

20 September 2013

Your Ref: COR 2003 001838  
Our Ref: H03/01795

Coroner Hendtlass  
Coroners Court of Victoria  
Level 11, 222 Exhibition Street  
MELBOURNE 3000



Dear Coroner Hendtlass,

### **Findings and recommendations in the matter of Hayden Marcel Curtis**

I refer to your findings and recommendations, published in relation to the death of Hayden Marcel Curtis, and sent to WorkSafe Victoria in a letter dated 6 June 2013. In this context, you have endorsed the following recommendations which require a response from WorkSafe Victoria:

- The Building Control Commission and WorkSafe Victoria cooperate to expand their random and targeted audit programs to include registered building practitioners' identification of safety aspects of planned demolition, alteration and/or extension of buildings built prior to 1940;
- The Building Control Commission and WorkSafe Victoria provide registered builders with easy to understand interpretation of their responsibilities under the provisions of the Building Act 1993, the Building Regulations 2006 and the Australian Standard AS 2601-2001 Demolition of Structure;
- The Building Control Commission and WorkSafe Victoria advise registered building practitioners involved in designing and implementing demolition of old buildings to include continuing review of the site as the structure becomes exposed so that otherwise hidden risks, such as rotten timber joists and deteriorating masonry, can be managed appropriately.

### Recommendations

WorkSafe provides the following responses to the recommendations outlined above:

*The Building Control Commission and WorkSafe Victoria cooperate to expand their random and targeted audit programs to include registered building practitioners' identification of safety aspects of planned demolition, alteration and/or extension of buildings built prior to 1940.*

- WorkSafe has an ongoing Construction program which includes visits to demolition sites.

- The purpose of these visits is to investigate and seek compliance with potential OHS risks at worksites. There are approximately 800 visits undertaken each year as part of this program.
- WorkSafe will continue visiting demolition sites as part of this program.

*The Building Control Commission and WorkSafe Victoria provide registered builders with easy to understand interpretation of their responsibilities under the provisions of the Building Act 1993, the Building Regulations 2006 and the Australian Standard AS 2601-2001 Demolition of Structures.*

*The Building Control Commission and WorkSafe Victoria advise registered building practitioners involved in designing and implementing demolition of old buildings to include continuing review of the site as the structure becomes exposed so that otherwise hidden risks, such as rotten timber joists and deteriorating masonry, can be managed appropriately.*

- The Victorian Building Authority ("VBA") is the body responsible for setting and enforcing building and plumbing industry regulation under the provisions of the *Building Act 1993*, the *Building Regulations 2006* and the Australian Standard AS 2601-2001 Demolition of structures.
- WorkSafe can provide support by passing on information via its existing communication and stakeholder channels. This may include consultation with relevant employer groups such as the Master Builders Association Victoria to include articles in their communications to the industry, and by WorkSafe publishing a link to any Victorian Building Authority information in its electronic newsletter 'Safety Soapbox', which currently has approximately 16,000 subscribers and is a fortnightly publication. These subscribers as well as many other large employers pass the newsletter (or relevant parts) onto their members / sub contractors as applicable.
- Additionally, 'Safety Soapbox' is also passed onto field staff involved in delivery of WorkSafe's construction program.

As outlined above and consistent with your recommendations, WorkSafe will continue to work with the Building Control Commission (now the Victorian Building Authority) as appropriate to provide building practitioners with relevant information and guidance in relation to safety aspects of planned demolition, alteration and/or extension of buildings.

### Guidance material

In addition, WorkSafe publishes a range of guidance material which addresses a range of risks associated with demolition work, masonry structures and fragile roofing. Examples of guidance material published by WorkSafe in relation to this include:

- Demolition Code of Practice No. 14, 1991;
- Demolition (Amendment No. 1 to Code of Practice No.14)(1998);
- Preventing Masonry Structures From Collapsing – January 29 2009;
- Safety Alert – Preventing Structural Collapse – April 2013
- Removal of Fragile Roofing – November 2006

This information is available on WorkSafe's website and in hard copy at WorkSafe offices throughout Victoria.

WorkSafe thanks you for providing your findings in relation to the death of Hayden Curtis.

Yours faithfully,



**Denise Cosgrove**  
Chief Executive  
Victorian WorkCover Authority