



Workplace Standards  
Tasmania

**Code of Practice**  
for

*Risk Management* of

**Agricultural Shows**  
and  
**Carnivals**



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for  
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## Preface

With the proclamation of the *Workplace Health and Safety Act 1995* (the Act) and the performance based *Workplace Health and Safety Regulations 1998*, the need for industry-based guidance standards was recognised by the Agricultural Show Council of Tasmania to assist industry to identify and manage hazards encountered by organisers of agricultural shows and carnivals.

Agricultural shows and carnivals have historically presented a considerable number of hazards for operators, with the potential for fatal and debilitating injuries. The development of the draft Code of Practice for Risk Management of Agricultural Shows and Carnivals commenced under the auspices of the Agricultural Show Council of Tasmania executive. This group — consisting of members from the Showman's Guild, showground managers, contractors and government representatives — invited members to develop initial safe operating material for consideration, covering critical areas of the industry.

A tri-partite Expert Review Group, drawn from the industry membership, was formed to conduct a review of the initial draft document, also drawing upon national codes, Australian Standards and industry standards.

The resulting draft code of practice was prepared by the Expert Review Group and released for public comment in July 2004. Following the close of the public comment period, a review of the draft code of practice was undertaken. On completion of this review, the Expert Review Group requested that the Minister approve the document as a code of practice under section 22 of the Act.

The Expert Review Group recognises that this document will not provide guidance on every occupational health and safety situation that occurs at agricultural shows and carnivals. Hazards that have the potential for serious risk to arise must be managed in accordance with the principles of hazard identification, risk assessment and implementation of controls to minimise risk, as required by legislation.

This document references a number of relevant Australian Standards and other State legislation. The referencing of these documents will ensure that this code of practice remains current when amendments to relevant legislation and standards occur.

The Expert Review Group has recommended that this code be implemented for a period of three years, after which it will be reviewed in relation to its practical implementation and foreseeable advances in technology.

## **Title**

This document is to be known as the “*Code of Practice for Risk Management of Agricultural Shows and Carnivals*”.

## Scope

This code of practice applies to agricultural shows and carnivals (as defined in the “Definitions” clause on page 8). The code of practice covers matters including:

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

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

- *Workplace Health and Safety Act 1995*
- *Workplace Health and Safety Regulations 1998*
- *Public Health Act 1997*
- *Food Act 2003* (together with regulations and guidelines produced under the *Public Health Act 1997* and the *Food Act 2003*. These include the “Guidelines For Health and Safety in Public Places”, created under the *Public Health Act 1997*)
- *Building Act 2000*
- *Building Regulations 2004*
- *Plumbing Regulations 2004*
- *Tasmanian Plumbing Code 1994*
- *Building Code of Australia*
- and any applicable Australian Standards, including the Australian Standards referenced in this code of practice.

Copies of the above legislation can be obtained by contacting the Printing Authority of Tasmania, 2 Salamanca Place, Hobart, Tasmania 7000. Phone 6233 3168, Freecall 1800 030 7638 or visit [www.thelaw.tas.gov.au](http://www.thelaw.tas.gov.au)

Copies of the “Guidelines for Health and Safety in Public Places” can be obtained by contacting the Printing Authority of Tasmania or by visiting: [www.dhhs.tas.gov.au/publichealth/legislationandguidelines/index.html](http://www.dhhs.tas.gov.au/publichealth/legislationandguidelines/index.html)

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, 10 Barrack Street, Hobart, Tasmania 7000. Phone 6224 2380 or visit [www.standards.com.au](http://www.standards.com.au)

## **Purpose**

The purpose of the “*Code of Practice for Risk Management of Agricultural Shows and Carnivals*” is to provide practical guidance to ensure that standards of management at agricultural shows and carnivals minimise the risks of injury or damage to persons or property from hazards existing at agricultural shows and carnivals.

Risks of injury to employees, members of the public and other persons in attendance at agricultural shows or carnivals 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 clause 2 of this code of practice.

## What is a Code of Practice?

The *Workplace Health and Safety Act 1995* (the Act) enables the Minister responsible for the Act to approve codes of practice that give practical guidance on workplace health and safety issues to employers and employees.

Under the Act, a code of practice may consist of any code, standard, rule, specification or provision for workplace health and safety.

Before approving a code of practice, the Minister must consult with employer and employee organisations, and advertise his or her intention to approve the code of practice.

Codes of practice may be used as evidence in legal proceedings to show that a person has failed to meet their duty of care. However, failure to follow a code of practice does not necessarily mean that a breach of the Act has occurred.

If a person has not adopted the method described in the code, it is open to them to show that they have met their duty of care by alternative methods which are equivalent to or better than those contained in the code.

This approach allows those who have a duty of care under the Act to choose the method best suited to the conditions prevailing in the workplace. In other words, codes of practice are advisory. If, following a risk assessment, a person can meet the duty of care imposed on them in a better way, it is appropriate and lawful for them to do so.

## Language

In a code of practice, certain words are used that determine the level of choice available to the user.

To assist in clarifying this specific word usage, the following definitions and examples are provided:

### MUST

Where a clause contains the word **must**, then the requirement is contained within an act or accompanying regulations. This means that you have no other option than to do what the clause requires.

**Example:**

An accountable person **must** ensure that in relation to any amusement structure the structure is erected, operated, inspected and maintained in accordance with an approved code of practice and any instructions from the designer or manufacturer or a competent person (regulation 82 (a) of the *Workplace Health and Safety Regulations 1998*).

### IS TO/ARE TO

If a clause says a person **is to**, or persons **are to**, do something, then you are being instructed to do it, but in these situations you have a choice. This situation is unique to codes of practice approved under section 22 of the *Workplace Health and Safety Act 1995*.

Codes of practice provide flexibility in this instance to allow practical and innovative solutions to be developed in the workplace. When an alternative solution is developed to that contained in the code, you will need to conduct a risk assessment to determine if the alternative is **equal to or better than** the instruction within the Code of Practice, and you could be required to prove it.

**Example:**

Accessible rotating drive shafts are to be guarded.

### SHOULD

When **should** is used in a clause, you are being advised to do something but it is up to you whether you do it or not. If you decide not to adopt the advice, then you need to have conducted a risk assessment to support your decision.

**Example:**

Start buttons should be clearly identified.

Some clauses in a code of practice refer to other documents, such as Australian Standards. If this occurs, then the application of the specific provision of the Standard is determined by the words used in the particular referencing clause of the code of practice.

If the code says you **must** comply with the Standard, then you interpret the standard just like the code. 'Must', 'is to' and 'should' have exactly the meanings shown above.

If the code requires that the Standard **is to** be complied with, then a reference in the Standard to **must** is to be read as **is to** in the Standard.

If the code says a Standard should be complied with or used as guidance, then you may treat every provision contained in the Standard as a should provision.

## Definitions

For the purpose of this code of practice, the following definitions apply:

**Accountable person** — the *Workplace Health and Safety Regulations 1998* refer to an accountable person. An accountable person is any person on whom the *Workplace Health and Safety Act 1995* imposes a duty or an obligation relevant to the regulation containing the reference.

**Act** — means the *Workplace Health and Safety Act 1995*.

**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.

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

**Contractor** — means a person engaged by any person (otherwise than as an employee) 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. For the purposes of this code of practice, where a person, in connection with a business carried on by any employer, performs work for an employer gratuitously, the person is taken to be employed by the employer.

**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 or
- 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 *Workplace Health and Safety Regulations 1998*.

**Responsible officer** — means a person appointed as, or deemed to be, a responsible officer under section 10 of the *Workplace Health and Safety Act 1995*.

**Training** — persons involved in agricultural shows and carnivals 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 or place (including any mine, aircraft, vessel or vehicle) where an employee, contractor or self-employed person is or was employed or engaged in industry.

# 1. Workplace – Agricultural Shows and Carnivals

If an agricultural show or carnival area constitutes a workplace (see the definition on page 8), the provisions of the Act will apply.

## 2. Duty Of Care

### 2.1 What Does “Duty of Care” mean?

The “term “duty of care” has always existed under common law and has been used by the courts for well over 100 years. When an employer or an employee has a duty of care, it means that they are under an obligation to take reasonable care to protect others against risks.

The relevant duty of care may be met by conforming to a certain standard of conduct. If conduct falls below an acceptable standard, it may be that the employer or employee is acting negligently.

Before the introduction of occupational health and safety legislation, an injured employee would have to sue for negligence the person they believed owed them a duty of care (usually their employer). Cases were often unsuccessful and did little to prevent workplace injuries.

The desire to reduce workplace accidents and injury has resulted in the duty of care concept being incorporated into legislation. The Act contains duty of care provisions and provides for penalties where breaches occur.

### 2.2 What are Employer’s Duties?

An employer must provide employees with:

- a safe working environment
- safe systems of work
- plant and substances in a safe condition
- necessary information, instruction, training and supervision
- facilities for employees’ welfare.

An employer must do whatever is reasonably practicable to make sure that all employees are safe from injury and risks to their health while they are at work. There are heavy fines for failing to do so.

Employers also owe a duty of care to other people at the workplace including visitors (the public) and contractors.

### 2.3 What are Employees’ Duties?

All employees have an obligation to ensure their own personal health and safety as well as the health and safety of others in the workplace, including those they may be supervising and the public.

Employees need to make sure that any actions they take do not adversely affect the health and safety of others.

In addition, employees must comply with any reasonable direction given by the employer or responsible officer on any matter relating to health and safety.

## **2.4 Who else has a Duty of Care?**

Employers and employees are not the only people in a position to prevent accidents. The Act imposes a duty of care on a wide range of people who could affect the safety of a workplace including:

- contractors and self-employed people
- designers, manufacturers and installers of plant, structures or temporary public stands
- manufacturers, importers and suppliers of substances
- persons in control of the workplace
- visitors (the public) to the workplace

While the specific duties may vary, in general, everyone must do what is reasonably practicable to make sure that others are not exposed unnecessarily to risks to their health and safety.

## **2.5 Standard of Care — What is Reasonably Practicable?**

It is not possible for legislation to prescribe what should be done in every situation. Instead, the legislation requires that everything that is 'reasonably practicable' be done to reduce the risk of injury. This is known as the standard of care. While the question of what is reasonably practicable will ultimately depend on the circumstances under consideration, the following principles may assist.

- If something is physically possible or capable of being done, then it is 'practicable'.
- In addition to considering whether something is practicable, it is also necessary to consider whether it is 'reasonably' practicable. The question of whether something is also reasonable involves consideration of the following factors:
  - the severity of any injury or harm to health that may occur
  - the state of knowledge about the hazards and ways of removing or reducing the hazards
  - the magnitude of the risk and the degree of probability of injury or harm occurring
  - the availability, suitability and costs of safeguards.

A breach of the duty of care can only be established if you can answer 'yes' to the following three questions:

- was the harm *foreseeable* by a reasonable person?
- was the harm *preventable* by a reasonable person? For example, how much is known about the hazard and the ways of controlling it? What is the availability and suitability of safeguards?
- would a reasonable person have taken the necessary *precautions*? This involves an assessment of the magnitude of the risk and the degree of probability that the risk will result in injury or harm, balanced against the availability, suitability and cost of safeguards. For example, What standards prevail in the particular industry, and are the standards adequate?

Various reasons may be put forward as to why someone might not do everything possible to reduce risks to health and safety; for example, lack of knowledge, time or money. Ultimately, however, everyone has a duty of care to ensure that everything reasonably practicable has been done. Ignorance is no excuse.

Meeting the standard of care required involves the exercise of a degree of judgement, as what amounts to a reasonable response to a hazard will depend on all of the circumstances.

For example, in circumstances where the risk of injury is relatively low and where the cost of eliminating or minimising the risk is high, it may be reasonable to plan removal or reduction of the risk over a period of time.

In other circumstances the risk may be high and a reasonable response may require immediate action to eliminate or reduce the risk. For further information on determining what the standard of care might require, see clause 2.6 below.

For many situations there are technical standards or codes of practice that may assist in complying with the duty of care. These are published by organisations such as Standards Australia and the National Occupational Health and Safety Commission (NOHSC). Some of these standards and codes are referred to in the Regulations. Those engaged in a particular industry would be expected to know of the relevant standards and codes that apply to their industry.

## 2.6 Have I met the Standard of Care required if I comply with the relevant Code or Standard?

Generally the answer is ‘yes’, but this is not always the case. It may be that the Act or the Regulations require something extra, or that the code or standard is not appropriate in certain circumstances.

The Play it SAFE steps provide an easy reminder of the four steps of hazard management. Use the steps to help you assess if an agricultural show or carnival area is safe:



### 2.6.1 Spot the Hazard

A hazard is anything that may cause harm to anyone at an agricultural show or carnival. 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 an agricultural show or carnival.

- (a) **Walk-Through Survey** — of the agricultural show or carnival 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 that 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 or
  - 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.

### 2.6.2 Assess the Risk

A risk is the likelihood of a hazard actually causing harm to anyone at an agricultural show or carnival.

You should ask yourself:

- am I capable of assessing the risks for this agricultural show or carnival?
- 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?

### 2.6.3 Fix the Problem

Exposure to hazards that may present risks to the health or safety of persons at agricultural shows and carnivals 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 agricultural show or carnival.

(b) **Substitution**

Involves replacing a hazard with something that, although still a hazard, is a much lesser hazard, For example, using an elevated work platform to assist erection of equipment instead of ladders.

(c) **Isolation**

Involves separating people from a hazard by means of relocating the hazard to a remote location, or by segregating the hazard to prevent personal exposure, For example, 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, For example, 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 agricultural shows and carnivals by:

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

(f) **Personal Protective Equipment (including Clothing)**

Involves the using appropriately designed and properly fitting equipment to be worn by people, to isolate them 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 clause 14.1 for further detail.

#### 2.6.4 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.

#### 2.6.5 Conclusion

- All risk management procedures **must** be repeated at intervals and whenever there is reason to suppose that the results are no longer valid. For example, when there is a change in the workplace, including in any work or work practice or in any plant.
- Regulation 18(5) of the Regulations requires that all assessment records 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.

### 2.7 Duty of Care — Agricultural Show or Carnival 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 agricultural shows and carnivals 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; for example, 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, that 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 an agricultural show or carnival has a duty to ensure that suitable means of access to and from the agricultural show or carnival are provided. This duty is owed to anyone entering the agricultural show or carnival. An organisation or person may be considered to have management or control of an agricultural show or carnival 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 an agricultural show or carnival 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 an agricultural show or carnival 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 that 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 that this may include an agricultural show or carnival) 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.

## 2.8 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 that the contract works are conducted in a safe manner.

It is recognised that 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.

## 2.9 Safety of Facilities

A person having control over a location at which a permanent or temporary facility is erected or installed must ensure that 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 or
  - water supply or
  - sewerage or storm/water disposal.

## **3. Animals**

### **3.1 General**

All animals are to be appropriately restrained so as not to present a risk to the health and safety of persons at agricultural shows and carnivals.

### **3.2 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; for example, 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 that residual current devices be fitted to socket outlets in these areas.

### **3.3 Fire Safety within Animal Sheds**

- For general fire safety within animal sheds, refer to clause 6.
- 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. Provide receptacles for discarded cigarettes.

### **3.4 Safety in Cattle Handling**

#### **3.4.1 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.

### **3.4.2 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 and so on and free from rubbish.
- Where cattle need restraining, use crushes, headbails, cradles and so on.
- 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.

### **3.4.3 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.

### **3.4.4 Safety of Cattle Handling within Grounds**

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

## 4. Amusement Structures

### 4.1 General

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

### 4.2 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 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”.

It is preferred that all permanent electrical switchboards 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 agricultural show and carnival 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.

### 4.3 Complying with State Legislation

Regulation 82 provides that an accountable person **must** ensure that in relation to any amusement structure:

- the structure is erected, operated, inspected and maintained in accordance with:
- an approved code of practice (refer to 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, an **accountable person** (which includes a self-employed person) operating an amusement structure has a **duty of care** responsibility to ensure that it is operated, inspected and maintained in accordance with the manufacturer’s instructions and the requirements of the relevant Australian Standard and the Regulations.

Many amusement structures are transient; that is, they are not set up in a permanent location. Consequently, it is necessary for the **accountable person** 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 meet the requirements of the relevant legislation will result in the amusement ride not being allowed to operate.

## 5. Food Business

### 5.1 General

See definition of food business on page 8.

### 5.2 Electrical Safety

Refer to clause 4.2 for similar electrical requirements.

**Additional requirements:** All electrical equipment must be tested and tagged in accordance with AS 3760 *In service safety inspection and testing of electrical equipment*.

### 5.3 Liquefied Petroleum Gas (LPG)

- **Internal**  
LPG usage within temporary structures or buildings **must** comply with AS/NZS 1596 *The storage and handling of LP Gas* with particular reference to clause 2, Minor Storage and Usage.
- **Food business**  
LPG systems for caravans and catering vehicles comply with clause 6 of AS 5601 *Gas installations*.

- **General**

All gas fitting work **must** be conducted by a registered or appropriately licensed gas fitter.

If there is any doubt with the safety of the food business, ask the owner/operator to produce current documentation to prove the integrity of the installation.

## 5.4 Licensing of Food Business

### 5.4.1 General requirements

Food business operators must comply with the *Food Act 2003*. Operators should contact the appropriate council for advice about relevant licensing requirements and compliance with relevant legislation, standards and by-laws.

## 6. Fire Safety

### 6.1 Fire Fighting Equipment at Agricultural Shows and Carnivals

Owners of temporary structures or buildings involved in the conduct of agricultural shows and carnivals must comply with the fire safety requirements included in the following:

- *Fire Service Act 1979*
- *General Fire Regulations 2000*.

### 6.2 Fire Evacuation Plans

The need for a temporary structure or building to have a Fire Evacuation Plan is to be determined by the *General Fire Regulations 2000*. Buildings listed as requiring a plan are nominated as specified buildings.

Not all temporary structures or buildings require a Fire Evacuation Plan, this will depend on:

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

For further information:

- refer to *General Fire Regulations 2000* or
- contact the Building Safety Division of the Tasmania Fire Service.

### 6.2.1 General Fire Regulations 2000

All temporary structures or buildings used as public places of assembly and likely to have a large number of people at any one time are subject to the requirements of the *General Fire Regulations 2000*.

This is irrespective of:

- the age of the building
- the type of building material
- the use of the building (note: buildings such as cattle pavilions, where the public has access, may need a Fire Evacuation Plan).

### 6.2.2 Purpose of a Fire Evacuation Plan

The purpose of a Fire Evacuation Plan is to ensure a smooth and efficient evacuation of a temporary structure or building in the event of a fire.

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 FIRE EVACUATION PLAN IS NOT A FIRE SUPPRESSION PLAN AND SHOULD BE IDENTIFIED ACCORDINGLY.**

### 6.2.3 Key Elements of a Fire Evacuation Plans

- (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 an agricultural show or carnival 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.

#### **6.2.4 Assistance with Fire Evacuation Plans**

For further information on Fire Evacuation Plans contact the Building Safety Division of the Tasmania Fire Service.

### **6.2.5 Approval of Fire Evacuation Plans**

After the Fire Evacuation Plan is submitted to the Chief Officer of the Tasmania Fire Service, it will be subject to an approval process. Once the plan has been checked and found to be acceptable, authorisation to use the plan will be granted by the Chief Officer of the Tasmania Fire Service.

## **6.3 Building Fire Safety**

All temporary structures and buildings where access to the public is available **must** comply with the provisions of the *Fire Service Act 1979* and the *General Fire Regulations 2000*.

Provisions of the above Act and Regulations apply to the buildings irrespective of age.

However, it should be noted that a building constructed before the commencement of the *Building Act 2000*, in accordance with any relevant (previous or current) Act or any relevant provision of any Act, is taken to be constructed in accordance with the *Building Act 2000*.

This provision of the *Building Act 2000* may not apply if:

- the use of the building is changed
- the building is changed by an addition or alteration.

For further information on matters of compliance with the *Fire Service Act 1979* and the *General Fire Regulations 2000*, contact the Building Safety Division of Tasmania Fire Service.

## **6.4 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.

## **6.5 Exercise of Fire Evacuation Plan**

As a requirement of the *General Fire Regulations 2000*, the evacuation plan must be tested annually 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. Such an exercise must be of a type and standard approved by the Chief Officer of the Tasmania Fire Service.

## **7. Side Shows**

### **7.1 Electrical Safety**

Refer to clause 4.2 of this document for similar electrical requirements.

### **7.2 Fastening Down of Stalls/Joints (Amusement Devices) Operator Responsibilities**

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.

### **7.3 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.

## **8. Communications**

### **8.1 Communications between Staff during Agricultural Shows and Carnivals**

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.

### **8.2 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 or
- 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.

## **9. Emergencies**

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

### **9.1 What is an Emergency Management Plan (EMP)?**

Management of an agricultural show or carnival 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 agricultural show or carnival 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 agricultural show or carnival and the possible consequences of an incident occurring as a result of those hazards. External hazards may also affect the safety of an agricultural show or carnival; 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 agricultural show or carnival site and the number of people involved.

## **9.2 Ambulance/Police/Fire/State Emergency Services**

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

## **9.3 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 Workplace Standards Tasmania.

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

# **10. Temporary Structures**

Refer to the *Building Act 2000*, the *Building Regulations 2004* and the *Building Code of Australia 2004 — Tas Part H123*.

There should be a Place of Assembly licence for the venue. This would be the responsibility of the promoter/organiser of the agricultural show or carnival. Place of Assembly licences are issued by Environmental Health Officers in local councils. As part of this process, Temporary Occupancy Permits should be obtained from the local council. Building surveyors will consider the safety of temporary structures and buildings.

There is nothing that prevents one Temporary Occupancy Permit from being issued for all buildings on the site.

## 11. 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 an agricultural show or carnival.

## 12. 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 clause 4.2 of this document.

### 12.1 Public Street/Private Land

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

Any area designated a public street (as defined on page 8) is controlled by the authority of the *Traffic Act 1925* and is therefore subject to regulations enforceable by Tasmania Police.

This fact could have a significant impact on agricultural show or carnival 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.

## 12.2 Other Police Powers

While in some circumstances police officers may not have authority under the *Traffic Act 1925*, they may have power by virtue of other legislation, particularly in regard to danger to other persons and unruly behaviour.

## 12.3 Transport Inspectors

Transport inspectors are generally restricted by the same limitations as police officers when on private property, but may have authority in certain circumstances, including where an accident occurs.

Any query should be referred to the appropriate authority.

## 12.4 Local Government By-laws

A number of major events are conducted on council-owned land and may be subject to municipal/city by-laws, which will take precedence over requirements imposed by the agricultural show or carnival organiser.

## 12.5 Other Vehicle Movement Considerations

This clause is in the form of guidelines only, listing a number of items that should be considered by agricultural show or carnival organisers.

### 12.5.1 Load Stability

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

### 12.5.2 Separation of Vehicles from Public Access Area

The overall intention of agricultural show or carnival 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.

### 12.5.3 Emergency Vehicles

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

### 12.5.4 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.

## 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.

## 14. Employee Safety

### 14.1 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 (regulation 58 of the Regulations).

#### 1.4.1.1 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.

#### 14.1.2 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.

#### 14.1.3 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.

#### 14.1.4 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.

#### 14.1.5 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.

#### 14.1.6 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.

#### 14.1.7 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.

## 15. 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 the Commissioner for Licensing — Liquor and Gaming Branch on (03) 6336 2261 or visit [www.treasury.tas.gov.au](http://www.treasury.tas.gov.au)

## 16. Disability Access

Under both Commonwealth and State 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:

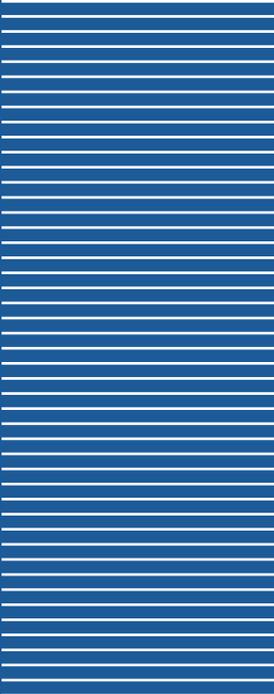
- Human Rights and Equal Opportunity Commission (Commonwealth) on 1300 369 711
- Anti-Discrimination Commission (Tasmania) on 1300 305 062 or (03) 6224 4905.

## 17. Place Of Assembly Licence

Refer to your local council.







For more information contact:  
Workplace Standards Tasmania

**Hobart**

30 Gordons Hill Road (PO Box 56)  
Rosny Park Tas 7018

Launceston

Henty House, 1 Civic Square  
Launceston Tas 7250

Burnie

Reece House, 46 Mount Street (PO Box 287)  
Burnie Tas 7320

1300 366 322 (inside Tasmania)

(03) 6233 7657 (outside Tasmania)

Fax: (03) 6233 8338

Website: <http://www.wsa.tas.gov.au>

Email: [wstinfo@dier.tas.gov.au](mailto:wstinfo@dier.tas.gov.au)

