a notice board. Employees are to be trained in the procedures and regular practice runs are to be held.

The EMP should be based on a practical assessment of hazards associated with the public event and the possible consequences of an incident occurring as a result of those hazards. External hazards may also affect the safety of a public event - for example, a chemical storage across the road.

These are to be considered when preparing the EMP. The EMP is to be appropriate to the size and complexity of the public event site and the number of people involved.

Ambulance/Police/Fire/State Emergency Services

Instructions should be given to each concession holder regarding the on-ground emergency facilities and contact phone numbers.

Building Fire Safety

All temporary structures and buildings where access to the public is available must consider the health and safety of all third parties irrespective of the age of the building.

Fire Fighting Equipment at Public Events

Owners of temporary structures or buildings involved in the conduct of public events must comply with the fire safety requirements included in the following:

- Building Act 2004
- Building Regulations 2004
- Building Code of Australia

Further guidance that can assist in meeting “Duty of Care” obligations under the Act is included in the following:

- AS 3745—2002 Emergency control organisation and procedures for buildings, structures and workplaces
- AS 1851—2006 Maintenance of Fire Protection Systems and Equipment.

Use of Fire Suppression Equipment

Fire suppression equipment wrongly used or used in the wrong application may have a greater potential for injury than not attempting fire suppression at all.

All current advice is to evacuate the building as the priority and then undertake fire suppression if it is safe to do so. This requires that any person undertaking fire suppression must have adequate training.

While no legislation exists to prescribe the level of training, managers should investigate options as part of their “duty of care” obligations.

Electrical

Appropriately authorised persons should be aware of, and have access to, the site switchboard locations and other electrical isolation points.

In the case of electric shock:

- medical attention should be sought in all cases of electric shock no matter how minor they may seem at the time
- steps should be taken to isolate any electrical supplies to the area
- all electric shocks should be reported immediately to WorkSafe ACT.

Dangerous wiring or leads are to be taken out of service or disconnected immediately and suitably tagged with an “out of service” tag.

Evacuation Plans

The need for a temporary structure or building to have an Evacuation Plan is to be determined by assessing the hazards and risks. Not all temporary structures or buildings require an Evacuation Plan, this will depend on:

- possible number of occupants (if more than 200, a Evacuation Plan would usually be required)
- type of use
- special considerations.

For further information refer to WorkSafe ACT or contact the ACT Fire Brigade.

Purpose of an Evacuation Plan

The purpose of an Evacuation Plan is to ensure a smooth and efficient evacuation of a temporary structure or building in the event of a fire or an emergency requiring the removal of all persons from an area.

While there will be certain key elements included in the plan, there is no prescribed format for the overall final document.

The plan is to:

- cover all aspects of the evacuation of a particular temporary structure or building
- address the type of use of the temporary structure or building
- have an identifiable and workable Emergency Control Organisation
- be practical and, most importantly, workable
- have provision for the selection of competent persons as wardens within the plan
- include a requirement for personnel identified as wardens to have suitable training.

The evacuation plan is not a fire suppression plan and should be identified accordingly.

Key Elements of an Evacuation Plan

(a) Temporary structure or building description:

Includes type of temporary structure or building, structural qualities, use and inherent fire risk.

(b) Fire Suppression Equipment Installed:

Includes fire suppression equipment available in the temporary structure or building such as:

- extinguishers
- hose reels
- fire blankets
- fire hydrants.

(c) Emergency Control Organisation:

Lists the personnel that will be involved in the evacuation of the temporary structure or building and their duties. Persons appointed to such positions should:

- be capable of performing the duties as prescribed (refer to AS 3745 Emergency control organization and procedures for buildings, structures and workplaces)
- be available at all times to undertake the duties
- in the case of the Chief Warden, have the experience to determine the need for a total evacuation of the complex (that is, the entire showground or carnival area).

(d) Warning Method: Includes the type of alarm to be used to warn the public and staff of an evacuation. The system is to be supported by a back-up.

(e) Identification of Wardens: This will normally be by appropriately-coloured helmets or armbands.

(f) Exit Routes: All exit routes are to be identified and information regarding maintenance of exit routes included.

(g) Assembly Points: The accountable person is to identify a large open space away from any danger area where the public and staff can be moved to.

(h) Emergency Vehicle Access: Consideration needs to be given to providing for emergency vehicles entering a public event area.

(i) Plan Drawings/Information Signs:

Emergency Action Guides suitable for display to the public advising them of action to be taken in an emergency to be placed at suitable locations.

(j) Other details:

Where relevant, the plan is to have provision for:

- mobility-impaired persons
- animal movement
- other emergencies.

Exercise of Evacuation Plan

Evacuation plans must be reviewed annually and tested by an appropriate exercise. Such an exercise is to involve all levels of planning and have input from the emergency services likely to be involved.

Assistance with Evacuation Plans For further information on Evacuation Plans contact the ACT Fire Brigade.

ACT Fire Brigade will check Evacuation Plans and ensure that Emergency Service response planning for large events includes relevant details to coordinate responses to an emergency.

11. Temporary Structures

Refer to the Building Act 2000, the Building Regulations 2004 and the Building Code of Australia 2004.

ACT Planning and Land Authority will advise on building and construction requirements, whether Certificates of Occupancy are required etc. Building Inspectors will consider the safety of temporary structures and buildings.

There should be an Evacuation Plan and other Emergency Planning for the venue. This would be the responsibility of the promoter/organiser of the public event.

12. Permanent Buildings

Consideration must be given to whether there are any further legislative requirements if the existing permanent building is to be used as part of a public event.

13. Staff Training

Where staff are required to undertake specific activities, adequate training is to be provided.

To fulfil this obligation, a suitable training program should be put in place.

Information and training can be provided using:

- procedure manuals
- equipment operating/maintenance manuals
- Material Safety Data Sheets for chemicals
- written work instructions
- safety notice-board.

Managers or supervisors can provide on-the-job training in such things as:

- specific hazards and risks associated with the job
- safe work procedures
- emergency procedures
- use and maintenance of personal protective clothing and equipment.

Get an expert to provide on-site training in such things as:

- safe use of new or specialised equipment
- manual handling.

Workers may be sent on external courses for such things as:

- first aid
- health and safety representative training
- certification for plant users and operators.

Persons using or operating certain types of plant and equipment require certificates of competency under the ACT Occupational Health and Safety (Certification of Plant Users and Operators) Regulation. Training is obtained from a training provider or on-the-job under the direct supervision of an already certified operator.

Contact WorkSafe ACT for further information.

14. Volunteers

The *Work Health and Safety Act 2011* protects the health, safety and wellbeing of workers in the ACT. The Act sets out a general framework for safety and is supported by more detailed Regulations, Codes of Practice and guidance material. In addition to the Act, there are other legal obligations that protect volunteers, including the general law and laws relating to workers' compensation.

Why Protect Volunteers?

It is essential that the safety, health and wellbeing of all workers is secure. Every person should be confident that they can go to work and come home safely, whether or not they are paid for their work. Volunteers make a valuable contribution to our community which must be protected, without discouraging people from volunteering or from using volunteers. Most people know that protecting workers, including volunteers, from harm is the right thing to do.

Protecting volunteers demonstrates that their commitment is valued. Organisations that do not do so may risk legal action as well as damage to the organisation's reputation.

Volunteers and the General Law

Australian courts have long recognised that volunteers are often owed a general duty of care by the people and organisations they support. This is the duty to do what a reasonable person in those circumstances would do where it is reasonably foreseeable that the volunteer could be injured. Each organisation should still take care to comply with this duty of care. This duty of care is the same for all businesses, including not-for-profit organisations.

A wide range of possible risks and injuries should be considered, including psychological injuries. What level of care is required will depend on individual circumstances, including the work carried out, the volunteer and the relationship between the duty holder and volunteer.

15. Vehicle Movement

Consideration is to be given by event organisers to the movement of vehicles within areas accessible by the public.

This may include:

- outside the venue (including carparks)

- general movement of vehicles within the event venue
- vehicles involved in a display or providing entertainment
- service vehicles
- emergency vehicles.

Electrical Cables/Telephone Cables

Access to certain areas may have to be restricted due to low electrical lines/telephone cables or where electrical cables cross roadways. See clearances from bare overhead conductors in “Electrical Safety” page 10 of this document.

Public Street/Private Land

An important consideration that is to be addressed by organisers or managers of public events is the difference between a public street and private land.

Any area designated a public street (as defined on page 2) is controlled by the authority of the Public Roads Act 1902, and is therefore subject to regulations enforceable by the Australian Federal Police.

This fact could have a significant impact on public event organisers or managers in a number of ways. These include, but are not limited to:

- speed restrictions within the venue
- licensing of vehicle drivers (including plant/tractors)
- driving under the influence of alcohol
- roadworthiness of vehicles
- registration of vehicles • other vehicle related legislation.

Other Police Powers

While in some circumstances police officers may not have authority under the Public Roads Act 1902, they may have power by virtue of other legislation, particularly in regard to danger to other persons and unruly behaviour.

Territory Laws

Events conducted on Territory land are subject to territory laws, which will take precedence over requirements imposed by the public event organiser.

Events conducted on Commonwealth controlled areas in the Territory will need to contact the National Capital Authority to determine additional requirements.

Other Vehicle Movement Considerations

This clause is in the form of guidelines only, listing a number of items that should be considered by public event organisers.

Load Stability

Any vehicle moving within the venue must have their load secured (for example, vehicles moving bales of hay/straw).

Separation of Vehicles from Public Access Area

The overall intention of public event organisers is to minimise the time that vehicles, especially large vehicles, are in close proximity to the public.

This can be achieved by restricting times of vehicular movement. This includes, but is not limited to:

- when vehicles may enter venue to restock stalls
- the times when venue rubbish removal takes place
- siting rubbish removal points in order to restrict the need for vehicles to enter busy areas
- the movement of vehicles involved in setting up displays so that such vehicle movement is at a time when patron numbers are low
- the location of loading facilities (cattle loading ramps) in such a way as to keep heavy stock transports out of the venue proper
- the contractual arrangements with exhibitors, restricting the movement of vehicles, for example, horse floats, food vans.

Emergency Vehicles

There should be consideration in the Evacuation Plan for fire vehicles. In addition, planning should include provision for the movement of ambulances and police cars.

Oversize Vehicles

While already dealt with in other vehicle movement, it is also necessary to consider the movement of large vehicles (stock transports, etc) with regard to:

- proximity of patrons (children, elderly)

- electrical cables/telephone lines
- capacity of road surface to carry heavy loads
- underground services
- turning requirements of heavy vehicles.

16. Personal Protective Equipment

Appropriate Personal Protective Equipment (PPE) where necessary

PPE and clothing suitable to the work being performed must be provided and worn, or used as required, to control exposure to an identified hazard.

Employees must wear and maintain the equipment or clothing and must not deliberately damage or misuse it.

PPE and clothing must be maintained in a safe and effective condition or removed from service or use.

Head Protection

An industrial safety helmet and appropriate accessories conforming to AS/NZS 1801 Occupational Protective Helmets and AS 1800 Occupational Protective Helmets — Selection, Care and Use must be worn by each person exposed to the risk of head injury.

An employer need not provide a helmet when there is no likelihood of the person being struck by objects falling from above.

Safety Footwear

Appropriate crush-resistant safety footwear conforming to AS/NZS 2210 Occupational protective footwear must be worn by all persons engaged in any work which involves exposure to the risk of crushing or laceration injuries.

Hearing Protection

All persons engaged in operations must use hearing protection complying to AS/NZS 1270 Acoustic hearing protectors when exposed to noise hazards as determined in accordance with AS 1269 Occupational noise management.

Hand Protection

Gloves conforming to AS/NZS 2161 Occupational protective gloves should be worn by employees when handling wire rope or rough material, or when the nature of the work requires protection from hazards to the hands.

Eye Protection

Eye protection conforming to AS/NZS 1336 Recommended practices for occupational eye protection must be worn by all persons who may be exposed to the risk of eye injury.

High Visibility Safety Garments

An outer garment conforming to AS/NZS 4602 High visibility safety garments must be worn at all times when a person is in a situation where they are to be observed.

The area of coverage should be all of the torso from the front and back extending from the neck line to the waist line.

Respiratory Protection

Suitable respiratory devices conforming to AS/NZS 1716 Respiratory protective devices must be worn where persons are exposed to atmospheric contaminants in excess of levels identified in the National Occupational Health and Safety Commission's Exposure Standards for Atmospheric Contaminants in the Occupational Environment (NOHSC: 1003).

The respirator devices provided must be cared for and maintained in accordance with AS/NZS 1715 Selection, use and maintenance of respiratory protective devices.

17. Alcohol

All appropriate licensing requirements for the responsible serving of alcohol must be complied with. Be mindful of the additional danger of glass containers and provide adequate disposal containers. For further information, contact — Liquor Licences and Permits, Department of Justice and Community Safety (02) 6207 0400 or visit

www.jcs.act.gov.au

18. Disability Access

Under both Commonwealth and Territory anti-discrimination legislation, a person with a disability has a right to have access to places used by the public. Subject to certain exceptions, this legislation makes it unlawful for public places to be inaccessible to people with disabilities.

For further information regarding this legislation, contact:

- Human Rights and Equal Opportunity Commission (Commonwealth) on 1300 369 711
- ACT Human Rights Commission on (02) 6205 2222.

19. Accidents, Incidents And Dangerous Occurrences

Where an employer is aware of the occurrence of any of the following events at or near the workplace:

- a. the death of a person
- b. an injury to a person other than an employee of the employer
- c. an injury to an employee as a result of which the employee is incapacitated for work for any period of 7 days or more
- d. a dangerous occurrence

and the event is attributable to the conduct of the employer's undertaking at the workplace, the employer shall give notice of the event to the OHS Commissioner.

Dangerous occurrences include:

- damage to any boiler, pressure vessel, plant, equipment or other thing which endangers or is likely to endanger the health or safety of persons at a workplace
- damage to, or failure of, any load bearing member or control device of a crane, hoist, conveyor, lift, escalator, moving walk, plant, scaffolding, gear, amusement device or public stand
- an uncontrolled fire, explosion or escape of gas, dangerous goods or steam
- any other occurrence involving imminent risk of—
 - fire, explosion or escape of gas, dangerous goods or steam
 - death or serious personal injury to any person
 - substantial damage to property.

