



Government
of South Australia

SafeWork SA

Whyalla Show Proactive Compliance Project 2023 Project Closure Report

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Executive Summary

The Whyalla Show is an agricultural show held within the regional city of Whyalla between Saturday 19 August and Sunday 20 August 2023.

Whyalla is a seaport located on the east coast of the Eyre Peninsula and is known as the "Steel City" due to its integrated steelworks and shipbuilding heritage. Whyalla is the fourth most populous city in South Australia after Adelaide, Mount Gambier and Gawler and along with Port Pirie and Port Augusta is one of the three towns to make up the Iron Triangle

Information from the SA Showman's Guild advised that a total of 16 Amusement Devices had registered to attend the Whyalla Show. An amusement device is an item of plant operated for hire or reward that provides entertainment, sightseeing or amusement through movement of the equipment, or part of the equipment, or when passengers or other users travel or move on, around or along the equipment.

The South Australian June 2022 version of the WHS Regulators' National Audit Tool for Amusement Devices (audit) Audits were conducted by Inspectors from the Port Pirie, Port Lincoln, and Whyalla Regional Offices during the period of Bump In period from Tuesday 15 August to Friday 18 August 2023.

Before the audits were undertaken, a desktop review of SafeWork SA's database identified five (5) Amusement Devices had been annually inspected within the last 12 months or were due to be inspected at the 2023 Royal Adelaide Show, therefore only Part A and C of the audit (Site Verification) was required. The remaining 13 Amusement devices required a full audit.

Five Inspectors were involved in the auditing, including a newly appointed Inspector from the Whyalla office who was buddied up with experienced Inspectors to gain valuable exposure and skills with auditing Amusement Devices.

A total of 18 audits were undertaken by inspectors, consisting of the following classes of amusement devices from highest risk to lowest:

- Class 5, 4 audits (22%)
- Class 4, 1 audit (6%)
- Class 3, 4 audits (22%)
- Class 2, 9 audits (50%)

A total of two (2) statutory notice were issued during the show to Amusement Device operators for not maintaining, inspection, testing or maintenance records and for failing to maintain an asbestos register.

Introduction

SafeWork SA's primary function is to regulate the work health and safety legislation in South Australia through a combination of education and compliance activities.

SafeWork SA regulates compliance with the *Work Health and Safety Act 2012 (SA)* and the *Work Health and Safety Regulations 2012 (SA)* (the Regs) and can require PCBU to rectify safety breaches through the issuing of Statutory Notices, expiations or prosecution.

Amusement Device owners travel throughout the state, and in some cases, also go interstate and are very popular with children and teens.

Depending on their classification, amusement devices are an item of plant that require design registration and depending on the Class or the type of device they may also require plant registration under the *Work Health and Safety Regulations 2012 (SA)*.

The person with management or control (PWMC) of an amusement device has certain obligations outlined in the WHS Regulations including ensuring the maintenance, inspection and, if necessary, testing of the device is carried out. This includes ensuring that a competent person performs a detailed device inspection at least once every 12 months.

Background

The Whyalla Show is an agricultural public event exhibiting the equipment, animals, sports and recreation associated with agriculture and animal husbandry.

In 2023, the Whyalla Show was in its 53rd year and was held over 2-days at Jubilee Park over the weekend of 19 and 20 August.

Amusement devices form a major component of the Show's attractions, these devices carry inherent risks that are assessed and controlled on an on-going basis by amusement device operators in accordance with Regulation 241 of the WHS the Regulations.

Amusement Devices are classified by Section 2.1 of AS 3533.1-2009: Amusement rides and devices, Part 1: Design and construction and must be design and item registered. Some Amusement Devices are exempt from design and item registered such as class 1 devices and playground devices.

Whilst the responsibility for the operation and maintenance of the amusement device sits with the owner/operator, SafeWork SA audits amusement devices that have been registered to appear at the Show.

The audit tool was created by the Australian Work Health and Safety Regulators (WHS Regulators), Safe Work Australia and the Office of Regulatory Services. The audit tool is used nationally by WHS Regulators to conduct consistent audits of amusement devices against requirements outlined within the model Regulations, noting the audit tool is customised by states and territories to include reference to their own legislative requirements as they vary slightly across jurisdictions.

Non-compliance with SafeWork SA audits may result in compliance notices being issued to a Person Conducting a Business or Undertaking (PCBU) with management or control of the

amusement device. Such notices will remain in place until SafeWork SA has received evidence that the matter has been rectified.

Scope

The campaign focussed on monitoring compliance with the WHS Act/Regs to ensure the PCBU in management or control of the Amusement Devices met their minimum legislative requirements.

During 'bump in', (the time when amusement device operators are on-site erecting their devices) SafeWork SA Inspectors conduct audits on amusement devices. Inspectors also conducted general walk-around inspections during bump-in.

Five (5) Amusement devices were due to have full audits conducted at the Royal Adelaide Show, therefore only Part A and C (Site Verification) was required. The remaining 13 Amusement devices had not had a full audit within the last 12 months and required a full audit. Amusement device audits were then undertaken using the "WHS Regulators National Audit Tool June 2022 (SA Version).

An Operational Guide was developed, and Inspectors were briefed on the Guide before commencing the audits. The Guide provided the Inspector with the information required to undertake the audits safely, including a Risk Assessment and ensuring they use the Lock Out Procedure when visually inspecting the devices.

Regional Inspectors from the Port Lincoln, Port Pirie and Whyalla offices conducted 18 amusement device audits between 15-18 August 2023.

Using the National Audit Tool, Inspectors inspected the devices and verified sections of the audit tool, including the following:

- Patron restraints and loading plans.
- Amusement device design registration.
- Amusement device plant registration.
- Training in emergency plans.
- Emergency plans were tested.

If documentation required for amusement devices by the WHS Regulations such as, design registration, plant item registration and current annual inspection report conducted by a competent person, cannot be produced by an amusement device operator, the ride may not be permitted to operate at the Show.

Failure to comply with a section of the audit tool will result in an Inspector issuing an improvement or prohibition notice to the PCBU with management or control of the amusement device.

Compliance notices can be lifted if the PCBU provides sufficient evidence that the contravention has been rectified. Failure to provide sufficient evidence may result in the ride not operating during the Show and notices remaining open until compliance is met.

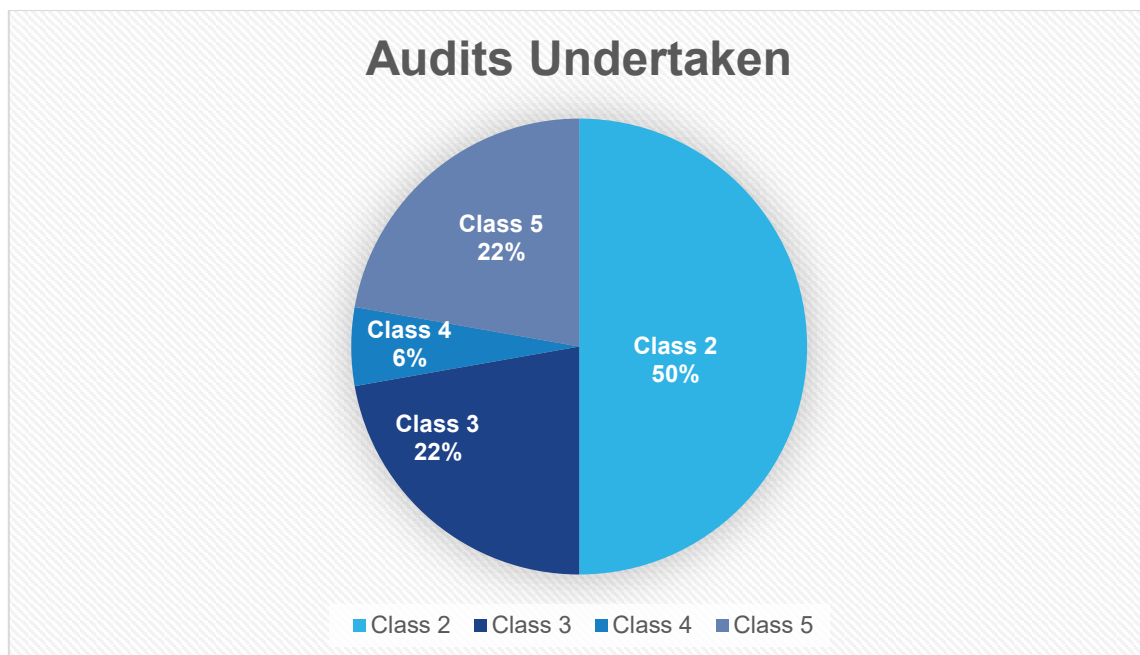
Summary of Audits Undertaken by Class

Inspectors used the WHS Regulators National Audit Tool June 2022 (SA Version) to ensure a consistent approach. They were instructed to enforce requirements and to take immediate action to mitigate any safety risk whilst on site.

18 audits were completed on the following Classes of amusement devices:

- Class 5, 4 audits (22%)
- Class 4, 1 audit (6%)
- Class 3, 4 audits (22%)
- Class 2, 9 audits (50%)

Percentage of audits undertaken on a particular Class of Amusement Device is displayed below.

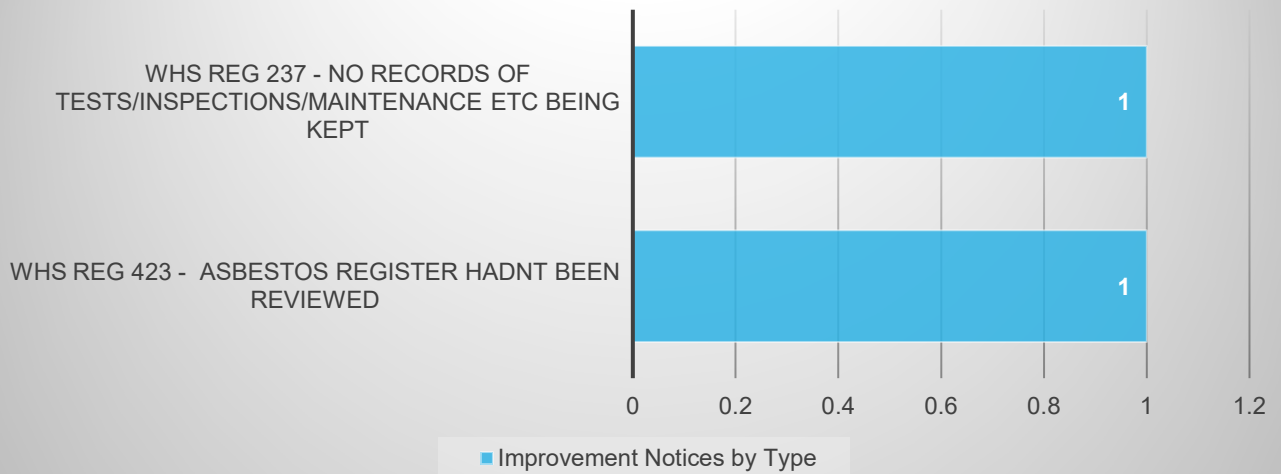


Statutory Notices

2 Improvement Notices were issued in total.

The following graph shows the breakdown of notices issued by type

Improvement Notices by Type



Recommendations

It is recommended that SafeWork SA:

- Continues to support the auditing of Regional Shows
- Publishes this report on their website

Further information

For further information on amusement devices, visit www.safework.sa.gov.au

For further information and advice on complying with legislative requirements visit the SafeWork SA website at www.safework.sa.gov.au or call SafeWork SA on 1300 365 255.