



## Camden council fined \$750,000 after Men's Shed member fatality

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Camden Council has been fined \$750,000 after a member of a local Men's Shed was killed installing irrigation pipe at the Camden Bicentennial Equestrian Park in 2018.

The Council was investigated by SafeWork NSW and pleaded guilty to a breach of the Work Health and Safety Act 2011 in the NSW District Court.

The incident occurred on 3 July 2018, when untrained volunteers from the Men's Shed tried to move a 500-metre length of PVC irrigation pipe by towing it with a tractor. A male volunteer was struck on the head by the pipe while it was being towed, suffering fatal injuries.

The NSW District Court found the risk of being struck by the pipe was foreseeable and that Camden Council failed to implement safety systems or conduct a risk assessment for the project.

The court also found that the volunteer was not qualified or trained to perform the work and the purported supervisor of the project had no qualifications in irrigation work or use of heavy plant.

SafeWork Executive Director of Investigations and Enforcement, Rick Bultitude said that while volunteers perform essential tasks throughout the community without pay or reward, they are still considered workers under Work Health Safety (WHS) legislation.


"Organisations who have workers have work, health and safety duties and obligations not just to paid staff, but also for any volunteers they engage," Mr Bultitude said.

"Workers and volunteers also have WHS obligations of their own, including taking reasonable care of the health and safety of themselves and others.

"The person conducting a business is required to ensure an adequate risk assessment is conducted for work undertaken, and ensure appropriate information and instruction is provided to any volunteers.

"And volunteers should never be used to undertake work for which they are either unqualified or untrained to perform," Mr Bultitude said.

Camden Council has the right to appeal the sentence.

For more information on WHS obligations for Volunteer Organisations and the businesses which engage them, please visit **Volunteering | SafeWork NSW**  **(<https://www.safework.nsw.gov.au/legal-obligations/volunteering>)**