



Government of **Western Australia**  
**WorkSafe Commissioner**

# Statement of regulatory intent: **Implementation of work health and safety regulations relating to high risk work licences for the use of earthmoving machinery used as a crane**

**Valid for the period: 10 August 2025 to 10 December 2025**

## **1 Purpose**

This Statement of Regulatory Intent outlines the regulatory approach that the WorkSafe Group of the Department of Energy, Mines, Industry Regulation and Safety will apply for the regulations relating to high risk work licences (HRWL) for the use of earthmoving machinery with a rated capacity of more than 3 tonnes as a crane, under the Work Health and Safety (General) Regulations 2022 ('WHS General Regulations') and the Work Health and Safety (Mines) Regulations 2022 ('WHS Mines Regulations').

These laws are effective in Western Australia from 10 August 2025 and require operators to hold a CN or C2 HRWL for using non-slewing or slewing earthmoving machinery (respectively) to suspend a load.

## **2 Approach to requirements for HRWL for the use of earthmoving machinery with a rated capacity of more than 3 tonnes as a crane**

During the period that this Statement applies, WorkSafe will generally take an educational approach to the requirement to hold a HRWL to operate earthmoving machinery with a rated capacity of more than 3 tonnes as a crane. For example, duty holders may be provided with information and verbal directions on the issue rather than being issued compliance notices.

It should also be noted that the WorkSafe Commissioner has issued Exemptions 4 of 2025 and 5 of 2025 providing that machinery operators may hold a Dogging HRWL and a Statement of Attainment for Unit of Competency SLELIC301 Conduct Safe Lifting with Excavators as an alternative to holding a C2 HRWL for the use of slewing earthmoving equipment as a crane under the WHS (General) or WHS (Mines) Regulations as applicable.

However, if an Inspector identifies concerns about the operator's competency, for example following an incident involving operator error, it is open to the Inspector and WorkSafe to exercise any compliance tools in accordance with WorkSafe's [Compliance and Enforcement Policy](#).

## **3 Selection of machinery**

The existing requirement for a person conducting a business or undertaking to choose the most suitable machinery for the lifting task, which should involve a consultative risk assessment process, is not affected by this Statement.