

COVID-19 Construction Requirements – FAQs

Updated: 8 September 2021

Contents

Permitted Work.....	3
1. What construction work is permitted to re-commence from Friday, 3 September?	3
2. What construction work is permitted to re-commence from Friday 10 September?	3
3. Where can I find a copy of the ACT Building and Construction Industry COVID-19 Requirements (the “Construction Requirements”)?.....	4
4. Will ACT Housing projects be resuming under the exemption for “ACT Government Projects”?.....	4
5. Is a shop or office fit-out (less than 1,500m ²) permitted if it is occurring in a building with a GFA greater than 1,500m ² ?.....	4
6. Is a re-roof project permitted if the GFA of the building is greater than 1,500m ² ?.....	4
7. Can a building company, subcontractor or supplier reopen their main office if necessary to work on a permitted construction project?	4
8. I am an architect and need to access my office. Am I allowed to do this?	5
9. I am a manufacturer / fabricator. Am I allowed to go back to work and where can I deliver to?	5
10. My concrete pumps were due for the 12 monthly inspections during lockdown, and the inspector would usually come from Sydney to perform this work. Will WorkSafe ACT provide an automatic extension or grace period for these inspections?	5
11. Can I gain access to a construction site before the Public Health Orders come into effect to prepare for re-opening, including making safety assessments, installing signage, installing the QR Code, installing hand sanitiser, or other safety works?.....	6
12. Where can I find a template Authorised Worker Permit?	6
Cross-Border Travel.....	7
1. Can ACT based construction workers travel to NSW to work on construction projects that would be permitted in the ACT (e.g. large scale projects, civil construction projects)?	7
2. Can my workers travel into the ACT from NSW?	7
COVID Safe Plan.....	8
1. Do I need a COVID Safe Plan?	8
CBR Check-in app.....	8
1. Do I need to use the CBR Check-in app?.....	8
COVID Marshals.....	8
1. Can a project manager or site supervisor be given the role of COVID Marshal?.....	8
2. Where can I book the infection control awareness training or First Aid (level 2) training required for COVID Safety Marshals?.....	9
Subcontractors & Suppliers	9

1. I am a subcontractor. What do I need to do before recommencing on a permitted construction site? 9

COVID Infection 9

1. What do I do if a COVID-19 positive person is found to have worked on my construction site? 9

Compliance 10

1. What happens if I don't comply with the Construction Requirements or Public Health Orders? 10

Permitted Work

1. What construction work is permitted to re-commence from Friday, 3 September?

The following construction work is permitted to recommence from Friday 3 September, as set out in the [Public Health \(Lockdown Restrictions\) Emergency Direction 2021 \(No 6\)](#):

- Civil construction activities for the construction of public roads and the subdivision of new suburbs.
- Large scale construction projects, defined as:
 - Projects permitted at completion (as per the Development Approval) to be four or more storeys high (excluding the basement), OR
 - Projects permitted at completion (as per the Development Approval) to have a gross floor area of 1,500m² or greater (inclusive of all floors).
- All ACT Government and Commonwealth Government projects.
- Manufacturing, fabrication, testing, assembly, professional regulatory, off-site administrative and equipment supply activities necessary to facilitate permitted construction activities.
- Activities to keep construction sites safe and secure during lockdown.

Outdoor services

On the 31 August, the Chief Minister announced that gardening or landscaping could re-commence from 5pm on Thursday 2 September. The Public Health orders state that this is outdoor maintenance, such as cleaning, gardening where this is being undertaken at a residential premise and there is contact between residents and workers. **This does not include landscaping associated with residential construction.**

2. What construction work is permitted to re-commence from Friday 10 September?

Updated: 8 September

On 8 September, the Chief Minister announced that small-scale construction projects will recommence on Friday 10 September. This includes all construction work that is not defined above as “large-scale” construction.

Residential construction can recommence from 10 September, with density limits applied for Class 1 buildings.

Where people are living in the premises of a dwelling where construction work is occurring, indoor work may only recommence if physical work had already started prior to 12 August 2021. If no physical work had started, then no indoor construction work is permitted at this time.

It is recommended that you read the Construction Requirements closely.

3. Where can I find a copy of the ACT Building and Construction Industry COVID-19 Requirements (the “Construction Requirements”)?

Updated: 8 September

A copy of the [Construction Requirements](#) has now been finalised and is available on the ACT Lockdown website. The latest version is Version 1.2.

If you have a question that is not covered in these FAQs or wish to seek clarification about the Construction Requirements, please send an email to canberra@mba.org.au.

4. Will ACT Housing projects be resuming under the exemption for “ACT Government Projects”?

The ACT Government will determine which ACT Government projects will recommence and their timing. ACT Government projects are still expected to comply with the ACT Building and Construction Industry COVID-19 Requirements.

If you are working on an ACT Government project, and require clarification whether it is recommencing, please contact the relevant ACT Government project officer for your project.

5. Is a shop or office fit-out (less than 1,500m²) permitted if it is occurring in a building with a GFA greater than 1,500m²?

The measure of a project’s gross floor area is as per the Development Approval when the project is complete. If a development approval has been obtained for the fit-out project, then the measure will be based on the floor area in the approval. If a development approval is not required, then the measure is on the total gross floor area of the fit-out project.

6. Is a re-roof project permitted if the GFA of the building is greater than 1,500m²?

The measure of a project’s gross floor area is as per the Development Approval when the project is complete. If a development approval has been obtained for the re-roofing project, then the measure will be based on the floor area or building area in the approval. If a development approval is not required, then the measure is on the total gross floor area or building area of the re-roof.

7. Can a building company, subcontractor or supplier reopen their main office if necessary to work on a permitted construction project?

Up to two people can now enter a closed work premises or business at any one time for the following reasons:

- For essential maintenance work or other work undertaken for the purpose of ensuring the safety of the premises

- As required or authorised by the law.
- For emergency purposes (e.g. to operate critical systems such as alarms, monitoring, cold storage and utilities).
- To accept deliveries that cannot reasonably be delayed or diverted to a person's residential premises.
- To provide urgent and essential services for the administration of the business or undertaking which cannot be undertaken at home (e.g. administering a payroll system which cannot be operated from a person's residence).
- For any other purpose permitted by the public health directions.

In addition, the Public Health Orders now consider off-site administration as essential, as it is required to facilitate permitted construction activities.

It is our recommendation the people should continue to work from their residence, unless they are unable to do so. For example, if they need to attend the office to process payroll, or access documents that are subject to security clearances and conditions.

8. I am an architect and need to access my office. Am I allowed to do this?

If you are doing work that supports large-scale construction, or ACT or Commonwealth Government projects, you are able to go to your office to perform work that cannot be done from home. Wherever possible, you and your staff should continue to work from your residence

9. I am a manufacturer / fabricator. Am I allowed to go back to work and where can I deliver to?

Updated: 8 September

From today, manufacturers and fabricators who are supporting large-scale construction are permitted to go back to work. This also means you are able to deliver to large-scale construction or civil construction sites in ACT and NSW.

You should not be manufacturing or fabricating solely for the small-scale construction projects, and you cannot deliver to those sites. This applies to small-scale construction projects in NSW too. These activities are allowed from Friday, 10 September.

You are required to have a COVID Safe Plan before resuming work.

There are special requirements for deliveries in section 3.20 of the Construction Requirements document which must be adhered to.

10. My concrete pumps were due for the 12 monthly inspections during lockdown, and the inspector would usually come from Sydney to perform this work. Will WorkSafe ACT provide an automatic extension or grace period for these inspections?

No. We are continuing to raise this with ACT Government.

You can apply for an exemption from ACT Government, but we have been advised by ACT Government that they are unlikely to be considered for construction projects at this time. WorkSafe ACT do not provide exemptions under the Health Directions. Exemptions must be applied for through ACT Health.

11. Can I gain access to a construction site before the Public Health Orders come into effect to prepare for re-opening, including making safety assessments, installing signage, installing the QR Code, installing hand sanitiser, or other safety works?

Yes. You can inspect a site and undertake activities to keep a site safe and secure under the current public health orders. A minimum number of people are permitted to attend a site to ensure it is safe for reopening, including to put up signage, QR codes and to ensure there is sufficient hand sanitiser and other hygiene requirements are in place.

12. When do I need a QR Code?

Updated: 8 September

The head contractor must ensure that a QR Code is registered and installed for every site. A subcontractor does not need to have their own QR code for each site.

The Construction Requirements states that a QR code for a worksite is not required for repair, maintenance or construction activities if taking place in a private occupied residence, provided the employer maintains a record of who attended the worksite and at what time.

Anyone visiting a site which has a Check In CBR App code must check in, regardless of the length of time they plan to stay there.

13. Do the delivery drivers need to check in?

Updated: 8 September

Yes. All delivery drivers coming on to site should check in using the Check In CBR App, even if they are only delivering to the site gate and the delivery is contactless.

They should also comply with the declaration required under the Construction Requirements.

14. Where can I find a template Authorised Worker Permit?

The ACT Government has developed a template which can be found [here](#) or on the [ACT Government COVID19 Lockdown Page](#). It is also referred to as the Construction Industry Worker Permit.

It is important to note that an Authorised Worker Permit has a specific meaning in the ACT Construction Requirements. This Permit does not constitute a Travel Exemption allowing works to travel from outside the ACT + 10 Postcode region.

Cross-Border

1. Do these Construction Requirements apply in NSW?

Updated: 8 September

No. The ACT Construction Requirements do not apply for construction work in regional NSW. All construction work can continue.

There are capacity limits for renovations, repairs, maintenance and cleaning in NSW that are similar to what is allowed in ACT. They are:

- No more than 2 people are working in an indoor area of the home at the same time
- A resident must stay in a separate indoor area to where the work is being carried out
- No more than 5 people are working in an outdoor area at the same time.

2. Can ACT based construction workers travel to NSW to work on construction projects that would be permitted in the ACT (e.g. large scale projects, civil construction projects)?

Updated: 8 September

Yes, provided that the ACT based construction workers only travel within the 10-postcode bubble region, and are working on projects currently permitted.

The current Public Health Orders do not allow travel for work on small-scale or residential construction projects until 10 September.

Workers must not travel to regional NSW, outside of the approved 10-postcodes.

3. Can my workers travel into the ACT from NSW?

Inside the 10-postcode region

Yes, provided that they are carrying out work that is deemed essential under the ACT Public Health Orders.

The workers will need to complete a [NSW Travel Declaration](#) every 72 hours, when they return back to NSW.

Regional NSW

No – workers must not travel from the ACT into regional NSW. We are continuing to raise the impact this decision has on construction projects in the ACT.

Workers can apply for an exemption, but we have been advised by ACT Government that they are very unlikely to be considered for construction projects at this time.

COVID Safe Plan

1. Do I need a COVID Safe Plan?

YES. Every site for permitted construction work requires a COVID Safe Plan.

This includes off-site manufacturing, fabrication and assembly sites.

If you have an existing COVID Safe Plan, it must be updated to implement each aspect in the Construction Requirements.

Each worker must be inducted into the construction site under the updated COVID Safe Plan.

The updated COVID Safe Plan does not need to be approved by the ACT Government or WorkSafe ACT prior to you reopening.

CBR Check-in app

1. Do I need to use the CBR Check-in app?

Yes. Every site must use the CBR Check-in app. This must be used regardless of whether other electronic sign on systems are also used.

The Check In CBR App for a worksite is not required for repair, maintenance and construction activities of less than one day's duration, provided the employer maintains a record of who attended the worksite and at what time.

COVID Marshals

1. Can a project manager or site supervisor be given the role of COVID Marshal?

For a large-scale project or a civil construction project, the COVID Marshal must be a dedicated employee of the PCBU and not performing other roles on the site (unless they are the Site Safety Manager).

However, a PCBU can appoint more than one COVID Marshal provided that (for large scale projects) each permitted construction site has a dedicated COVID Marshal on site at all times.

The Construction Requirements set out what the responsibilities of the COVID Marshal are.

2. Where can I book the infection control awareness training or First Aid (level 2) training required for COVID Safety Marshals?

The Commonwealth Department of Health has developed COVID-19 infection control training. This training can be accessed [here](#). [The training is free of charge and takes around 20 minutes to complete.](#)

First Aid (level 2) training is currently available from a range of RTOs, including MBA Group Training. Details of available courses are available on the [MBA web site](#).

Subcontractors & Suppliers

1. I am a subcontractor. What do I need to do before recommencing on a permitted construction site?

If you are a subcontractor on a permitted construction project you should contact the head contractor to find out about the COVID safety requirements for that site. The head contractor should provide you with a copy of the site's updated COVID Safe Plan.

You, and all of your workers, will need to:

- Follow the requirements of the site's COVID Safe Plan at all times,
- Have your workers inducted into the site again under the updated COVID Safe Plan,
- Provide an Authorised Workers Permit to all of your workers.

If you are a manufacturer or fabricator, you must have a COVID Safe Plan for your premises.

COVID Infection

1. What do I do if a COVID-19 positive person is found to have worked on my construction site?

Section 4 of the Construction Requirements outlines the process to follow to manage a COVID-19 positive case.

In summary:

- If a staff member is a confirmed case and attended the workplace while infectious, ACT Health will contact you to determine the appropriate next steps to minimise the risk of virus transmission within your workplace.
- You are advised to contact WorkSafe ACT immediately and complete a [Notifiable Incident form](#) upon being informed of a positive case of a worker on a project or site in the building and construction industry. [Guidance on the process can be found here.](#)

- WorkSafe ACT will provide guidance about the actions that should be taken immediately, which may include:
 - Closing site for further works or overtime
 - Arranging for 'Deep Cleaning' of the affected areas
 - Communicating with staff, own and subcontractor workforces to isolate pending instruction by ACT Health

The SafeWork Australia website has [additional guidance](#) on what to do in case of a positive case in a workplace.

The ACT Government COVID-19 web page has [additional Guidance](#) for cleaning of venues with a confirmed or potential case of COVID-19.

Compliance

1. What happens if I don't comply with the Construction Requirements or Public Health Orders?

The Construction Requirements are now a subsidiary document of the Public Health Orders, and therefore the same maximum penalties apply for non-compliance.

For an individual - \$8,000

For a body corporate - \$40,500.