# ***Discussion paper on the review of crane licensing under the model Work Health and Safety (WHS) laws***

# **Public comment response form**

Questions posed in the discussion paper are listed below. You may answer some or all questions or raise other matters not explicitly addressed, as long as it is relevant to crane licensing.

If available, please provide evidence of any problems, and how this impacts WHS (e.g., injuries, fatalities, near-misses).

|  |
| --- |
| **Data and evidence** |
| 1. **Can you provide additional data or information on the:**     * **extent and nature of crane use in Australia**    * **frequency and nature of crane-related incidents, or**    * **impact of crane licensing and other regulatory controls on managing risks?** |
| 1. **In your view, what are the gaps in or limitations with crane-related data or evidence? What impact do these limitations have on determining, at a national level, the overall risk of using cranes in workplaces (e.g., underestimation of injuries)?** |
| **Licensing (general issues)** |
| 1. **Is the licensing framework under Part 4.5 of the model WHS Regulations fit for purpose now and will it remain fit for purpose with changing work practices, equipment, and environments? Why/why not?** |
| 1. **How well do the crane licence classes and descriptions of HRW in Schedule 3 to the model WHS Regulations (and the relevant definitions in Regulation 5) reflect contemporary work practices and equipment? Why?** |
| 1. **How well do the qualification requirements in Schedule 4 to the model WHS Regulations ensure crane operators can perform their work safely? Why?** |
| 1. **What risks to safety, if any, are not being managed by the current crane licensing requirements, or are already managed adequately by other controls?** |
| 1. **Are some issues confined to particular industry sectors, crane classes or geographical areas (e.g., regional and urban areas)?** |
| 1. **Which crane licence issues are most important to you? Why?** |
| 1. **How much of an impact have these issues had—or will they have—on you, your workplace, and your work?** |
| 1. **What could we do to make crane licensing work better? How would that ensure the health and safety of workers and others at the workplace?** |
| **Slewing mobile cranes** |
| 1. **How well do the slewing mobile crane licence classes reflect the capabilities of current cranes and how they are used? Why?** |
| 1. **What are the risks to safety resulting from the current licensing of slewing mobile cranes?**    1. **What changes to the model WHS Regulations could be made to manage these risks? How would this ensure the health and safety of workers and others at the workplace?**    2. **Are there any other ways these risks could be managed?** |
| 1. **How much of an impact has this had on you, your workplace, or your work?** |
| 1. **How will this change as technology, work practices, and environments evolve?** |
| **Cranes not covered by the current licensing scheme** |
| 1. **What are the common WHS issues associated with using cranes that do not require a HRW licence?** |
| 1. **How much of an impact have these issues had—or will they have—on you, your workplace, and your work? Does this create safety risks and, if so, what are they?** |
| 1. **Should the cranes listed above (or any other cranes not included in the model WHS Regulations) require a licence to operate? How would that ensure the health and safety of workers and others at the workplace?** |
| 1. **What other approaches could be taken besides requiring a licence, and how would those approaches ensure the health and safety of operators and others at the workplace?** |
| **Encompassment** |
| 1. **How well is the ‘encompassment’ of mobile crane licences working and why? What impact, if any, does this have on workplace safety?** |
| 1. **What are the risks to safety resulting from the current crane licence ‘encompassment’?**    1. **What changes to the model WHS Regulations could be made to manage these risks? How would this ensure the health and safety of workers and others at the workplace?**    2. **Are there any other ways these risks could be managed?** |
| 1. **How much of an impact has licence ‘encompassment’ had on you, your workplace, or your work?** |
| 1. **How will this change as technology, work practices, and environments evolve?** |
| **Training of crane operators in dogging work** |
| 1. **Noting that the training packages for most crane licences have recently changed to include competencies related to dogging, how well do the current arrangements for dogging of crane loads work and why? Are they improving or likely to improve safety outcomes?** |
| 1. **What are the risks to safety resulting from the current training requirements for crane operators in relation to dogging competencies?**    1. **What changes to the model WHS Regulations could be made to manage these risks? How would this ensure the health and safety of workers and others at the workplace?**    2. **Are there any other ways these risks could be managed?** |
| 1. **How much of an impact has this had on you, your workplace, or your work?** |
| 1. **How will this change as technology, work practices, and environments evolve?** |
| **Rigging licences** |
| 1. **How well do the rigging licence classes and definitions in the model WHS Regulations reflect the capabilities of current crane and rigging activities? Why?** |
| 1. **How will this change as technology, work practices, and environments evolve?** |
| 1. **How much of an impact has this had—or will this have—on you, your workplace, and your work? Does it create safety risks and, if so, what are they?** |
| 1. **What could we do to make licensing for rigging work better? How could the model WHS Regulations be changed and how would that ensure the health and safety of workers and others at the workplace? Are there other ways?** |
| **Telehandlers** |
| 1. **How well are the current jurisdictional arrangements for telehandlers working and why? Are they improving safety outcomes? Is a national approach needed?** |
| 1. **What are the risks to safety resulting from the current arrangements for telehandlers?**    1. **What changes to the model WHS Regulations could be made to manage these risks? How would this ensure the health and safety of workers and others at the workplace?**    2. **Are there any other ways these risks could be managed?** |
| 1. **How much of an impact has this had on you, your workplace, or your work?** |
| 1. **How will this change as technology, work practices, and environments evolve?** |
| **Definition of crane** |
| 1. **How well does the current definition of a ‘crane’ reflect the capabilities of current cranes and how they are used? Why?** |
| 1. **How will this change as technology, work practices, and environments evolve?** |
| 1. **How much of an impact has this had—or will this have—on you, your workplace, and your work? Does it create safety risks and, if so, what are they?** |
| 1. **What changes could be made to improve the definition? How would this ensure the health and safety of workers and others at the workplace?** |
| 1. **Are there other cranes for which the definitions in the model WHS laws cause issues or problems? If so, please provide details.** |
| **Definition of tower crane** |
| 1. **How well does the current definition of a tower crane reflect the capabilities of current cranes and how they are used? Why?** |
| 1. **How will this change as technology, work practices, and environments evolve?** |
| 1. **How much of an impact has this had—or will this have—on you, your workplace, and your work? Does it create safety risks and, if so, what are they?** |
| 1. **What changes could be made to improve the definition? How would this ensure the health and safety of workers and others at the workplace?** |
| **Definition of vehicle loading crane** |
| 1. **How well does the current definition of a vehicle loading crane reflect the capabilities of current cranes and how they are used? Why?** |
| 1. **How will this change as technology, work practices, and environments evolve?** |
| 1. **How much of an impact has this had—or will this have—on you, your workplace, and your work? Does it create safety risks and, if so, what are they?** |
| 1. **What changes could be made to improve the definition? How would this ensure the health and safety of workers and others at the workplace?** |
| **Definition of HRW using a bridge and gantry crane** |
| 1. **How well does the current definition of HRW using a bridge and gantry crane reflect the capabilities of current cranes and how they are used? Why?** |
| 1. **How will this change as technology, work practices, and environments evolve?** |
| 1. **How much of an impact has this had—or will this have—on you, your workplace, and your work? Does it create safety risks and, if so, what are they?** |
| 1. **What changes could be made to improve the definition? How would this ensure the health and safety of workers and others at the workplace?** |
| **Additional issues** |
| 1. **Are there other issues related to crane licensing under the model WHS laws?** |