

Work Environment Group

Number 08
August 2018

HAZARD ALERT

Liquefied Petroleum (LP) gas bottles connected to portable gas barbeque appliances

Incident

A notifiable incident occurred on 23/08/2018 within the School of Music forecourt, Acton Campus, where an 8.5 kg LP gas bottle connected to a portable gas barbeque appliance caught fire due to a suspected uncontrolled release of gas. Comcare inspectors attended the site in response to the incident and subsequently issued a Prohibition Notice, which includes a number of directions on the measures that the University must take to remedy the risk.

Actions required

- Do not operate any portable gas barbeque appliance connected to an LP gas bottle within the management and/or control of the ANU until further advice
- Ensure all such appliances are taken out of service until further notice.

Communication

- Communicate this Hazard Alert, highlighting the actions required via staff noticeboards, email to staff and other discussions with staff including the WHS Committee meetings
- Communicate the Prohibition Notice via staff noticeboards and/or email to staff

Intended Audience: All sites that owns a portable gas BBQ

Contact: whs@anu.edu.au for additional information

Authorised by: Work Environment Group

Workers are reminded to report all hazards and incidents to their supervisor and through [Figtree](#), the University's Workplace safety incident and hazard reporting tool.



Australian Government

Comcare

PROHIBITION NOTICE

This notice is issued under section 195 of the *Work Health and Safety Act 2011 (WHS Act)* to the person (which includes a body corporate) who has control over the activity. This notice prohibits an activity that is occurring (or may occur) that involves or will involve a serious risk to the health and safety of any person emanating from an immediate or imminent exposure to a hazard.

Section 210 of WHS Act requires that the person to whom a prohibition notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice.

NOTICE ISSUED TO:	Notice number:	MC00007121 -NT01	
Legal name of person:	The Australian National University		
ABN:	52234063906	ACN:	
Trading as:	The Australian National University		
Address line 1:	10B East Road, ACTON, ACT, 2600		
Address line 2:			

DETAILS OF SERIOUS RISK:

Site location:	Australian National University, Canberra, ACT, 2600
<p>I, Teagan POOLE, being an Inspector appointed under section 156 of the WHS Act reasonably believe that on 23/08/2018, at 11:30am, an activity <input type="checkbox"/> is occurring or <input checked="" type="checkbox"/> may occur at the workplace that <input type="checkbox"/> involves or <input checked="" type="checkbox"/> will involve a serious risk to the health or safety of a person, emanating from an immediate or imminent exposure to a hazard.</p>	
<p>Prohibited Activity: I prohibit Australian National University (ANU) from carrying on, allowing, authorising or permitting, or carrying on in a specified way, the activity of: the operation of portable gas barbeque appliances connected to liquified petroleum (LP) gas bottles (the activity).</p> <p><input type="checkbox"/> Confirms Direction given orally on / at</p> <p>This prohibition is to continue until such time as a Comcare Inspector notifies Australian National University that they are satisfied that the matters that <input type="checkbox"/> give or <input checked="" type="checkbox"/> will give rise to the risk have been remedied.</p>	

BASIS FOR INSPECTOR'S BELIEF:

<p>On 23 August 2018 the ANU notified Comcare of an uncontrolled fire associated with the uncontrolled release of gas from an 8.5 Kg LP gas bottle connected to a portable gas barbeque appliance in the ANU's School of Music forecourt. Comcare Inspectors Teagan POOLE and Joseph BARTLETT attended the ANU in response to the incident. During the inspection, Inspectors were advised by the ANU's Fire and Emergency Officer that they were not aware of any risk assessments having been conducted, or approved procedures having been prepared for the use and maintenance of portable gas barbeque appliances connected to LP gas bottles.</p> <p>I believe that the activity contravenes, or is likely to contravene a provision of the:</p> <p><input checked="" type="checkbox"/> <i>Work Health and Safety Act 2011</i>, section 21(2) <input checked="" type="checkbox"/> <i>Work Health and Safety Regulation 2011</i>, regulation 203, 213</p> <p>Based on the above information, I believe that grounds for the issue of this Prohibition Notice exist.</p>

DIRECTIONS (if any) ON THE MEASURES TO BE TAKEN TO REMEDY THE RISK, ACTIVITIES OR MATTERS OR THE CONTRAVENTION OR LIKELY CONTRAVENTION:

*(It is **mandatory** to comply with these directions)*

<p>The ANU must prohibit any person from operating any portable gas barbeque appliance connected to an LP gas bottle within the management and/or control of the ANU until the ANU has identified all hazards associated with the activity; conducted a risk assessment for the activity; provided any relevant information, training and instruction necessary to protect the health and safety of the person whilst undertaking the activity; and provided copies of all relevant documents for verification by a Comcare Inspector.</p>
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RECOMMENDATIONS (if any): *(It is **not mandatory** to comply with these recommendations. Another risk control method may be chosen provided it gives at least the same level of protection against the risk)*

<p>Nil</p>

ISSUING INSPECTOR:

 (Signature)	Inspector name: Teagan POOLE Email address: Teagan.poole@comcare.gov.au Postal Address: GPO Box 1993, Canberra, ACT 2601	Inspector ID number: 143 Phone number: +61262750073
DATE OF ISSUE 24/08/2018		
<input type="checkbox"/> Notice delivered personally to: _____ (Name) Ira Bicioc _____ (Relationship to the person who the notice is issued to) Worker		

INTERNAL REVIEW OF DECISION

If an inspector decides to issue a Prohibition Notice, an eligible person may apply for an internal review of that decision. An eligible person is:

- the person to whom the notice is issued
- the person with management or control of the workplace, plant or substance
- a person conducting a business or undertaking whose interests are affected by the decision
- a worker whose interests are affected by the decision
- a health and safety representative who represents a worker whose interests are affected by the decision
- a health and safety representative who gave a direction under s85 to cease work, that is relevant to the prohibition notice.

How to apply for a review of a decision on a notice

Complete the form *Application for Internal Review* (available on our website: www.comcare.gov.au) and lodge it with Comcare within 14 days after the date on which the decision to issue the Prohibition Notice came to the relevant eligible person's attention.

Review process

An application for internal review does not automatically stay the operation of this notice. If you seek a stay of the operation of this notice, you may apply to the reviewer. Comcare will review your application within 14 days unless additional information is required. You will receive written confirmation of the result of the internal review including the reasons for the decision.

EXTERNAL REVIEW

If you do not agree with the decision of the reviewing officer following an internal review, and you are an eligible person, you may apply to Fair Work Australia for an external review. You must submit an external review application within 14 days of first becoming aware of Comcare's internal review officer's decision. Please refer to our website for more information on how to apply for reviews of decisions.

PENALTIES

You must comply with this notice. Failure to comply may incur a maximum penalty of:

- \$100,000 for an individual
- \$500,000 for a body corporate.

PRIVACY STATEMENT

Your privacy is important to us. We will only collect, use or disclose personal information in accordance with the *Privacy Act 1988* (Cth) and if it is reasonably necessary for, or directly related to, one or more of our functions, powers and/or activities. These include functions and activities under the *Safety, Rehabilitation and Compensation Act 1988* (Cth), the *Work Health and Safety Act 2011* (Cth) (**WHS Act**), the *Seafarer's Rehabilitation and Compensation Act 1992* (Cth), and the *Asbestos-related Claims (Management of Commonwealth Liabilities) Act 2005* (Cth). If Comcare does not collect personal information from you, for the purposes of its legislated functions or related functions, we may not be able to respond appropriately.

Comcare is the Commonwealth agency authorised by the WHS Act to collect personal information relevant to the exercise of functions and powers under the WHS Act, *Work Health and Safety Regulations 2011* and the administration and evaluation of Comcare's WHS programs. Any personal information collected in these forms will be used for those purposes.

In exercising our functions and powers, we may disclose personal information, subject to confidentiality of information provisions under the WHS Act, to the following bodies and agencies, including but not limited to:

- Comcare's internal and external legal advisers
- the Safety, Rehabilitation and Compensation Commission
- a court or tribunal
- state or territory work health and safety regulatory agencies
- personnel engaged by Comcare to conduct research related activities
- enforcement agencies or bodies
- state and territory Coroners
- Commonwealth, state or territory industry regulators
- any other person assisting Comcare in the performance of its functions or exercise of its powers, including contractors and consultants
- any other person where there is an obligation under law to do so (for example but not limited to, responding to the direction of a court to produce documentation).

For further information on how Comcare handles personal information, please read our Privacy Policy on our website. To request a change to your personal information or to make a complaint, please phone or email us at privacy@comcare.gov.au.

www.comcare.gov.au | 1300 366 979