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## *Whanganui District Council Health & Safety Frequently Asked Questions*

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### **Why do I need to have a Health & Safety Plan for my open space event application?**

Under the current the current legislation, the Health and Safety at Work Act 2015 (HSWA 2015), Whanganui District Council (WDC) and any applicant who wishes to use Council land are required to show they have a plan to make certain Health & Safety risks are eliminated, so far as all reasonably practicable to ensure the safety of all people.

The Health & Safety Plan demonstrates this and is an undertaking of intent to meet this requirement during an organised event.

#### **In particular it records:**

- The hazards involved
- The Controls in place for the safest way of eliminating or minimising the hazards and risks associated during the event, working to prevent harm to people.

### **Is the Whanganui District Council the only organisation that I have to provide a Health & Safety Plan for?**

Under the current legislation WDC, clients, contractors and all others (volunteers) operating on WDC sites have a responsibility under Section 34 of the HSWA 2015. A 'Person Conducting a Business or Undertaking' (PCBU) must consult with other (PCBU's) with the same duty; to consult, co-operate and co-ordinate with each other in regards to Health & Safety. This is managed by the Event Health & Safety Plan document. The requirement for an Event Health & Safety Plan is also a condition of the applicant's contract with the venue where the event is taking place.

### **Why is there so much paperwork?**

WDC and its applicants must be able to **demonstrate** that all reasonably practicable steps have been taken to ensure safety, as well as actually taking those steps.

## Who is liable if there is an accident?

Under the current Health & Safety legislation liability cannot be contracted out of, so the Event Health & Safety Plan is a way of minimising liability for both WDC and its applicants. However, this is secondary to ensuring safety of people in our venues. Known hazards will be disclosed through hazard registers, and the Event Health & Safety Plan is the way the client, as subject matter expert, identifies and manages the hazards within their event.

## What if there are no hazards?

There is no such thing as a hazard-free event. Every event has hazards and risks that are unique from venue to venue because of the varying nature of venues.

## Why can't Whanganui District Council just fill in the form for me?

WDC provides constructive feedback with regard to open space Event Health & Safety Plans and how to fulfil the requirements under legislation; however, we are not the subject matter expert on your event.

## What if the other PCBU's or event planning associations won't give me the information required?

Under current Health & Safety legislation we have a duty to ensure all people in our workplaces are safe. The requirement to provide an open space Event Health & Safety Plan is also part of the contractor's and/or applicant's responsibility with WDC. The production/event planning company, WDC and any other companies/associations operating onsite are considered PCBU's and therefore have a responsibility to co-ordinate, co-operate and communicate.

## What if everything is being supplied by an external consultant/contractor?

Under current Health & Safety legislation PCBU's have a responsibility to ensure safe systems of work are in place so employees and others are not exposed to hazards.

The applicant cannot contract out of these responsibilities and remains the entity with ultimate responsibility for contractors they engage.

## Does this make me as the applicant liable for the contractors and other people?

Yes. However, if you have met your requirements under the current Health & Safety legislation, this liability is likely to be minimised.

## What are the timeframes around open space event applications?

If an event requires an Event Health & Safety Plan the client needs to submit this plan for review **at least** 20 working days prior to the event date. If an open space licence pertaining to the Health & Safety Plan is required and is not submitted on time, this may result in the event not being able to commence until a plan has been received and reviewed for licencing. Refer to open space application for indicated licencing timeframes.

## What if the event changes and these changes effect the Health & Safety of the event?

The Event Health & Safety Plan should be updated and resubmitted for review. The open space application Health & Safety Plan is a living document and should be updated whenever the need arises. This may be before or during the event.

## Glossary:

- **PCBU** [Person Conducting a Business or Undertaking](#)
- **WDC** [Whanganui District Council](#)
- **WDC LICENCE GUIDELINES**
  - [WDC Drone Consent form](#)
  - [WDC Drone Guidelines](#)
  - [Online Building Consent Application](#)
- **H&S** [Health and Safety](#)
  - [WorkSafe NZL Amusement Device guidance and notification information](#)
  - [WorkSafe NZL information-guidance land-borne-inflatable-devices](#)