

# Discussion paper

## *Improving crane licensing under the model work health and safety laws*

June 2024



Safe Work Australia is an Australian Government statutory agency established in 2009. Safe Work Australia includes Members from the Commonwealth, and each state and territory, Members representing the interests of workers and Members representing the interests of employers.

Safe Work Australia works with the Commonwealth, state and territory governments to improve work health and safety and workers' compensation arrangements. Safe Work Australia is a national policy body, not a regulator of work health and safety. The Commonwealth, states and territories have responsibility for regulating and enforcing work health and safety laws in their jurisdiction.



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## Part 1: Introduction and background

In 2021, on recommendation of the independent reviewer of the model WHS laws Ms Marie Boland, ministers with responsibility for work health and safety (WHS) asked Safe Work Australia to review the high risk work (HRW) licence framework for cranes to ensure it remains relevant to contemporary work practices and equipment.

### Initial public consultation and changes to encompassment and dogging

Between May and June 2022, Safe Work Australia held an initial public consultation period seeking evidence of problems with crane licensing and asking for views on potential solutions to those problems. The discussion paper focused on perceived issues with the model WHS laws that may have a significant impact on workers and workplaces that use cranes, including concerns related to crane definitions, licence classes, and descriptions of HRW using cranes and how these might be best addressed.

We received more than 70 submissions from businesses, unions, industry associations, WHS regulators and individual workers across the construction, transport, postal and warehousing, manufacturing and mining industries. Most submissions were published online and are available [here](#). A summary of feedback received is available on [Safe Work Australia's crane licence review webpage](#).

Safe Work Australia Members subsequently considered the findings of the public consultation in September 2023. Based on broad support from stakeholders, they agreed to prioritise work on two key issues where feedback had indicated immediate action was needed: the removal of crane licence encompassment, and training crane operators in dogging work.

Safe Work Australia has since begun work to:

- remove the encompassment of non-slewing mobile cranes, vehicle loading cranes and reach stackers from the slewing mobile crane licence classes, and
- introduce a dogging licence prerequisite for most crane licence classes.

The necessary amendments to progress these changes are underway and are expected to be considered by WHS ministers (who have final decision-making authority on any changes to crane licensing) later in 2024.

Subject to agreement by ministers, these changes would need to be introduced by each WHS jurisdiction. Transition periods and arrangements to recognise the training and experience of existing licence holders are yet to be considered.

### Further improvements to crane licensing

Safe Work Australia has now given initial consideration<sup>1</sup> to the second phase of improvements to crane licensing, which aim to address a range of issues raised during the initial public consultation. Many of these issues are interrelated and reflect stakeholder views that the crane licensing framework has not kept pace with changes in technology and contemporary work practices.

Common issues raised during the initial public consultation that are considered in this discussion paper include:

- the need for work experience requirements for crane operators
- organising crane licence types by their operating characteristics rather than capacity, and
- considering new licences for some types of cranes.

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<sup>1</sup> This has included the completion of a report on crane competencies, further targeted consultation with the VET sector, and extensive consultation with the crane licence working group.

## Consultation process

This discussion paper has been developed to seek feedback on specific proposals for improving crane licences.

Information and evidence gathered as part of this public consultation will be used to inform improvements to the HRW licensing framework for cranes in the model WHS laws, noting that some of the proposals included in this paper may be subject to further analysis, including on the potential costs and benefits.

Please note the proposals in this paper are offered for consultation purposes only. They are subject to change in response to further evidence, policy analysis and feedback from consultation processes. Ultimately any regulatory changes are subject to agreement by Safe Work Australia Members and, where significant, WHS ministers.

All stakeholders with an interest in crane HRW licensing are encouraged to participate in the consultation. Information on how to do this is provided in Part 2.

## Crane licence working group

Safe Work Australia is supported by a crane licence working group. It consists of representatives nominated by each WHS jurisdiction, unions, industry representatives and the Crane Industry Council of Australia. The working group provides expert technical advice and is not a decision-making body. Its role is to provide advice to Safe Work Australia Members on improvements to crane licensing.

## About the model WHS laws

The model WHS laws are designed to protect all workers in Australia, wherever they work and whatever work they do. The laws were developed to provide a national, harmonised framework for WHS regulation in Australia.

The Commonwealth, the Australian Capital Territory, New South Wales, the Northern Territory, Queensland, South Australia, Tasmania and Western Australia have implemented the model WHS laws. Victoria has its own occupational health and safety laws.

## HRW licensing

Under the model WHS laws, certain work activities are deemed to be 'HRW' and require a licence to perform them. Schedule 3 to the model WHS Regulations sets out the types of work that require a licence, including a description of each work activity. Schedule 4 to the model WHS Regulations sets out the vocational education and training (VET) qualifications required for each licence.

There are 11 types of cranes that require a HRW licence to operate. A crane HRW licence (crane licence) allows a person to use a crane in a particular licence class anywhere in Australia, including Victoria, despite this state not implementing the model WHS laws.

Further information on HRW licensing is provided in [Appendix B](#).

## Vocational Education and Training

Schedule 4 to the model WHS Regulations specifies the VET course required for each HRW licence class. These courses are components of nationally recognised training packages developed by Jobs and Skills Councils (JSCs). They define the knowledge and skills required by individuals to perform safely in the workplace.

Any changes to licence classes or the definition of licensed activities agreed by WHS ministers may require changes to specified VET courses. For example, existing courses may need to be revised or new courses developed. Safe Work Australia will liaise with the responsible JSCs to manage any consequential changes to crane licences where required.

## Part 2: How to provide feedback

Safe Work Australia welcomes submissions from all stakeholders with an interest in the HRW licensing framework for cranes. We encourage businesses operating, supplying or manufacturing cranes, unions, workers, regulators, industry bodies, government departments, training providers and members of the public to provide their views. We also encourage submissions from those involved in other work with a connection to cranes, particularly dogging and rigging work. Please support your view with evidence or data wherever possible.

You may answer some or all of the questions posed in this paper or raise other matters not explicitly addressed, as long as it is relevant to crane licensing. Matters raised that do not relate to crane licensing will not be considered.

### Making a submission

Submissions are sought by **11:59 pm (AEST) on Wednesday 31 July 2024**. Submissions can be made using Safe Work Australia's Consultation Hub at [consult.swa.gov.au](https://consult.swa.gov.au).

Demographic data will be collected as part of this process through your registration and in the electronic submission form.

You can decide how your submission is published on the Safe Work Australia website by choosing from the following options:

- submission published with your name or your organisation's name
- submission published anonymously, or
- submission not published.

For further information on the publication of submissions on Consultation Hub, please refer to the [Safe Work Australia Privacy Policy](#) and the [Consultation Hub HQ privacy policy](#).

If you are unable to lodge your submission using Consultation Hub, please email [HighRiskWork@swa.gov.au](mailto:HighRiskWork@swa.gov.au).

## Part 3: Proposals for public feedback

This section of the consultation paper sets out six key proposals for changes that could be made to crane licensing to improve safety and ensure the licensing system keeps pace with changing work practices and technology. The purpose of the paper is to get feedback on these proposals and whether stakeholders think they could provide an effective future model for crane licensing.

In some cases, the paper provides comparisons between the status quo approach to crane licensing and the proposal, to explain why feedback is being sought.

The proposals are:

- [1. Organising licences by function rather than lifting capacity](#)
- [2. Practical experience for crane operators](#)
- [3. Introducing new licences](#) for telehandlers, piling rigs and straddle carriers.
- [4. Structural changes to align training to specific skills and crane functions](#), including by incorporating some existing licences into other licence categories.
- [5. A prerequisite training course](#) for anyone operating cranes on a vessel over water, and
- [6. Improving the rigging licence framework](#) to correct incongruities and reflect contemporary work practices and equipment.

Each proposal is expanded on below and includes discussion questions for your feedback.

### Transitional arrangements

Many of the proposals related to crane licences presented in this discussion paper would require transitional arrangements if implemented, with consideration for existing licence holders who have already been trained and licensed under the current licensing arrangements.

Ultimately, the WHS regulator in each state and territory is responsible for issuing licences in their jurisdiction. However, a national approach to transitional arrangements is highly desirable as it provides consistent arrangements across the country and avoids problems of 'licence or training shopping' under mutual recognition provisions.

In developing transition arrangements, WHS regulators and Safe Work Australia would have regard to the volume and any impact on existing licence holders (e.g. the need to undertake additional training and obtain any new/revised licence) and the level of risk associated with operating the relevant crane.

### Proposal 1: Organisation of licences by function rather than lifting capacity

Currently, slewing mobile cranes, vehicle loading cranes and non-slewing mobile cranes are all licensed with reference to the lifting capacity of the crane. Stakeholder feedback has indicated that for some crane types, this method of organising crane licences has not kept pace with technology. There are also questions about whether organising cranes by their capacity adequately reflects the level of WHS risks and creates incentives for operators to use particular cranes that are just under the rated capacity required for a licence.

#### *Slewing mobile cranes*

For slewing mobile cranes, there are currently four licence types covering cranes of up to 20 tonnes (C2), up to 60 tonnes (C6), up to 100 tonnes (C1) and over 100 tonnes (CO).

Feedback from stakeholders has indicated that these lifting capacities for slewing mobile cranes have become obsolete with the advent of increasingly larger cranes; and that the training required to obtain a licence does not adequately cover common slewing crane functions, such as for crawler cranes.

There are also practical questions about the WHS impact of organising slewing mobile cranes this way. Whether a crane's load weighs 5 tonnes, 50 tonnes, or 500 tonnes, similar WHS risks (such as dropping the load or overturning the crane) exist, albeit on a differing scale.

The operating characteristics of different capacity cranes can often be quite similar among cranes with similar functions. For example, wheeled, hydraulic-jib cranes of different capacities are likely to have relatively similar operating characteristics. However, a crawler crane with a lattice jib has key differences to a wheeled, hydraulic-jib crane of the same capacity.

For these reasons, organising crane licences by function rather than capacity is likely to improve crane safety by improving the competency of crane operators through more relevant training.

#### **Summary of specific proposal for feedback**

Slewing mobile cranes could be licensed according to their function (e.g. wheeled vs. crawler cranes, hydraulic vs. lattice booms) rather than their rated capacity.

#### **Discussion questions**

1. Do you support the specific proposal for slewing mobile cranes? Why / why not?
2. If the proposal above was introduced, what impact would it have for you and your organisation (For example, would it keep workers safer? Would it improve WHS or create costs for your business? Could there be unintended secondary risks?)? Please provide as much detail as possible.
3. If you do not support the specific proposal, would you support new licences for cranes over 100 tonnes and specific licences for crawler cranes and lattice boom cranes or other alternatives?
4. If there are other alternatives, what are these and how would they improve crane safety and the operation of crane licences?

#### *Vehicle loading cranes*

Vehicle loading cranes currently require a licence if their lifting capacity is 10 metre tonnes or more. Vehicle loading cranes are widely used in Australia, with cranes currently not requiring a licence



ranging from very small cranes designed for small vehicles such as a utility truck, to larger truck-mounted cranes of up to 9.9 metre tonnes.

Several submissions to the crane licence review suggested that the WHS risks associated with vehicle loading cranes are similar regardless of the crane's lifting capacity, and that lowering the licence threshold would result in improvements to operator safety.

In comparison to other cranes, vehicle loading cranes are inexpensive, versatile and convenient. However, like other cranes they involve exposure to common WHS risks, including the risk of contact with overhead electric lines, a person being struck by the crane's load, and of rollover due to poor assessment of ground conditions or load management.

Overall, reducing licensed capacity for vehicle loading cranes will likely improve workplace safety. This consultation paper therefore seeks feedback on requiring a licence for vehicle loading cranes of 1,000kg (not metre tonnes, which many stakeholders find confusing) capacity or more.

#### Summary of specific proposal for feedback

The rated capacity for vehicle loading cranes requiring a licence could be reduced from 10 metre tonnes to 1,000kg.

#### Discussion questions

5. Do you support the specific proposal for vehicle loading cranes? Why / why not?
6. If the proposal above was introduced, what impact would it have for you and your organisation (For example, would it keep workers safer? Would it improve WHS or create costs for your business? Could there be unintended secondary risks)? Please provide as much detail as possible.
7. Are there alternatives, including non-regulatory alternatives, to the proposal proposed? What are these, and how would they improve crane safety and the operation of crane licences?

#### *Non-slewing mobile cranes*

Non-slewing mobile cranes currently only require a licence if they are over 3 tonnes in capacity. In terms of WHS risks, there is no practical difference between the risks associated with a crane of 2.9 tonnes capacity and a crane of 3 tonnes capacity. This points to the fundamental problem with organising cranes by lifting capacity rather than function: wherever you draw the line, there will likely be a smaller crane requiring similar skills, and with similar WHS risks.

#### Summary of specific proposal for feedback

Non-slewing mobile cranes could require a licence regardless of their rated capacity.

#### Discussion questions

8. Do you support the specific proposal for non-slewing mobile cranes? Why / why not?
9. If the proposal above was introduced, what impact would it have for you and your organisation (For example, would it keep workers safer? Would it improve WHS or create costs for your business? Could there be unintended secondary risks)? Please provide as much detail as possible.

10. Are there alternatives, including non-regulatory alternatives, to the proposal proposed? What are these, and how would they improve crane safety and the operation of crane licences?

### Proposal 2: Practical experience for operators

A key theme of feedback received during public consultation was the need for crane operators to gain more practical experience operating a crane before being granted a licence. Currently, the licensing framework does not require any operator experience outside of the initial training course and assessment of competency. These requirements are at odds with the objectives of crane licensing, which are to ensure that operators have the skills and experience to operate a crane safely.

Many stakeholders noted that crane operators need both experience in dogging work and in operating the relevant crane under supervision before being granted a licence. In practice, this already commonly occurs across the crane industry, as many crane businesses believe following only the minimal requirements currently required for a licence would put workers at risk.

Logbooks are a common method used across many occupations and work tasks to record the experience of a worker while they gain competency in a skill, under the supervision of a suitably qualified competent person. To be successful, a logbook would need to meet the following objectives:

**Safe:** Logbooks would need to enhance worker safety and not introduce new risks into the workplace (for example, including task requirements that are too advanced for the operator's skill level). Their introduction will need to be complemented by sufficient guidance on how to implement them safely (for example, the level of supervision and competency required).

**Competency-based:** A logbook should record the operator's experience and provide evidence of their progress towards competency. A logbook should therefore include minimum requirements to complete specific tasks that all licensed persons must be able to do competently. If the requirements are too broad – for example, by only requiring a certain number of hours in a crane – the operator may just record time sitting in a crane and not genuinely develop their skills.

**Flexible:** The logbook system would need to be adopted in all workplaces that use cranes, and account for different learning speeds and operator experiences.

**Accessible:** If the only way for a student to complete their logbook is via work experience with an employer, this could create a barrier for students who do not yet have a job. This may ultimately impact on workforce availability in the crane industry. A logbook system may need to account for differences in the availability of training or employment opportunities, including in regional areas.

#### *How a logbook system might work*

The completion of a logbook would form part of the requirements for a unit of competency (UoC). The relevant Jobs and Skills Council (JSC) would be responsible for co-designing a curriculum that accommodates logbooks. The logbook would include task requirements that align with competencies in the UoC.

Registered Training Organisations (RTOs) would issue the logbook to students, and ensure they are completed before awarding a student with a statement of attainment. A student would complete the hours in their logbook under the supervision of their employer, and a suitably qualified competent person would sign off each entry in the logbook.

Once their logbook is complete, the RTO would assess the student according to the UoC requirements and issue a statement of attainment. The student would then complete the relevant

National Assessment Instrument (NAI). The statement of attainment, logbook, NAI and other documentation would be provided to the regulator in support of a licence application.

This model is supported by existing WHS laws. Under Regulation 82 of the model WHS Regulations, a person is not required to be licensed to carry out HRW if they are in the course of training towards a licence, and under the supervision of a person who holds the relevant HRW licence. This means that if a logbook formed part of a course specified in Schedule 4 to the model WHS Regulations, a person could complete the logbook in a workplace under supervision without being in breach of the requirement to hold a HRW licence.

However, such a model would require careful design to ensure integrity. Logbook requirements would require co-design between the VET sector, industry and regulators, so that they balance the needs of businesses and regulators. However, WHS regulators are responsible for issuing licences and would therefore require ultimate decision-making authority over logbook requirements. A logbook system will also need safeguards to protect against integrity concerns (for example, a supervisor signing off on tasks that haven't actually been completed).

#### Summary of specific proposals for feedback

Introduce a requirement for experience working under supervision before a person can be issued with a crane licence. The operator's experience would be recorded by their employer in a logbook (which would likely be in digital format).

The logbook would include a certain number of hours for specific tasks they must complete under supervision. WHS regulators and/or the VET sector would issue guidance on the indicative level of supervision required for different tasks, depending on the level of experience of the operator.

The hours, tasks and specific requirements would vary depending on the crane. For most cranes, experience working as a dogger would be required before a person could begin to gain experience operating a crane.

The logbook would be issued as part of the crane training course and signed off by the person's employer. Once complete, the person would complete a National Assessment Instrument and could then apply for a full crane licence allowing them to work unsupervised.

#### Discussion questions

11. Do you support the specific proposals proposed? Why / why not?
12. If the proposals above were introduced, what impact would they have for you and your organisation (For example, would they keep workers safer? Would they improve WHS or create costs for your business?)? *Please provide as much detail as possible*
13. What factors would impact the success of a logbook system for cranes? What are the most important considerations in designing a logbook system for you and your organisation?
14. Are there alternatives to the proposals proposed? What are these, and how would they improve crane safety and the operation of crane licences?
15. Under the proposal, trainee crane operators who are gaining practical experience will need to be supervised by a suitably qualified competent person in the workplace. What types of qualifications and experience should the supervisor signing off the logbook have?
16. Should a person gaining practical experience have to be employed in a business that operates a crane? Are there alternative ways the person could gain practical experience?
17. For each of the following licence or crane types, provide an indication of approximately how long a person should work under supervision before being fully qualified. Please provide the

reasons for your view. Are there relevant examples from your workplace that demonstrate why a longer/shorter duration is appropriate?

- Dogging
- Tower cranes
- Slewing mobile cranes
- Vehicle loading cranes
- Bridge and gantry cranes
- Articulated mobile cranes

### Proposal 3: New licences

Feedback received throughout the crane licence review included many suggestions for new crane licences. This included some cranes that currently do not require a licence, and many cranes that may be already covered by an existing licence but where some uncertainty exists as to whether or not a licence is required.

Each crane was discussed by the working group, which proposed three cranes for new licences.

**Figure 1** below summarises the types of cranes suggested.

**Figure 1: New crane licences suggested by stakeholders**

Type of crane	Suggested approach
Telehandlers (including slewing, non-slewing, articulated, and a range of attachments)	Introduce a new licence due to the unique operating characteristics of telehandlers, their widespread use and the significant WHS risks associated with their operation.
Piling rigs	Introduce a new licence due to the unique operating characteristics of piling rigs, their widespread use and the significant WHS risks associated with their operation, including several fatalities that have occurred.
Straddle carriers	Introduce a new licence due to the unique operating characteristics of straddle carriers, the current uncertainty about licensing requirements in relation to their use, and the significant WHS risks associated with their operation.

#### *Telehandlers*

The use of telehandlers in Australian workplaces has grown significantly since the HRW licensing system was first introduced in the early 1990s. WHS regulators in all jurisdictions consider a number of telehandler operations to be HRW (including use of a forks, lifting jib or work platform attachment), however there is no telehandler-specific HRW licence under the model WHS laws.

The introduction of a telehandler licence was a common theme in submissions to the crane licensing review. Many stakeholders noted that telehandlers are ubiquitous and involve serious WHS risks; and that the current regulatory requirements for telehandlers are nationally inconsistent, difficult to comply with, and do not provide the competencies required to ensure safe operation.

For these reasons, this discussion paper is seeking feedback on the introduction of a telehandler HRW licence in Australia.

Note that in 2022, the Victorian Government announced the introduction of a new Victorian non-slewing telehandler HRW licence, with the new licence to be effective from 1 July 2024. This change is separate to the proposal for a national telehandler licence outlined in this discussion paper.

#### *Previous consideration of a telehandler licence*

In June 2016, Safe Work Australia convened an expert panel to assess whether telehandlers should be licensed. This resulted in a recommendation to Safe Work Australia Members to introduce a licence. Members agreed to consider licensing telehandler operations through a regulatory impact assessment process.

A regulatory impact analysis was commenced, however the licence was not ultimately progressed due to a lack of available data on telehandler incidents to support the impact analysis.

The Agency considers that the level of feedback through the more recent crane licensing review provides helpful evidence to warrant further consideration of a licence.

The proposed telehandler licence would apply to all slewing and non-slewing telehandlers and would have the following features:

- A national licence with a 'base' unit of competency allowing the operation of a telehandler with common fixed attachments, including forks, bale spikes, grapples and buckets.
- Additional elective licences (please refer to the next section) for:
  - **work platforms:** Required when using the telehandler with a work platform.
  - **suspended loads:** Required when using the telehandler as a crane. This endorsement would require the prerequisites common to other crane licences, including basic crane training and dogging.
- The licence would not be encompassed within other HRW licences.
- All telehandlers would require a licence regardless of lifting capacity.

This approach may be flexible enough to accommodate the wide variety of use cases for telehandlers. For example, operators in the agriculture sector would generally only need the base licence, and not need to be trained as a dogger.

Additional elective licences could be introduced as technology and industry applications evolve.

Please refer to the [next section](#) on licence structure for more information about the proposed licence structure.

#### *Piling rigs*

The lack of a licence for piling rig operators has been a long-standing concern of WHS regulators and stakeholders in various industries. Operating piling rigs is an inherently hazardous activity involving serious risks to WHS and requiring specialised training. Regrettably, a number of workers have lost their lives in piling rig incidents across Australia. For these reasons, this discussion paper is seeking feedback on the introduction of a piling rig HRW licence in Australia.

#### *Piling rig elective licence within the slewing crane licence*

The next section of the discussion paper outlines proposals for restructuring crane licences, including by drawing explicit links between the training required for cranes that have common features.

Using this approach, the proposed approach for piling rigs would involve an elective licence linked to the slewing mobile crane. Essentially, operators wishing to apply for a licence to operate a piling rig would need to first:

- hold a dogging licence (due to piling rig operators requiring experience working ‘under the hook’ of lifting equipment)
- receive training in crane safety fundamentals, and
- receive base slewing mobile crane licence training as a component of their piling rig training (due to the operational similarities with hydraulic booms and crawler-track movement across the two differing items of plant).

Licence applicants could then complete specialised training for a piling rig elective licence, allowing them to operate a piling rig once completed.

Please refer to the [next section](#) on licence structure for more information about elective licences.

### *Straddle carriers*

Straddle carriers are a type of mobile crane used to lift an object and move it (on wheels) to another place by straddling it from above. Straddle carriers are most similar to bridge or gantry cranes in function, with the key difference that they are not fixed in place and can move. The majority of straddle carriers are used within ports for container handling although there has been an increase in their use in infrastructure construction to move concrete elements.

Operating straddle carriers is an inherently hazardous activity involving serious risks to WHS and requiring specialised training. Regrettably, there have been very serious injuries in Australia, and a 2018 fatality in New Zealand, related to straddle carrier operation. For these reasons, this discussion paper is seeking feedback on the introduction of a straddle carrier HRW licence in Australia.

### *Straddle carrier elective licence within the bridge and gantry crane licence*

The next section of the discussion paper outlines proposals for restructuring crane licences, including by drawing explicit links between the training required for cranes that have common features.

Using this approach, the proposed approach for straddle carriers would involve an elective licence linked to the bridge and gantry crane. Essentially, operators wishing to apply for a licence to operate a straddle carrier would need to first:

- receive training in crane safety fundamentals, and
- receive base bridge and gantry crane training as a component of their straddle carrier training (due to the operational similarities between straddle carriers and bridge and gantry cranes).

Licence applicants could then complete specialised training for a straddle carrier elective licence, allowing them to operate a straddle carrier once completed.

Please refer to the [next section](#) on licence structure for more information about elective licences.

<b>Summary of specific proposals for feedback</b>
Introduce a telehandler licence covering the operation of slewing and non-slewing telehandlers with common attachments including forks, bale spikes, grapples and buckets. Optional elective licences could also be introduced covering the use of a telehandler with work platform and suspended load attachments.
Introduce a piling rig licence. The licence could be an optional elective licence sharing some training prerequisites with slewing mobile cranes.
Introduce a straddle carrier licence. The licence could be an optional elective licence sharing some training prerequisites with bridge and gantry cranes.

## Discussion questions – New licences

*The following questions apply to each of the new licences outlined above.*

18. Do you support the specific proposals proposed? Why / why not?
19. If the proposals above were introduced, what impact would they have for you and your organisation (For example, would they keep workers safer? Would they improve WHS or create costs for your business?)? *Please provide as much detail as possible*
20. What factors would impact the success of the proposed new licences?
21. Are there alternatives to the proposals proposed, including non-regulatory options? What are these, and how would they improve crane safety?
22. For each of the licences or crane types proposed, provide an indication of approximately how long a person should work under supervision before being fully qualified.
  - Telehandler
  - Telehandler (suspended load elective licence)
  - Telehandler (work platform suspended licence)
  - Piling rig
  - Straddle carrier
23. Are there specific types of plant or models that should or shouldn't be included in the scope of each proposed licence? *This question will aid in developing a legal definition for each type of plant.*

### Proposal 4: Structural changes to align training to specific skills and crane functions

*Why change the structure of crane licences?*

The need to align crane operator training with crane functions, rather than capacity, has already been discussed in [Proposal 1](#). Along with this, a number of submissions to the crane licence review suggested new crane licences (see [Proposal 3](#)) or proposed other changes to existing licences to address technical issues.

These suggestions highlight the complexity of providing sufficiently targeted licence training courses for the huge range of cranes used in the workplace today. Since HRW licences were introduced in the 1990s, cranes have become more specialised, leading to the licensing system falling behind advancements in workplace practices and crane technologies.

One potential solution to this problem is simply to introduce a lot more licences. However, policy analysis to date would suggest a better approach is to make crane licences more modular and targeted to avoid crane operators from having to hold numerous licences.

*Improving operator competency through training structure*

Crane licence training courses are generally designed to provide a new trainee operator with all the information they need to operate a crane safely. However, many crane operators will ultimately hold more than one crane licence, and these operators will often need to repeat the same content again and again as they are trained for new licences. This may not always be a bad thing. Repetition can help in reinforcing key safety messages. However, consistent feedback to Safe Work Australia has emphasised that the best way to improve operator competency is through a focus on more practical experience.

There is an opportunity to improve crane licensing overall by 'scaffolding' content across crane licence courses, which would be of particular benefit to multiple licence holders. 'Scaffolding' is a term used in education, whereby simpler, foundation content is introduced to the learner first, with more complex content introduced later (i.e. built on top like a scaffold). This approach recognises



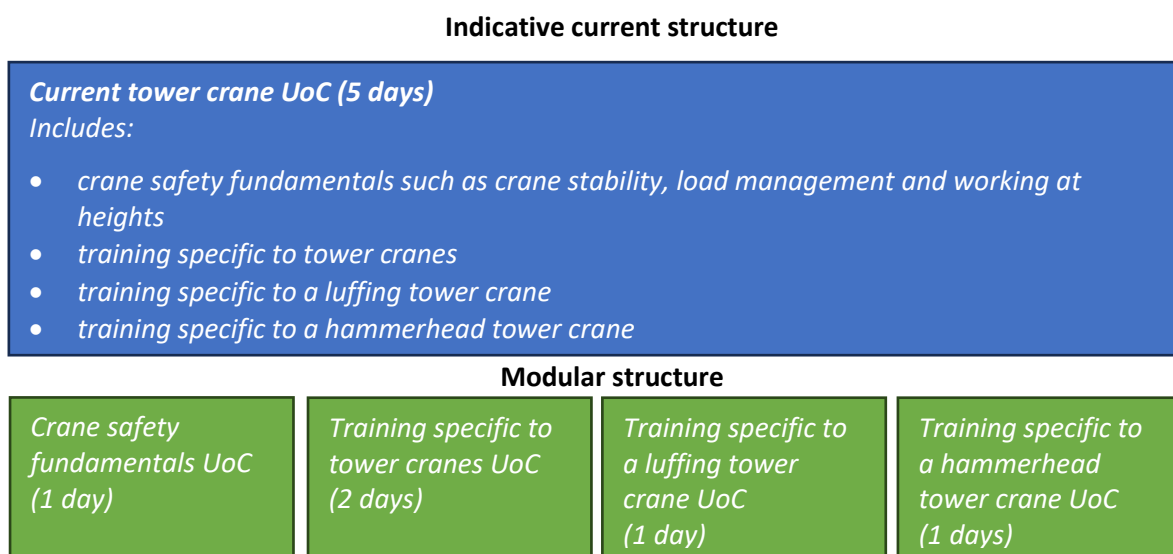
prior learning and reduces repetition, while ensuring that the training and practical experience operators receive is directly targeted at the competency they need to develop to work safely.

*Making the crane licensing system more modular and targeted*

One way to provide more ‘scaffolding’ of crane licence content is to ‘split’ UoCs into smaller components and structure them according to the specific skills needed for each crane, with skills able to be built upon one another. This would allow crane licence applicants to ‘customise’ their licences, and, where applying for similar crane licences, be granted these without repeating the same training over and over.

To use a simple indicative example, **Figure 3** below shows how the same training and licence requirements for tower cranes could be delivered in two different ways:

**Figure 3: Simplified, indicative comparison between current crane structure and modular structure**



**Note: Figure 3 is provided for illustrative purposes only. It is not intended to indicate the proposed duration of crane licence courses.**

Both structures deliver the same competencies to the operator in the same amount of time. However, this structure would lead to two key changes:

1. It would allow an operator who only wanted to be licensed to operate a luffing tower crane to do so without being trained on hammerhead tower cranes, and
2. If the operator subsequently wants to apply for other crane licences, they would not need to repeat the ‘crane safety fundamentals’ course (provided their training remains current).

*Components of a more modular licensing system*

This discussion paper includes a modular model of crane licensing for public consultation purposes. It aims to demonstrate what a new crane licensing system could look like if UoCs were split into smaller, more targeted components. Note this model was developed for the purpose of seeking stakeholder feedback and requires further refinement.

In the model, licences are grouped together under **base licences**, which indicate the general type of crane being operated, with some base licences being able to be built upon with additional **elective licences (ELs)** for performing specific (and more complex) lifting tasks, or the use of specific functions for which an operator requires more specialised training and assessment.



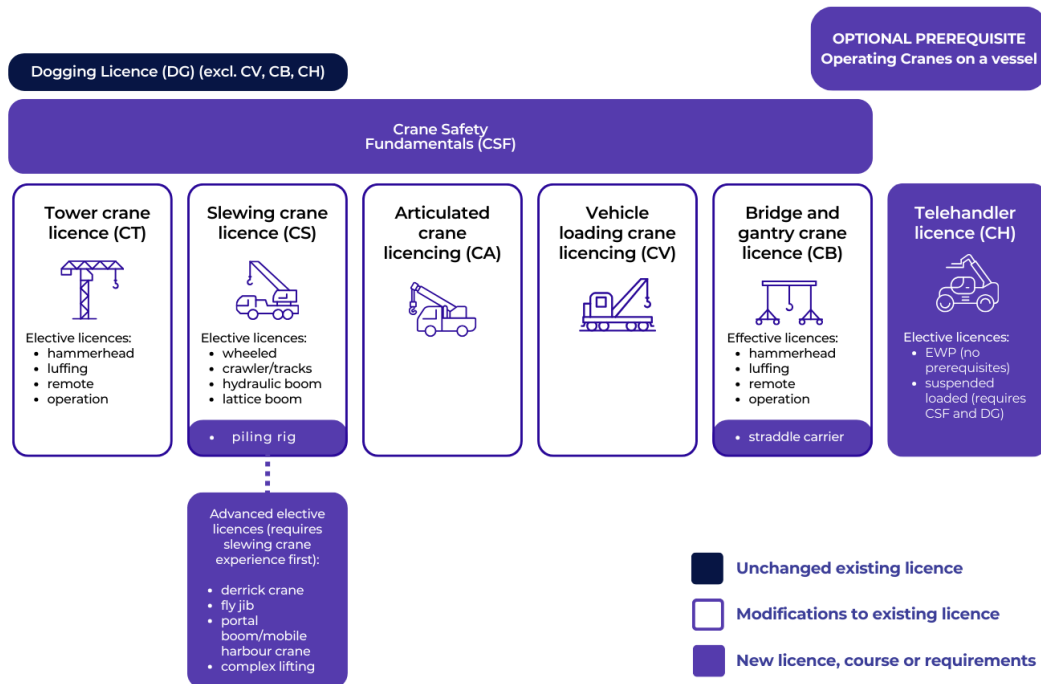
ELs would provide flexibility that better fits the range of technologies and capabilities available in modern cranes today. This type of licensing also offers a more sustainable and less disruptive model into the future. As technology evolves, more elective licence options could be developed without overhauling entire licence classes.

Under the proposed new licensing model, applicants for most crane licences will first be required to complete fulfil the requirements for a dogging licence (including training, practical experience and assessment), and complete a Crane Safety Fundamentals UoC as prerequisites.

The dogging licence prerequisite was an agreed outcome from [Phase 1 of the crane licensing review](#), designed to ensure crane operators had adequate knowledge of safe dogging principles including signalling techniques and load estimation and slinging techniques to move a load.

The crane safety fundamentals course would be a new UoC intended to provide applicants with a general basic knowledge of safe crane operation, lifting principles, hazard identification and risk control, which are considered common to the operation of all cranes. Much of the content of the proposed crane safety fundamentals UoC would be based on content already covered at the beginning of all existing crane UoCs. An advantage of the new course would be that applicants for multiple crane licences would not need to repeat this training with each respective licence (provided their training remains current).

Figure 4 below shows the proposed licensing structure. Key proposed changes are summarised below the diagram.



### New licence classes

- Telehandler licence (with ELs for suspended loads and elevating work platforms)
- Piling rig EL under the general slewing crane licence
- Straddle carrier EL under the bridge and gantry crane licence

### Existing licence classes (with changes)

- Tower crane licence (ELs for luffing jib, hammerhead and remote operation [replaces self-erecting tower crane licence])
- General slewing crane licence (replaces C2 to CO classes; ELs for wheeled, crawler, hydraulic boom and lattice boom cranes. Advanced ELs for derrick cranes, fly jibs, portal boom/ mobile harbour cranes and complex lifts)
- Articulated crane licence (replaces Non-slewing mobile crane with a capacity greater than 3 tonnes. 3 tonne threshold removed and name changed)
- Vehicle loading crane licence (10 metre tonne threshold reduced to 1,000kg)
- Bridge and gantry crane licence (more than three powered operations removed from licence criteria, new definition to be developed for bridge and gantry cranes that require a licence, straddle carrier EL added)

### Licences that would be abolished or merged with other licences

- Derrick crane (becomes an advanced slewing crane EL)
- Portal boom crane (becomes an advanced slewing crane EL)
- Self-erecting tower crane (becomes a remote operation EL under tower crane licence)

All existing slewing mobile crane licences (replaced with general slewing crane licence)

Figure 5 below shows how prerequisites would work for each licence type.

Dogging licence prerequisite?	Crane safety fundamentals prerequisite?	Base licence	Elective licence (EL)
Yes	Yes	Tower crane licence	Hammerhead tower crane EL
Yes	Yes		Luffing tower crane EL
Yes	Yes		Remote tower crane EL
Yes	Yes	Slewing crane licence	Wheeled slewing crane EL
Yes	Yes		Crawler track slewing crane EL
Yes	Yes		Hydraulic boom slewing crane EL
Yes	Yes		Lattice boom slewing crane EL
Yes	Yes		Piling rig licence EL
Yes	Yes	Articulated crane licence	No elective
Yes	Yes	Telehandler licence	Suspended load telehandler EL
No	No		Elevating work platform EL
No	No		No elective
No	Yes	Vehicle loading crane	No elective
No	Yes	Bridge and gantry crane	No elective
No	Yes		Straddle carrier EL

### Summary of specific proposals for feedback

Split existing crane licence UoCs into smaller components and structure these with both **base** and **elective** licences, and prerequisites, as outlined in **Figures 4 and 5** above.

### Discussion questions

*Noting this section includes a lot of different proposals, please be as specific as you can when providing feedback as to which elements you support, which you don't and which you have feedback on.*

24. Do you support the specific proposals proposed? Why / why not?
25. If the proposals above were introduced, what impact would they have for you and your organisation (For example, would they keep workers safer? Would they improve WHS or create costs for your business?)? *Please provide as much detail as possible*
26. What factors would impact the success of the proposed new crane licence model?
27. Are there alternatives, including non-regulatory alternatives, to the proposals proposed? What are these, and how would they improve crane safety?

28. *(specific to advanced slewing crane elective licences)* How much experience should an operator have operating a standard slewing mobile crane before being allowed to apply for advanced elective licences (see Figure 4)?
29. *(specific to crane licences being removed)* Does the removal of any of the current crane licences and incorporation into the new model create any WHS risks?
30. *(specific to bridge and gantry cranes)* Should all bridge and gantry cranes (regardless of the number of functions) be licenced? If not, what types should be exempt from a licence?
31. *(specific to piling rigs)* Should the piling rig licence be separated from the slewing crane base licence? Why/why not?

### Proposal 5: Operating cranes on vessels

Operating cranes on vessels involves unique WHS risks. The movement of a ship on water can significantly impact the movement of a crane, requiring specialist training for operators. Equipment can also degrade faster in marine environments due to saltwater spray. The current crane licensing framework does not address these issues, and some stakeholders have noted there is considerable confusion about whether licences are required when operating a crane on board a vessel.

To provide greater certainty to industry and crane operators, this discussion paper proposes a prerequisite training course for any crane operation on a vessel. This would apply not just at ports, but on any vessel (including inland waterways). The operator would need to have completed this course, and also hold the relevant HRW licence appropriate for the type of crane being used.

International ships visiting Australian waters also use a range of cranes on board their vessels, and some stakeholders have suggested there is confusion about licensing requirements for these cranes. We would welcome feedback about how a new prerequisite for operating cranes on a vessel should apply to international-flagged ships.

#### Summary of specific proposals for feedback

Introduce a new prerequisite training course, required for operating cranes on a vessel over water. The course would be required in addition to the relevant HRW licence for the crane being operated.

#### Discussion questions

32. Do you support the specific proposals proposed? Why / why not?
33. If the proposals above were introduced, what impact would they have for you and your organisation (For example, would they keep workers safer? Would they improve WHS or create costs for your business?)? *Please provide as much detail as possible.*
34. What factors would impact the success of the proposed new crane licence model?
35. Are there alternatives, including non-regulatory alternatives, to the proposals proposed? What are these, and how would they improve crane safety?

### Proposal 6: Improving the rigging licence framework

Stakeholder feedback received throughout the crane licensing review highlighted that the current rigging licence framework contains significant incongruities, including dated terminology and a perceived lack of relevance to contemporary work practices and equipment. This misalignment can cause confusion with PCBUs and workers on the licences and competencies required for

contemporary rigging activities, potentially resulting in improper training and endangering workers and others.

Safe Work Australia is seeking feedback on the current rigging licence classes, licenced activities and how these can be improved.

Schedule 3 to the model WHS Regulations includes three classes or categories of rigging work – basic, intermediate, and advanced. Each of these categories includes rigging work involving specified activities and plant and/or equipment. These are listed in **Figure 6** below.

**Figure 6: Current activities and equipment associated with rigging work**

<b>Basic rigging</b>
Structural steel erection
Hoists
Pre-cast concrete members of a structure
Safety nets and static lines
Mast climbing work platforms
Perimeter safety screens and shutters
Cantilevered crane loading platforms
<b>Intermediate rigging</b>
Hoists with jib and self-climbing hoists
Cranes, conveyers, dredges and excavators
Tilt slabs
Demolition of structures or plant
Dual lifts
<b>Advanced rigging</b>
Gin poles and shear legs
Flying foxes and cable ways
Guyed derricks and structures
Suspended scaffolds and fabricated hung scaffolds

Some stakeholders have suggested that a number of these activities are no longer relevant to contemporary rigging work and should be removed from Schedule 3. Questions at the end of this chapter ask for your views on the currency of these rigging activities and whether any should be removed, or new ones added.

#### *A potential 'modular' approach to rigging licences*

One option for modernising the rigging licence framework is to introduce a 'modular' approach to rigging licences (similar to that provided above for crane licences), which would involve:

- Removing the basic, intermediate and advanced licence classes and introducing a single 'base' licence that allows the licence holder to do some 'base' tasks that all riggers are expected to be able to do.
- Elective licences would then be added to train the licence holder and allow them to undertake additional, more complex rigging tasks.

The questions at the end of this chapter ask for your views on which rigging activities you believe should be included in a 'base' rigging licence and which activities could be elective licences, if a modular approach to rigging licences was adopted.

#### *Combining activities with similar skill sets*

Another suggested change or improvement to rigging licences involves combining activities/equipment that involve similar skill sets, which should streamline the development of supporting training courses. For example, there may be benefits in a single training unit covering both 'precast concrete members of a structure' and 'tilt slabs' – these could be combined into a single 'concrete elements' endorsement.

The discussion questions at the end of this chapter ask for your views on which of the activities listed in **Figure 6** have similar skills sets and could be combined in a single elective endorsement or category.

#### **Summary of specific proposals for feedback**

Review the current licenced activities and equipment for rigging licences, seeking feedback on:

- removing the basic, intermediate and advanced licence classes and introducing a single 'base' licence that allows the licence holder to do some 'base' tasks that all riggers are expected to be able to do.
- adding elective licences to train the licence holder and allow them to undertake additional, more complex rigging tasks
- combining rigging activities that involve similar skill sets.

#### **Discussion questions**

36. Are the activities and equipment listed in Figure 6 still relevant to rigging work or should they be removed from Schedule 3?
37. Are there any other activities or items not currently covered by a rigging licence that you think should be licenced?
38. Which of the activities and equipment listed in Figure 6 could be included in a 'base' rigging licence (i.e. activities all riggers should be competent to perform)?
39. Which activities or equipment listed in Figure 6 could be elective licences that only some riggers would need to know how to perform?
40. Which activities/equipment are related and could be combined to be covered in a single licence?
41. What impact would changes to the rigging licence framework have on you or your business?

## Appendix A: Key definitions

Term	Description
Bridge crane	<p>A crane that:</p> <ul style="list-style-type: none"> <li>• consists of a bridge beam or beams, that are mounted to end carriages at each end</li> <li>• is capable of travelling along elevated runways, and</li> <li>• has 1 or more hoisting mechanisms arranged to traverse across the bridge.</li> </ul>
Crane	<p>A crane means an appliance intended for raising or lowering a load and moving it horizontally including the supporting structure of the crane and its foundations, but does not include any of the following:</p> <ul style="list-style-type: none"> <li>• an industrial lift truck</li> <li>• earthmoving machinery</li> <li>• an amusement device</li> <li>• a tractor</li> <li>• an industrial robot</li> <li>• a conveyor</li> <li>• building maintenance equipment</li> <li>• a suspended scaffold, or</li> <li>• a lift.</li> </ul>
Dogging work	<p>Dogging work means:</p> <ul style="list-style-type: none"> <li>• the application of slinging techniques, including the selection and inspection of lifting gear, to safely sling a load, or</li> <li>• the directing of a plant operator in the movement of a load when the load is out of the operator's view.</li> </ul>
Duty holder	<p>A duty holder refers to any person who has a WHS duty under the model WHS laws, including a PCBU, designer, manufacturer, importer, supplier, installer of plant or structures, officer and worker.</p>
Gantry crane	<p>A crane that:</p> <ul style="list-style-type: none"> <li>• consists of a bridge beam or beams supported at one or both ends by legs mounted to end carriages</li> <li>• is capable of travelling on supporting surfaces or deck levels, whether fixed or not, and</li> <li>• has a crab with 1 or more hoisting units arranged to travel across the bridge.</li> </ul>
HRW	<p>High risk work, which means any work set out in Schedule 3 to the model WHS Regulations as being within the scope of a high risk work licence. For more information, see <a href="#">Appendix B</a>.</p>
HRW licence	<p>High risk work licence, which means any of the licences listed in Schedule 3 to the model WHS Regulations.</p>
Licence holder	<p>In the case of a HRW licence, a licence holder is the person who is licensed to carry out the work.</p>

Term	Description
Mobile crane	A crane capable of travelling over a supporting surface without the need for fixed runways and relying only on gravity for stability.
Model Codes	Model Codes of Practice, which are practical guides to achieving the standards of health and safety required under the model WHS laws and identifying and managing risks. Under the model WHS Act, a code of practice may be admissible in court proceedings as evidence of whether or not a duty or obligation has been complied with (s275(2) of the model WHS Act). what is known about a hazard or risk, risk assessment or risk control (s 275(3)(a) of the model WHS Act) and may rely on the code of practice in determining what is reasonably practicable in the circumstances to which the code relates (s 275(3)(b) of the model WHS Act).
Model WHS Act	The model WHS Act refers to the model Work Health and Safety Bill. It forms the basis of the WHS Acts that have been implemented in most jurisdictions across Australia.
Model WHS laws	The model WHS laws comprises the model WHS Act, model WHS Regulations and model Codes.
Model WHS Regulations	The model WHS Regulations form the basis of the WHS Regulations that have been implemented in most jurisdictions across Australia. They set out detailed requirements to support the duties in the model WHS Act.
Non-slewing mobile crane	A mobile crane incorporating a boom or jib that cannot be slewed, and includes an articulated mobile crane or a locomotive crane, but does not include vehicle tow trucks.
PCBU	Person conducting a business or undertaking, as defined under s 5 of the model WHS Act. A PCBU can be a company; an unincorporated body or association; a sole trader or self-employed person; a not-for-profit organisation; a local council; a government department or agency; a school; a franchise; or in some circumstances a volunteer organisation. Individuals who are in a partnership that is conducting a business will individually and collectively be a PCBU.
Plant	Plant includes any machinery, equipment, appliance, container, implement and tool; any component of any of those things; and anything fitted or connected to any of those things.
Powered mobile plant	Plant that is provided with some form of self-propulsion that is ordinarily under the direct control of an operator.
Rated capacity	The load a plant is designed to lift for a given operating configuration and position of load.
Rigging work	<p>Rigging work means:</p> <ul style="list-style-type: none"> <li>• the use of mechanical load shifting equipment and associated gear to move, place or secure a load using plant, equipment or members of a structure to ensure the stability of those members, or</li> <li>• the setting up or dismantling of cranes or hoists.</li> </ul>



Term	Description
Safe Work Australia Members	Safe Work Australia is a national policy body representing the interests of the Commonwealth, states and territories, as well as workers and employers. Its decision-making body comprises Members representing the Commonwealth and each state and territory, employee and employer representatives.
Self-erecting tower crane	<p>A self-erecting tower crane is a crane:</p> <ul style="list-style-type: none"> <li>• that is not disassembled into a tower element and a boom or jib element in the normal course of use, and</li> <li>• where the erection and dismantling processes are an inherent part of the crane's function.</li> </ul>
Serious claims	Serious claims include all accepted workers' compensation claims for an incapacity that results in a total absence from work of one working week or more, excluding fatalities and journey claims.
Slewing mobile crane	A mobile crane incorporating a boom or jib that can be slewed, but does not include a front-end loader, a backhoe, an excavator, or other earth moving equipment when configured for crane operation.
Telehandler	A telehandler (also known as a telescopic material handler or multipurpose tool carrier) is a type of powered mobile plant with either a fixed or slewing boom that lifts primarily by luffing and telescoping of the boom. It is designed to be configured with a range of temporary attachments including forks, a work platform, or a jib attachment.
Tower crane	<p>A crane that:</p> <ul style="list-style-type: none"> <li>• has a boom or a jib mounted on a tower structure</li> <li>• the crane, if a jib crane, may be a horizontal or luffing jib type, and</li> <li>• the tower structure may be demountable or permanent but does not include a self-erecting tower crane.</li> </ul>
UoC	Units of competency are developed by the VET sector and delivered by Registered Training Organisations (RTOs). A person wishing to undertake a certain class of HRW must first be successfully trained and assessed against the UoC for the relevant VET course in Schedule 4 to the model WHS Regulations.
WHS authority	The relevant WHS authority for each jurisdiction. The authority manages compliance and enforcement of WHS laws and has enforcement and arbitration powers. The authorities are Comcare (Cth), WorkSafe ACT, SafeWork NSW, NT WorkSafe, Workplace Health and Safety Queensland, SafeWork SA, WorkSafe Tasmania, WorkSafe Victoria and WorkSafe WA.
Worker	Any person who carries out work in any capacity for a PCBU, as defined under s 7 of the model WHS Act. This includes work as an employee, contractor, subcontractor, self-employed person, outworker, apprentice or trainee, work experience student, employee of a labour hire company placed with a 'host employer' and volunteer.

Term	Description
Workplace	Any place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work, as defined under s 8 of the model WHS Act. This may include offices, factories, shops, construction sites, vehicles, ships, aircraft or other mobile structures on land or water.

## Appendix B: High risk work under the model WHS laws

### WHS duties

Everyone in the workplace has a health and safety duty under the model WHS Act.

**A person conducting a business or undertaking** (PCBU) must ensure, so far as is reasonably practicable, workers and other people are not exposed to health and safety risks arising from the business or undertaking. It also includes ensuring so far as is reasonably practicable the:

- provision and maintenance of safe plant, and
- safe use, handling, storage and transport of plant.

A PCBU must manage risks by eliminating health and safety risks, so far as is reasonably practicable and if it is not reasonably practicable to eliminate the risks, by minimising those risks, so far as is reasonably practicable.

The model WHS laws include more specific requirements for PCBUs to manage the risks of hazardous chemicals, airborne contaminants and plant, as well as other hazards associated with powered mobile plant and plant that lifts or suspends loads at a workplace.

A PCBU must also ensure workers have the necessary training, qualifications or licences to operate powered mobile plant, for example checking licensing, qualifications and fitness for work when engaging drivers and operators or hiring contractors. A PCBU must not direct or allow an unlicensed worker to carry out work for which a licence is required.

**A person who has management or control of a workplace** must ensure, so far as is reasonably practicable, the workplace, the means of entering and exiting the workplace and anything arising from the workplace is without risks to health and safety. This requirement includes work areas where powered mobile plant is being used. They must also manage risks to health and safety associated with plant.

**Workers** at the workplace must take reasonable care for their own health and safety, co-operate with reasonable policies, procedures and instructions and not adversely affect other people's health and safety. Workers who operate plant should be competent or suitably supervised during training. A worker who operates plant that requires a licence, must hold a valid HRW licence. A HRW licence holder must:

- only do HRW for which they are licensed, and
- comply with any conditions imposed on the HRW licence.

### What is HRW?

HRW describes a variety of hazardous work environments as well as the operation of hazardous plant and equipment. The risks arising from these environments and activities are so significant it is considered necessary to apply additional statutory controls on who can conduct this work. Specifically, the model WHS Regulations require people undertaking these work activities to hold a HRW licence.

### What is a HRW licence?

A HRW licence demonstrates that the holder has achieved a minimum standard of competency and can undertake the work safely. A HRW licence is an authority from a WHS authority permitting the worker to undertake a prescribed HRW activity.

The model WHS Regulations provide a WHS authority the opportunity to set conditions on a HRW licence, such as not operating a crane at night, to ensure the safety of workers and workplaces. The model WHS Regulations also provide a WHS authority with the authority to suspend or cancel a HRW

licence, and to disqualify that licence holder from applying for a further HRW licence, to prevent further work occurring if a worker is shown to not be competent.

A HRW licence helps PCBUs ensure their workers have the minimum competency required to undertake work safely.

### **What classes of work require a HRW Licence?**

Schedule 3 to the model WHS Regulations sets out 29 licence classes of HRW. The HRW licence classes generally seek to ensure minimum worker competency to adequately control risks relating to:

- plant operation
- slinging and lifting of loads
- erection of structures, and
- working at height.

Licensing for HRW has a long history in Australia. The vast majority of classes of work contained within Schedule 3 date before 1991.

In 2011, the model WHS laws were finalised and have been implemented in most states and territories. While Victoria has not implemented the model WHS laws, there is an agreement between WHS authorities that if a person obtains a HRW licence in one Australian jurisdiction, they will be considered competent and permitted to do the relevant HRW in any other Australian jurisdiction.

### **How is a HRW licence obtained?**

To obtain a HRW licence, a person must be trained and assessed as competent to undertake the work.

The knowledge and skills necessary to undertake HRW are set out in relevant training courses developed by the VET sector. Schedule 4 to the model WHS Regulations sets out the VET courses for each HRW licence class.

Training and assessment against a VET course is delivered by a registered training organisation (RTO) which has been accredited by the Australia Skills Quality Authority, the national VET regulator.

A person wishing to undertake a certain class of HRW must first be successfully trained and assessed by the RTO. Once assessed competent by the RTO, the person must undergo further assessment against the associated National Assessment Instrument (NAI) endorsed by Safe Work Australia Members.

NAIs provide a nationally consistent tool for assessing a person's competence to undertake classes of HRW. NAIs are used by all jurisdictions. In most jurisdictions, assessment against the NAI is conducted by an assessor accredited by the WHS authority.

Once assessed as competent by an accredited assessor the person can apply to the WHS authority for a HRW licence.

### **What HRW licensing is required for crane operations?**

The operation of certain types of cranes is 'high risk work' under the model WHS Regulations and, as such, a person must not operate certain cranes without holding the appropriate HRW licence.

Licence classes for the use of cranes include:

- Tower crane (Class CT)
- Self-erecting tower crane (Class CS)
- Derrick crane (Class CD)
- Portal boom crane (Class CP)

- Bridge and gantry crane (Class CB)
- Vehicle loading crane (Class CV)
- Non-slewing mobile crane (Class CN)
- Slewing mobile crane – with a capacity up to 20 tonnes (Class C2)
- Slewing mobile crane – with a capacity up to 60 tonnes (Class C6)
- Slewing mobile crane – with a capacity up to 100 tonnes (Class C1)
- Slewing mobile crane – with a capacity over 100 tonnes (Class CO)

(Schedule 3 to the model WHS Regulations, Table 3.1, Items 8 to 18).

### **Who bears the cost of HRW licensing?**

Duty holders under the model WHS laws include PCBUs, officers, workers and other persons at the workplace, as well as designers, manufacturers, importers, and suppliers of plant, substances, or structures. All have a role to play to ensure that health and safety is a priority in the workplace.

The burden of HRW licensing is primarily carried by workers as training, obtaining a licence, and renewing a licence generally falls on the licence holder. Some businesses may decide to pay these costs for their workers.

Licensing regimes are often criticised as a barrier to entry, decreasing the availability of operators, and increasing production and wage costs.<sup>2</sup> On the other hand, a competency-based licence system can help ensure the quality of work performed and the safety of workers and others, and may provide a pathway for entry into an occupation.

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<sup>2</sup> Senate Select Committee on Red Tape, *Interim report: Effect of red tape on occupational licensing*, Commonwealth of Australia, 2018.

## Appendix C: Full list of discussion questions

### Proposal 1: Organisation of licences by function rather than lifting capacity

1. Do you support the specific proposal for slewing mobile cranes? Why / why not?
2. If the proposal above was introduced, what impact would it have for you and your organisation (For example, would it keep workers safer? Would it improve WHS or create costs for your business? Could there be unintended secondary risks?)? Please provide as much detail as possible.
3. If you do not support the specific proposal, would you support new licences for cranes over 100 tonnes and specific licences for crawler cranes and lattice boom cranes or other alternatives?
4. If there are other alternatives, what are these and how would they improve crane safety and the operation of crane licences?
5. Do you support the specific proposal for vehicle loading cranes? Why/why not?
6. If the proposal above was introduced, what impact would it have for you and your organisation (For example, would it keep workers safer? Would it improve WHS or create costs for your business? Could there be unintended secondary risks?)? Please provide as much detail as possible.
7. Are there alternatives, including non-regulatory alternatives, to the proposal proposed? What are these, and how would they improve crane safety and the operation of crane licences?
8. Do you support the specific proposal for non-slewing mobile cranes? Why/why not?
9. If the proposal above was introduced, what impact would it have for you and your organisation (For example, would it keep workers safer? Would it improve WHS or create costs for your business? Could there be unintended secondary risks?)? Please provide as much detail as possible.
10. Are there alternatives, including non-regulatory alternatives, to the proposal proposed? What are these, and how would they improve crane safety and the operation of crane licences?

### Proposal 2: Practice experience for operators

11. Do you support the specific proposals proposed? Why / why not?
12. If the proposals in Proposal 2 were introduced, what impact would they have for you and your organisation (For example, would they keep workers safer? Would they improve WHS or create costs for your business?)? Please provide as much detail as possible
13. What factors would impact the success of a logbook system for cranes? What are the most important considerations in designing a logbook system for you and your organisation?
14. Are there alternatives to the proposals proposed? What are these, and how would they improve crane safety and the operation of crane licences?
15. Under the proposal, trainee crane operators who are gaining practical experience will need to be supervised by a suitably qualified competent person in the workplace. What types of qualifications and experience should the supervisor signing off the logbook have?
16. Should a person gaining practical experience have to be employed in a business that operates a crane? Are there alternative ways the person could gain practical experience?
17. For each of the following licence or crane types, provide an indication of approximately how long a person should work under supervision before being fully qualified. Please provide the reasons for your view. Are there relevant examples from your workplace that demonstrate why a longer/shorter duration is appropriate?
  - Dogging
  - Tower cranes
  - Slewing mobile cranes

- Vehicle loading cranes
- Bridge and gantry cranes
- Articulated mobile cranes

### Proposal 3: New licences

The following questions apply to each of the new licences outlined in Proposal 3.

18. Do you support the specific proposals proposed? Why / why not?
19. If the proposals in Proposal 3 were introduced, what impact would they have for you and your organisation (For example, would they keep workers safer? Would they improve WHS or create costs for your business?)? Please provide as much detail as possible
20. What factors would impact the success of the proposed new licences?
21. Are there alternatives to the proposals proposed, including non-regulatory options? What are these, and how would they improve crane safety?
22. For each of the licences or crane types proposed, provide an indication of approximately how long a person should work under supervision before being fully qualified.
  - Telehandler
  - Telehandler (suspended load elective licence)
  - Telehandler (work platform suspended licence)
  - Piling rig
  - Straddle carrier
23. Are there specific types of plant or models that should or shouldn't be included in the scope of each proposed licence? This question will aid in developing a legal definition for each type of plant.

### Proposal 4: Structural changes to align training to specific skills and crane functions

*Noting that Proposal 4 includes a lot of different proposals, please be as specific as you can when providing feedback as to which elements you support, which you don't and which you have feedback on.*

24. Do you support the specific proposals proposed? Why / why not?
25. If the proposals in Proposal 4 were introduced, what impact would they have for you and your organisation (For example, would they keep workers safer? Would they improve WHS or create costs for your business?)? Please provide as much detail as possible
26. What factors would impact the success of the proposed new crane licence model?
27. Are there alternatives, including non-regulatory alternatives, to the proposals proposed? What are these, and how would they improve crane safety?
28. (specific to advanced slewing crane elective licences) How much experience should an operator have operating a standard slewing mobile crane before being allowed to apply for advanced elective licences (see Figure 4)?
29. (specific to crane licences being removed) Does the removal of any of the current crane licences and incorporation into the new model create any WHS risks?
30. (specific to bridge and gantry cranes) Should all bridge and gantry cranes (regardless of the number of functions) be licenced? If not, what types should be exempt from a licence?
31. (specific to piling rigs) Should the piling rig licence be separated from the slewing crane base licence? Why/why not?

### Proposal 5: Operating cranes on vessels

32. Do you support the specific proposals proposed? Why / why not?

33. If the proposals in Proposal 5 were introduced, what impact would they have for you and your organisation (For example, would they keep workers safer? Would they improve WHS or create costs for your business?)? Please provide as much detail as possible
34. What factors would impact the success of the proposed new crane licence model?
35. Are there alternatives, including non-regulatory alternatives, to the proposals proposed? What are these, and how would they improve crane safety?

#### **Proposal 6: Improving the rigging licence framework**

36. Are the activities and equipment listed in Figure 6 still relevant to rigging work or should they be removed from Schedule 3?
37. Are there any other activities or items not currently covered by a rigging licence that you think should be licenced?
38. Which of the activities and equipment listed in Figure 6 could be included in a 'base' rigging licence (i.e. activities all riggers should be competent to perform)?
39. Which activities or equipment listed in Figure 6 could be elective licences that only some riggers would need to know how to perform?
40. Which activities/equipment are related and could be combined to be covered in a single licence?
41. What impact would changes to the rigging licence framework have on you or your business?