

# Case Study : WorkSafe



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- Incident on farm
- WorkSafe Investigation
  - Determined it is a workplace
  - Manager/owner has Management Control
  - Inferred Management Control Shire and CFA
  - Correct legal entity on permits
  - Are the conditions legally correct

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- WorkSafe Issues: 35
  - Definition of fire and flammable material
  - Definition of competent, skills on site
  - Equipment checking of all appliances (prior to ignition)
  - Minimum water delivery for an appliance
  - Permit holders in attendance
  - Site inspections
  - Audit process
  - Risk assessment for each permit

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- Penalty Infringement Notices (PINs)
  - Council
    - MFPO
    - CFA
  
- Required action by all parties to prevent fines being incurred
- PINs challenged by both CFA and Council
- Withdrawn but WorkSafe reserved further action



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- Action that followed:
  - Legal review of permits
    - Firefighting units
    - Competent personnel
    - All flammable material
    - Checking of conditions
    - Training of permit holders
    - Landowner consent
    - Enforcement
    - Risk assessment requirements



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## ➤ Information to Know

- Permit holder has sole responsibility for meeting conditions
- Police and CFA have enforcement responsibility
- MFPO does not have to issue a permit
- If a fire escapes the permit holder is legally responsible for the damage caused
- If the fire escapes your permitted burn area you are legally required to notify CFA
- If someone is injured on your farm you are legally required to notify WorkSafe

# Case Study : WorkSafe

- Action taken
  - Alteration to application forms
  - Inability to alter forms
  - Changed stage conditions
  - Frequently Asked Questions
  - CFA contact for questions
  - Notification to Vic Police permits
  - Information session

