



Public Meeting Record: Webinar - Have Your Say Info Session: WHS Remake 2025

Date: March 11, 2025

Time: 3 - 4pm AEST

Host: Onshift Education, SafeWork NSW & Industry Representatives

Attendees: This information is redacted to protect privacy of attendee's. 42 people attended this event and the majority of 82% of attendee's stayed the full duration.

All attendees hold demolition licences in NSW or work for a Licenced Demolisher in NSW.

Speakers attended from either NSW Government or hold DE1 or DE2 Conditional Licences and represented all tiers of employers, small, medium and large across all classes of structures.

Agenda Overview

1. **Welcome & Introductions**
2. **Purpose of the Webinar**
3. **Regulatory Changes & WHS Remake 2025**
4. **Key Discussion Points on Work Health & Safety Legislation**
5. **Consultation Process & Industry Feedback**
6. **Specific Changes to Demolition Licensing & Training**
7. **Questions & Answers**
8. **Next Steps & Closing Remarks**

Meeting Summary

The session provided an overview of the **Work Health and Safety (WHS) Regulation Remake 2025**, its implications for businesses, and the consultation process. **SafeWork NSW** representatives explained the legislative changes, their alignment with national WHS standards, and the responsibilities of employers and workers. Key industry stakeholders participated in discussions, highlighting concerns and seeking clarification on specific regulatory provisions.

Key Takeaways

- The **WHS Regulation 2017** is set for repeal in **September 2025**, requiring a remake.
- The remake aims to improve clarity, remove redundant provisions, and align **licensing, training, and supervision** requirements.
- Industry consultation is ongoing to ensure practical application of new regulations.
- Specific focus was given to **demolition licensing, training requirements, and supervision on demolition sites**.

Detailed Discussion Points

1. Introduction & Purpose of the Webinar

The webinar commenced with a **Welcome to Country** acknowledgment and an introduction by **SafeWork NSW** representatives. The purpose of the session was to **discuss regulatory updates** affecting the industry and encourage participation in the consultation process.

2. Regulatory Changes & WHS Remake 2025

SafeWork NSW outlined the key legal frameworks governing WHS:

- **Work Health & Safety Act** – Defines employer duties.
- **Work Health & Safety Regulations** – Covers administrative requirements, licensing, and supervision.
- **Codes of Practice** – Provides practical guidance for compliance.

3. Consultation Process & Industry Feedback

- The public consultation period is **open until March 12, 2025**.
- Industry members were encouraged to review the **discussion paper** and submit feedback.
- The **SafeWork NSW website** hosts updates, FAQs, and submission forms.

4. Key WHS Amendments for Demolition Work

Demolition Licensing Requirements

- **Section 142A:** Clarifies licensing requirements.
- **Section 142B:** Ensures only licensed individuals undertake demolition work.
- **Section 142C:** Stipulates that the **named supervisor must be present** during demolition.

Demolition Worker Training & Compliance

- **Section 142D:** Confirms training obligations for demolition workers.
- **Section 142E:** Requires employers to **maintain training records**.
- **Section 143L:** Outlines conditions for the **removal of supervisors** for non-compliance.

5. Industry Concerns & Clarifications

- **Training for Subcontractors** – Clarity was sought on whether **crane operators, riggers, and hydraulic specialists** must undertake demolition training.
- **Supervision on Demolition Sites** – Discussion on **adequate supervision** and the **role of licensed supervisors**.
- **Truck Driver Compliance** – Questions arose regarding whether **truck drivers** loading waste on demolition sites must complete training.

6. Next Steps

- Industry members were urged to **submit feedback** via the Have Your Say page.
- **Employers should ensure compliance** by reviewing **SafeWork NSW resources**.
- SafeWork NSW will **review feedback and finalize regulations** before implementation in 2025.

WHS Regulation Remake 2025 Webinar – Key Discussion Transcript

Introduction to the WHS Regulation Remake

Matthew Hardy (Host): Welcome, everyone. Today's session focuses on the proposed changes to the Work Health and Safety (WHS) Regulation Remake 2025. These changes impact licensing, supervision, and training for demolition contractors. SafeWork NSW representatives will clarify what these changes mean for industry compliance.

Georgia Georgiou (SafeWork NSW): The WHS Regulation is being remade because it is scheduled for automatic repeal on September 1, 2025. The goal is to ensure ongoing legal clarity, align licensing and training requirements, and improve safety enforcement.

Understanding the WHS Legal Framework

1. The WHS Act

Georgia Georgiou: The Work Health and Safety Act sets out the **legal framework** for workplace safety and the general responsibilities for employers. Employers must **ensure the health and safety of their workers** and anyone affected by their operations.

2. The WHS Regulation

Georgia Georgiou: The Work Health and Safety Regulation provides **detailed requirements** to support the duties in the Act. It includes:

- **Licensing requirements** for high-risk activities.
- **Procedural obligations**, such as record-keeping and training.
- **Supervision and compliance requirements** for demolition work.

3. Codes of Practice (MCOPs)

Georgia Georgiou: Codes of Practice provide **practical guidance** for meeting safety obligations. The **Demolition Work Code of Practice** outlines:

- How to **comply with the Act and Regulation**.
- Best practices for **safe demolition operations**.
- How to **prevent risks associated with hazardous materials**.

4. The Role of SafeWork NSW

Georgia Georgiou: SafeWork NSW is responsible for **enforcing WHS laws**, ensuring businesses comply with licensing, training, and supervision requirements. Our role includes:

- **Providing regulatory guidance**.
- **Auditing compliance through inspections**.
- **Taking enforcement action against unsafe practices**.

➔ *“Legislation, regulation, and codes of practice all work together. The Act sets out the duties, the Regulation provides the details, and Codes of Practice explain how to comply,”* said **Georgia Georgiou**.

Key Regulatory Changes & Clarifications

1. Licensing Requirements for Demolition Work (Section 142A & 142B)

Georgia Georgiou: The amendments clarify that demolition work must be carried out **by or under a licensed demolition contractor**. This strengthens SafeWork NSW's ability to act against unlicensed operations.

Matthew Hardy: So, this doesn't change non-notifiable works?

Georgia Georgiou: Correct. It simply aligns the regulation with existing WHS Act provisions.

2. Named Supervisor Presence (Section 142C)

Georgia Georgiou: The amendment clarifies that if the **license holder and named supervisor are the same person**, an additional supervisor is not required. This prevents unnecessary duplication for sole operators.

John Harris (Liberty Industrial): What if the named supervisor is sick? Does the site have to shut down?

Dennis Clemence (SafeWork NSW): If no other nominated supervisor is listed on your license, work must cease. However, if another licensed supervisor is available, you can update the notification and continue work.

3. Worker Training & Record-Keeping (Sections 142D & 142E)

Georgia Georgiou: Workers **directly connected** to licensed demolition work must complete training before starting. Training records must reflect training that has been **completed, not just undertaken**.

Greg Taylor (Bark Demolition, QLD): Do subcontractors like crane operators, riggers, and concrete cutters need training?

Dennis Clemence: If the **demolition supervisor is present and monitoring**, they do not need separate training. But if they work independently, they **must** be trained.

Matthew Hardy: So, if a demolition supervisor isn't there, subcontractors must be trained?

Dennis Clemence: Correct. **Supervision or training is required**.

4. Stronger Enforcement Powers (Section 143L)

Dennis Clemence: SafeWork NSW can **remove a supervisor from a project** if they breach WHS regulations. This ensures only compliant professionals oversee demolition activities.

John Burgess (Industry Representative): If we have multiple licensed supervisors on a site, can any of them escort subcontractors?

Dennis Clemence: Yes, as long as they are a **licensed supervisor from the same demolition company**.

5. Demolition Site Supervision & Compliance Issues

John Harris: If demolition work is spread across a large site, does the supervisor need to be physically present in every area at all times?

Dennis Clemence: Supervisors must be within **sight and hearing distance**. If workers are operating remotely, **radios or closed-circuit communication must be used**.

John Burgess: What about truck drivers? They often need to leave their cab for load securing.

Dennis Clemence: If the truck driver **stays in designated zones** and does not interfere with demolition, training is not required. However, if they need access to active zones, they must be trained.

Industry Feedback & Final Takeaways

- **Clarifications Needed for Subcontractor Training** – SafeWork NSW acknowledged industry concerns and will update FAQs.
- **Named Supervisor Requirements** – Businesses should ensure alternative supervisors are listed on their license to avoid delays.
- **Practical Supervision on Large Sites** – Supervisors should use **radio or visual monitoring** to meet compliance.
- **Truck Driver Compliance** – Employers should ensure designated loading zones are clear and workers are **properly inducted**.

Next Steps:

- Review the **WHS Regulation Remake 2025 Discussion Paper**.
- Submit feedback via the **Have Your Say** page before March 12, 2025.
- Stay informed through **SafeWork NSW compliance updates**.

➔ *“Understanding these changes now will help businesses stay ahead of compliance,”* concluded **Matthew Hardy**.
