

COVID-19 Construction Requirements – FAQs

Updated: 4 November 2021

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Permitted Work

1. What construction work is permitted in the ACT?

Updated: 4 November 2021

All construction work is now permitted in the ACT, subject to compliance with the Construction Requirements and the density limits prescribed.

The current density limits are:

- 1 per 4m² for indoor work
- 1 per 2m² for outdoor work.

An indoor space is defined as an area, room or premises that is, or are, substantially enclosed by a roof and walls (of permanent solid construction and stretching from floor to ceiling), regardless of whether the roof or walls or any part of them are open or closed.

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

Updated: 4 November 2021

A copy of the [Construction Requirements](#) has now been finalised and is available on the ACT Lockdown website. The latest version is Version 1.6.

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.

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

Updated: 4 November 2021

Yes. The ACT Government recommends a gradual return to the office, now that lockdown has ended.

4. I am a residential builder, and my client has asked to come on to site to inspect the work. Is this permitted under the Construction Requirements and public health orders?

Updated: 4 November 2021

Yes, this is permitted. However, the Construction Requirements strongly encourage that all non-essential people are not permitted on to the site. This is to manage the risk of spread of COVID-19 and to protect both the workers on-site, and the home-owners. Where possible, inspections should be conducted virtually.

It is acknowledged in the Construction Requirements that it is reasonable for a home-owner to attend site from time to time. Social distancing must be adhered to all times and the time spent on site must be kept to a minimum. Where any visitor is attending the site, they count towards the density limits.

5. How many workers can I have on a residential site during a concrete pour?

Updated: 4 November 2021

The only density limits that apply to construction sites now are 1 per 4m² inside, and 1 per 2m² for outside work.

6. Can I carry out defect rectification or maintenance work in occupied residential premises?

Updated: 4 November 2021

Yes, you can. You must adhere to the density limits and social distancing at all times. The occupants must always remain in a separate area, and there is to be no interaction between workers and the occupants.

7. I am building a row of townhouses. What density limits apply?

Updated: 4 November 2021

The only density limits that now apply are 1 per 4m² for indoor work, and 1 per 2m² for outdoor work.

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

Updated: 4 November 2021

Yes. The current public health orders allow for a gradual return to the office for all industries.

9. Can I attend an occupied premise to provide a quote for future work?

Updated: 4 November 2021

Yes. The Construction Requirements now confirm that contractors are able to visit occupied residential sites to provide contactless quotations for projects. The resident must remain outside while the contractor is inside.

This includes residential apartment complexes.

10. Can I reopen my showroom?

Yes. Showrooms are able to be open but need to follow any rules from the Public Health Direction, including maximum numbers of visitors allowed (as well as Density Limits such as the 1 in 4 sqm rule).

A useful control may be for showrooms to be by appointment only and have a break between customers so there is no contact between different households/customers.

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

Yes, you can go back to work.

Provided that you comply with the standing freight exemptions, you can deliver products throughout Australia.

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

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

12. 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?

Updated: 4 November 2021

Yes. Travel from NSW, including the Greater Sydney area, is now permitted for all travellers.

13. When do I need a QR Code?

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.

14. Do the delivery drivers need to use the CBR Check In App?

If the delivery driver does not exit the vehicle, then no, they do not need to check in.

If they exit the vehicle and they are on site, they must check in. Other controls must also then be put in place to limit contact between the delivery drivers and workers on site, in accordance with the Construction Requirements.

15. Do delivery drivers need to agree to the Declaration required by the Construction Requirements?

Yes, they must make the required declaration. This applies regardless of whether the delivery driver exits the vehicle.

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

Authorised Worker Permits are no longer required.

Occupied Residential Apartment Complexes

17. Am I able to undertake construction work (including defect rectifications) on an occupied residential apartment complex?

Updated: 4 November 2021

Yes, work is now permitted inside and outside on residential apartment complexes. Work must comply with the Construction Requirements, but there are no longer and special requirements for residential apartment complexes.

Cross-Border

18. Do the Construction Requirements apply in NSW?

Updated: 4 November 2021

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

Construction sites must comply with density limits:

- For indoor areas, 1 person per 4m²
- For outdoor areas, 1 person per 2m²

The occupier of a construction site must have a COVID-19 Safety Plan (for Greater Sydney), and ensure all visitors check in using the Service NSW app (or provide contact details).

For rules about renovations, repairs, maintenance and cleaning at a home, you must comply with the visitor requirements for NSW.

19. Can ACT based construction workers travel to NSW to work on construction projects that would be permitted in the ACT?

Updated: 4 November 2021

Yes. Travel can occur between the ACT and NSW, except for unvaccinated persons travelling to and from the areas that are identified as 'high-risk'

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

Updated: 4 November 2021

Yes. Only travellers that are fully vaccinated can travel from high-risk areas (as defined by ACT Government), and must still seek an exemption before doing so.

Unvaccinated travellers may be permitted to travel from high-risk areas if they are doing so for essential reasons.

COVID Safe Plan

21. 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.

MBA ACT has produced a template COVIDSafe Plan. If you require access to this document, please contact us via canberra@mba.org.au. The template will be updated when necessary.

COVID Marshals

22. Does every site need a COVID Marshal?

YES.

23. What are the requirements for a COVID Marshal on a civil site?

If there are 15 workers or less on the site at any given time, you must appoint a COVID Marshal, however, that person can be a COVID Marshal on multiple sites. If a COVID Marshal is performing this role on multiple sites:

- The onus is on the PCBU to demonstrate the COVID Marshal has sufficient oversight to ensure COVID safety;
- While not on site, they need to have identified a delegate to support COVID control on site, such as wearing masks and social distancing, and to facilitate contact with the COVID Marshal when required; and
- The COVID Marshal must be contactable at any stage to support site management activities and liaison with ACT Government agencies such as ACT Health and WorkSafe.

If there are more than 15 workers on the site at any given time, you must have a dedicated COVID Marshal who is an employee of the PCBU and not performing other roles on the site (unless they are the Site Safety Manager).

24. What are the requirements for a COVID Marshal on a large commercial site?

A large commercial site is defined as 4 or more storeys high (excluding basement), or over 1500m² in Gross Floor Area.

All these sites must have a dedicated COVID Marshal who is an employee of the PCBU and not performing other roles on the site (Unless they are the Site Safety Manager).

25. What are the requirements for a COVID Marshal on all other sites, including residential?

For all sites that are not considered a large site (4 or more storeys high, greater than 1500m² Gross Floor Area), you must appoint a COVID Marshal but they do not need to be on that site at all times, and can be a COVID Marshal on multiple sites.

If a COVID Marshal is performing this role on multiple sites:

- The onus is on the PCBU to demonstrate the COVID Marshal has sufficient oversight to ensure COVID safety;
- While not on site, they need to have identified a delegate to support COVID control on site, such as wearing masks and social distancing, and to facilitate contact with the COVID Marshal when required; and

The COVID Marshal must be contactable at any stage to support site management activities and liaison with ACT Government agencies such as ACT Health and WorkSafe.

26. 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.

MBA ACT has prepared Fact Sheets on the COVID Marshal and density limit requirements, which you can view [here for residential sites](#) and [here for commercial sites](#).

27. 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 website](#).

Subcontractors & Suppliers

28. 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,

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

COVID Infection

29. 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

30. 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.