



4 Byfield Street
Macquarie Park NSW 2113
PO Box 884
North Ryde BC NSW 1670
t (02) 9978 3333
f (02) 9978 3375
hia.com.au

26 April 2022

WHS Policy Team
SafeWork NSW
Better Regulation Division
Department of Customer Service

Dear WHS Policy Team

HIA Comments on Improving Demolition Licensing in NSW

Thank you for the opportunity to provide comment on the draft Work Health and Safety Amendment (Demolition Licensing) Regulation 2022' (the Regulation), and accompanying Consultation Paper.

The alignment of demolition licensing under the current WHS Act is long overdue, however HIA has some concern with the proposed changes to require 'enhanced' training of demolition workers. The proposed training unit is not necessarily a universally suitable course, and the need for the proposed training is questionable.

We are also concerned by the lack of any information regarding the transition arrangements for practitioners holding an existing Certificate III or Certificate IV in demolition once RTO authorisations for the demolition licensing courses take effect. These existing qualifications must remain valid for future licence applications and renewals.

The discussion paper indicates that the objective of the mandatory training proposal is to enhance training requirements. However, no justification for the perceived need to 'enhance' current training is provided. A description of the nature and extent of the problem to be addressed has not been given, so it is unclear just what is wrong with the current level of training given to workers by licence holders or why this training needs to be 'enhanced'.

HIA notes that currently, licence holders are able to train their workers in the specific types of demolition work to be carried out. It may be that no such training has been mandated in the past because licence holders are better placed to provide relevant and focused training for their workers in the specific demolition methods that they will use, and are better placed to assess their level of competence.

It is also relevant that demolition workers of a licence holder are currently supervised and directed in regards to safety by nominated trained supervisors that, according to the discussion paper, are required to complete formal training (11 units of competency from the Certificate III in Demolition (CPC30420) and Certificate IV in Demolition (CPC41013)) as part of the requirement of the demolition licence. The supervisors are expected to carry out hazard identification and risk management. This, along with in-house specific training, is more than appropriate to enable safe demolition of structures.

In addition, a description of the extent of the impacts on affected workers, licence holders and RTOs arising from the proposal is not included in the discussion paper

- There is no assessment in regard to the availability of the proposed training unit as 'stand-alone' training or whether or not demolition workers will be able to readily undertake this

training. 12 months does not appear to be adequate time for RTOs to develop a suitable offering as a stand-alone unit and for workers to then undergo this training.

- It is unclear if RTOs offering the stand-alone unit of competency for demolition workers will be required to undergo the same SafeWork approval process as proposed for RTOs delivering demolition licence training
- There is no assessment of the costs and benefits of the proposal available in the "Have Your Say" consultation website.
- There is no assessment or explanation as why other options are not appropriate such as maintaining the status quo or the option of producing suitable training guidance for licence holders

HIA considers that a case has not been made for requiring licence holders to ensure all demolition workers complete the proposed training unit of competency or for requiring licence holders to keep a record of that training for five years. The proposal is poor regulation and should be rejected.

More clarity is required for how existing qualifications are to be recognised once the SafeWork approvals for RTOs come into effect.

Yours sincerely

HOUSING INDUSTRY ASSOCIATION LIMITED

A handwritten signature in black ink, appearing to read 'David Bare', written in a cursive style.

David Bare
Executive Director