

HEALTH AND SAFETY LEGISLATIVE REQUIREMENTS FOR LEVEL 3 TRAINING

This Appendix aims to assist Schools/Branches in the identification of required Level 3 training in accordance with [Appendix A](#) "Identifying and planning levels of HSW information, instruction and training and records management".

Please note there may be additional Legislative requirements other than those specified in the tables below (i.e. in addition to WHS Legislation). If you are unsure please contact your [HSW Contact](#).

Legislative requirement	Evidence
<p>Abrasive blasting [Approved Code of Practice – Abrasive Blasting (WHS Regulations Section 5 - means propelling a stream of abrasive material at high speed against a surface using compressed air, liquid, steam, centrifugal wheels or paddles to clean, abrade, etch or otherwise change the original appearance or condition of the surface). If this activity is conducted in your area please review the legislative requirements. Competency is required.</p>	<p>Relevant competency based training needs to be recorded in SSO</p> <p>A copy of the competency is required and a copy (hard/electronic) is to be kept on file and retrievable on request.</p>
<p>Asbestos removalist is licensed [WHS Regulations Section 458]</p> <p>(1) A person conducting a business or undertaking that commissions the removal of asbestos must ensure that the asbestos removal work is carried out by a licensed asbestos removalist who is licensed to carry out the work.</p> <p>(2) Subregulation (1) does not apply if the asbestos to be removed is:</p> <ol style="list-style-type: none"> 10 square metres or less of non-friable asbestos or asbestos-contaminated dust or debris (ACD) associated with the removal of that amount of non-friable asbestos; or ACD that is not associated with the removal of friable or non-friable asbestos** and is only a minor contamination. <p>(3) If subregulation (2) applies, the person conducting the business or undertaking that commissions the asbestos removal work must ensure that the work is carried out by a competent person who has been trained in accordance with regulation 460.</p> <p>** friable asbestos means material that (a) is in a powder form or that can be crumbled, pulverised or reduced to a powder by hand pressure when dry; and (b) contains asbestos. non-friable asbestos means material containing asbestos that is not friable asbestos, including material containing asbestos fibres reinforced with a bonding compound.</p>	<p>Ensure that any work involving the potential disturbance or removal of asbestos is only conducted under the overall management of Infrastructure Branch (phone 831 34008).</p>
<p>Confined spaces [WHS Regulations, Part 376 Sections 66 – 76]</p> <p>A person conducting a business or undertaking must ensure that relevant workers are provided with suitable and adequate information, instruction and training in relation to the nature of all hazards relating to a confined space. (Includes the need for, and the appropriate use or control measures to control risks associated with those hazards, the selection, fit, use, wearing, testing, storage and maintenance of any personal protective equipment. the contents of any confined space entry permit that may be issued in relation to work carried out by the worker in a confined space and emergency procedures.</p> <p>WHS Legislative requirements are also outlined in Approved Code of Practice – Confined Spaces; AS 2865 - Confined spaces</p> <p>Note:</p> <ul style="list-style-type: none"> A risk assessment is to be conducted by a <u>competent</u> person. A confined space entry permit must be completed by a <u>competent</u> person. An acknowledgement that work in the confined space has been completed and that all persons have left the confined space must be completed by a <u>competent</u> person. 	<p>Competency based training needs to be recorded in SSO</p> <p>A copy of the competency is required and a copy (hard/electronic) is to be kept on file and retrievable on request.</p>

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Legislative requirement	Evidence
<p>Construction work [WHS Regulations, Chapter 6 – Construction work] A person conducting a business or undertaking must not direct or allow a worker to carry out construction work unless—</p> <ul style="list-style-type: none"> (a) the worker has successfully completed general construction induction training; and (b) if the worker completed the training more than 2 years previously—the worker has carried out construction work in the preceding 2 years. <p>See Contractor Management chapter of the HSW Handbook for the definition of Construction work.</p>	<p>Competency based training needs to be recorded in SSO</p> <p>A copy of the competency is required and a copy (hard/electronic) is to be kept on file and retrievable on request.</p> <p><u>For contractors</u> As specified in the Contractor Management chapter of the HSW Handbook.</p>
<p>Diving [WHS Regulations, Part 8]</p> <p>171—Competence of worker—general diving work—general qualifications (1) A person must not carry out any type of general diving work unless the person holds a certificate for general diving work, issued by a training organisation, that demonstrates that the person has acquired the relevant competencies for that type of general diving work. (2) This regulation does not apply in relation to incidental diving work or limited scientific diving work. (3) In subregulation (1)— relevant competencies means the competencies specified in AS/NZS 4005.2:2000 (<i>Training and certification of recreational divers</i>) or AS/NZS 2815 (<i>Training and certification of occupational divers</i>) that are relevant to the type of general diving work to which subregulation (1) applies. Note—See section 44 of the Act.</p> <p>171A—Competence of worker—general diving work—additional knowledge and skill (1) In addition to regulation 171, a person must not carry out general diving work unless the person has, through training, qualification or experience, acquired sound knowledge and skill in relation to the following: (a) the application of diving physics; (b) the use, inspection and maintenance of diving equipment (including emergency equipment) and air supply of the type to be used in the proposed general diving work; (c) the use of decompression tables or dive computers; (d) dive planning; (e) ways of communicating with another diver and with persons at the surface during general diving work; (f) how to safely carry out general diving work of the type proposed to be carried out; (g) diving physiology, emergency procedures and first aid. (2) This regulation does not apply in relation to incidental diving work or limited scientific diving work. Note—See section 44 of the Act.</p> <p>172—Competence of worker—incidental diving work (1) A person must not carry out incidental diving work unless the person— (a) has the training, qualification or experience referred to in regulation 171A; and (b) has relevant diving experience; and (c) is accompanied and supervised in the water by a person who has the competencies referred to in regulation 171.</p>	<p>The School/Faculty Dive Officer should be made aware of any planned diving work and provided with copies of diving training certificates prior to any activity commencing. The School/Faculty Diving Officer should ensure a record of all School/Faculty divers and their dive competencies.</p> <p>A copy of the training record is required and a copy (hard/electronic) is to be kept on file and retrievable on request.</p>

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<p>Diving (Continued)</p> <p>(2) In this regulation, a person has relevant diving experience if the person has logged at least 15 hours of diving, of which at least 8 hours and 20 minutes were spent diving between 10 metres above and any depth below the maximum depth at which the diving work is to be carried out.</p> <p>173—Competence of worker—limited scientific diving work (1) A person who is not permanently resident in Australia must not carry out limited scientific diving work unless the person has— (a) the training, qualification or experience referred to in regulation 171A; and (b) relevant diving experience, including relevant diving experience obtained outside Australia. Note— See section 44 of the Act. (2) In this regulation, a person has relevant diving experience if the person has logged at least 60 hours diving of which at least 8 hours and 20 minutes were spent diving between 10 metres above and any depth below the maximum depth at which the limited scientific diving work is to be carried out.</p> <p>174—Competence of competent person supervising general diving work A person appointed under regulation 177 must not perform any function associated with that appointment unless the person has— (a) the qualification specified in regulation 171; and (b) experience in the type of diving work to be supervised. Note— See section 44 of the Act.</p> <p>175—Evidence of competence—duty of person conducting business or undertaking (1) A person conducting a business or undertaking at a workplace must not direct or allow a worker to carry out general diving work unless the person sees written evidence provided by the worker that the worker has the relevant competence required under this Division. (2) A person conducting a business or undertaking at a workplace must not direct or allow a person appointed under regulation 177 to perform any of the functions associated with that appointment unless the person conducting the business or undertaking sees written evidence provided by the person appointed that the person appointed has the competence required under regulation 174. (3) A person conducting a business or undertaking must keep the written evidence given to the person— (a) under subregulation (1)—for at least 1 year after the diving work is carried out; (b) under subregulation (2)—for at least 1 year after the last occasion on which the person performs a function associated with the appointment.</p> <p>Refer to the HSW Handbook chapter – Diving safety management for further information.</p>	
<p>Drones See the HSW Drone Safety Management for specific University requirements There are requirements for licencing under the Civil Aviation Act and Regulations. (Additional information is also available on the Legal and Risk website.)</p>	<p>Licence is required. The Chief Remote Pilot to ensure that any drone activity that is approved involves an appropriately trained pilot and that URAF is keeping a record of the training of all pilots.</p>

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<p>Emergency Facilities and Procedures [WHS Regulations Section 43] Ensure that information, training and instruction are provided to relevant workers on the implementation of the University’s emergency procedures and plan. This includes response to an emergency, evacuation procedures, effective communication between those co-ordinating the emergency response and all persons at the workplace.</p> <p>Australian Standard AS 3745 “Planning for emergencies in facilities” All Emergency Control Organisation members (e.g. Chief Warden, Deputy Chief Warden, Wardens and Incident Response Team members) shall be trained to develop the skills and knowledge necessary to undertake the duties set out in the emergency response procedures. Includes duties, procedures, communication (including communication equipment), building fire safety provisions (e.g. fire doors, emergency lights, exit-signage).</p> <p>The training shall include exercises and assessment, actions for the specific emergencies in the procedures and first attack firefighting equipment.</p>	<p>Competency based training needs to be recorded in SSO</p> <p>A copy of the competency is required and a copy (hard/electronic) is to be kept on file and retrievable on request.</p> <p>Security Branch Maintains the records in consultation with the Emergency Management Service Provider. The records are kept on file and retrievable on request. 8313 4505.</p>
<p>Firearms licence Refer to the HSW Handbook Firearms Safety Management for requirements.</p>	
<p>First Aid [WHS Regulations Section 42] Approved Code of Practice for First Aid in the Workplace Each School/Branch is to ensure an adequate number of workers are trained to administer first aid at the workplace.</p> <p>The HSW Handbook chapter “First Aid Management” Appendix D sets out the various training requirements.</p> <p>Additional Training for First Aiders Supervisors/person in control of the area/activity should consider if first aiders should attend additional training to refresh their first aid knowledge and skills e.g. refresher training in CPR annually if the workplace exposes workers to high risk hazards that could result in serious injury/illness.</p>	<p>Competency based training needs to be recorded in SSO</p> <p>A copy of the competency is required and a copy (hard/electronic) is to be kept on file and retrievable on request.</p> <p>A copy of the competency is required and a copy (electronic) is to be kept on file and retrievable on request.</p>
<p>Health and Safety Representative [WHS Act Section 72] A health and safety representative is entitled to attend any course of training approved by the regulator under this regulation and 5 days training under section 72(9)(a) of the Act will constitute initial training for the purposes of sections 85(6) and 90(4) of the Act.</p> <p>[WHS Regulations Section 21] The University is required to arrange training with a recognised training organisation <u>within 3 months of a request being received by a HSR.</u> (The School/Branch is required to pay the course fees and any other reasonable costs associated with the training.)</p> <p>Note - During the:</p> <ul style="list-style-type: none"> • first year of the health and safety representative’s term of office – 5 days • second year of the health and safety representative’s term of office – 3 days • third year of the health and safety representative’s term of office – 2 days. 	<p>HSR’s are entitled to training as stipulated in the WHS legislation. Where this training is requested it must be provided.</p> <p>Records must be kept locally on file and retrievable on request.</p>

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Legislative requirement	Evidence
<p>Health and Safety Representative [WHS Act Section 72] A health and safety representative is entitled to attend any course of training approved by the regulator under this regulation and 5 days training under section 72(9)(a) of the Act will constitute initial training for the purposes of sections 85(6) and 90(4) of the Act.</p> <p>[WHS Regulations Section 21] The University is required to arrange training with a recognised training organisation <u>within 3 months of a request being received by a HSR.</u> (The School/Branch is required to pay the course fees and any other reasonable costs associated with the training.)</p> <p>Note - During the:</p> <ul style="list-style-type: none"> • first year of the health and safety representative's term of office – 5 days • second year of the health and safety representative's term of office – 3 days • third year of the health and safety representative's term of office – 2 days. 	<p>HSR's are entitled to training as stipulated in the WHS legislation. Where this training is requested it must be provided.</p> <p>Records must be kept locally on file and retrievable on request.</p>
<p>High risk work license [WHS Act, Section 43, [WHS Regulations Section 81, Schedule 3 and 4] A licence is required for the following:</p> <ul style="list-style-type: none"> • Boom type elevating work platform • Scaffolding work • Dogging and rigging work (e.g. work associated with hoists, cranes, conveyors, dredges, excavators) • Crane and hoist operation (e.g. tower crane, bridge and gantry crane, vehicle loading crane, personnel and materials hoists, boom-type elevating work platform) • Reach stacker • Forklift operation (truck) • Pressure equipment operation (e.g. boiler, turbine operation). <p>Refer to WHS Regulations Schedule 3 and 4 for all high risk work licences and descriptions of class of high risk work or contact SafeWork SA for clarification.</p> <p>Exception under WHS Regulations Section 82 A person who carries out high risk work is not required to be licensed:</p> <ul style="list-style-type: none"> • if the work is carried out under the supervision of a person who is licensed to carry out the high risk work; • if the work involves plant and the work is carried out at a workplace solely for the purpose of the manufacture, testing, trialling, installation, commissioning, maintenance, servicing, repair, alteration, demolition or disposal of the plant at the workplace or moving the plant while unloaded within the workplace; and the plant is operated or used without a load except when standard weight loads with predetermined fixed points are used for calibration of the plant. • If work is limited to setting up or dismantling a crane or hoist and the person carrying out the work holds a licence in relation to rigging, which qualifies the person to carry out the work. <p>If your area conducts any of the high risk activities listed above, please review the specific requirements of this Regulation as there may be additional information which relates to your activities which have not been provided here.</p> <p>Frequency of training Licences must be renewed every 5 years unless a specific frequency is mandated under the legislation.</p>	<p>Competency based training needs to be recorded in SSO</p> <p>A copy of the competency is required and a copy (hard/electronic) is to be kept on file and retrievable on request.</p> <p>A copy of the licence is required and a copy (electronic) is to be kept on file and retrievable on request.</p>

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Legislative requirement	Evidence
<p>Personal protective equipment [WHS Regulations, Division 5, Section 44] Where PPE is a control measure, and a competency/licence is required (e.g. for Breathing Apparatus for confined space entry where applicable).</p> <p>The person who directs the carrying out of work must provide the worker with information, training and instruction in the:</p> <ul style="list-style-type: none"> (a) proper use and wearing of personal protective equipment; and (b) storage and maintenance of personal protective equipment. 	<p>Competency based training needs to be tracked on the Training Plan or equivalent local tracking tool.</p> <p>A Statement of Attainment is required and a copy (hard/electronic) is to be kept on file and retrievable on request.</p>
Legislative requirement	Evidence
<p>Radiation [Radiation Protection and Control Act 1982, Section 31] A person must not:</p> <ul style="list-style-type: none"> • operate ionising radiation apparatus of a prescribed class; • be in possession of a radiation source <p>unless the person holds a licence or temporary licence under this section.</p> <p>See the Radiation Safety Management chapter for further information.</p>	<p>Competency based training needs to be recorded in SSO</p> <p>HSW Team – Human Resources Track training/licences and records on the Radiation database.</p>
<p>Working at height [WHS Regulations, Section 79, Approved Code of Practice “Managing the risk of falls at Workplaces”] Work positioning systems, fall arrest systems, safety harness system.</p> <p>Also refer to the requirements for High Risk Work [WHS Regulations Section 81, Schedule 3 and 4] as a licence for high risk work may also be required.</p>	<p>School/Branch Competency based training needs to be recorded in SSO</p> <p>A copy of the competency is required and a copy (hard/electronic) is to be kept on file and retrievable on request. local tracking tool.</p> <p>A Statement of Attainment is required and a copy (hard/electronic) is to be kept on file and retrievable on request.</p>