

Updated on Business Victoria Website 17<sup>th</sup> August.

## Stage 4 restrictions

Metropolitan Melbourne has moved to Stage 4 'Stay at Home' restrictions to help slow the spread of coronavirus (COVID-19) in Victoria.

Under these restrictions, businesses in Melbourne can only operate for on-site operations if they are a [Permitted Work PremisesExternal link \(opens in same window\)](#).

Permitted Work Premises in the Construction sector are available at the [DHHS websiteExternal link \(opens in same window\)](#).

A [High Risk COVIDSafe Plan](#) is mandatory in metropolitan Melbourne if you are operating in the construction sector.

A [COVIDSafe Plan](#) is advised for all regional Victorian workplaces.

## Business Operating Reductions - Construction

### Stage 4 restrictions

#### **What are the new restrictions for construction sites?**

From 1:59 am on Saturday 8 August the following changes will need to be adopted by all Melbourne construction sites.

All sites will:

- Have a [High Risk COVIDSafe Plan](#) in place that is regularly updated. Where practicable COVIDSafe Plans should be designed with input from employees and their representatives
- Allow no more than one worker per four square metres of enclosed workspace.

All employees, supervisors and on-site specialists will be:

- prohibited from car-pooling to and from work, except in limited circumstances
- be required to inform their employer if they share accommodation with anyone working at another high-risk workplace
- required to limit movement between multiple sites and observe enhanced PPE and hygiene measures if working between sites.

Each small-scale construction site will:

- reduce the number of people on-site to five people plus a supervisor at any one time
- Limit movement of workers between different sites. Specialist contractors that need to move between sites may only visit three sites per week. All workers moving between multiple sites must observe enhanced PPE and hygiene measures.
- supervisors can move between sites subject to enhanced COVIDSafe practices.

Each large-scale construction site will:

- be limited to a daily maximum of workers on site calculated as the higher of:
  - 25% of their baseline workforce; and
  - 5 workers.

All workers count towards the applicable daily worker limit with the exception of workers specifically dedicated to oversight of COVIDSafe functions in the workplace.

Baseline workforce is the average daily number of workers on site across the project lifecycle, as derived from the project's resourcing plan as at 31 July 2020. The resourcing plan and calculation are subject to audit. Project lifecycle commences from the date of on-site mobilisation and ends at handover.

- Limit movement of workers between different sites. Specialist contractors that need to move between sites should visit no more than three sites per week. All workers moving between multiple sites must observe enhanced PPE and hygiene measures.

Each early stage residential land development site will:

- follow density restrictions of no more than 10 workers per hectare.

All workers count towards the density restrictions.

## Application

### **Do the restrictions apply to all construction sites?**

All construction sites are required to have a [High Risk COVIDSafe Plan](#) and must follow density restrictions of no more than one worker per four square metres in enclosed spaces.

Additional restrictions apply to:

- Workers visiting multiple sites
- Early stage residential land development sites
- Small scale construction sites
- Large-scale construction sites

### **What is considered a large-scale construction site?**

A construction site is considered large scale for the purposes of these guidelines if it is:

- Permitted to be (at completion) more than three storeys high (excluding basement), or
- Larger than 1,500m<sup>2</sup> floor size (inclusive of all floors) or
- Any office, internal fit out or retail premises, or
- Industrial, large format or retail use

## **Do we rely on the site's footprint or the site's floor size to determine whether a site is more than 1,500m2?**

In considering whether the site size is more than 1,500m<sup>2</sup>, you need to take into account the site's total floor area as opposed to the site's footprint.

Example: If there is a 3-storey building, with each level having a floor area of 1200 m<sup>2</sup>, the total floor area will be calculated as 3600 m<sup>2</sup>. On that basis it would be categorised as a large-scale construction for the purposes of the restrictions.

## **What is considered an early stage land development project?**

An early stage land development project comprises all civil works undertaken on open air, large greenfield sites that are associated with and preparatory to construction of multiple individual residential dwellings or industrial or commercial development on that site (including site remediation and site preparation works, construction of utilities and construction of roads, bridges, stormwater/flood management works and trunk infrastructure).

For residential developments, once subdivision occurs, the construction of that dwelling on a part of the site is regarded as a small scale construction project. For large scale residential development (e.g. retirement village) with a single entity responsible for construction, once dwellings are commenced, it will be considered large scale construction.

In relation to early stage land development for industrial or commercial development, once construction of a building, warehouse or physical structure has commenced, it will be considered a large-scale construction site.

## **What is considered to be a small scale construction site?**

A small scale construction site is a construction site that does not meet the definition of a large scale construction site.

## **What is considered to be construction of critical and essential infrastructure?**

Construction of critical and essential infrastructure is not subject to business operating reductions. It means:

- construction or maintenance (including civil works and building activities) of critical and essential infrastructure that is urgently required for the purposes of sustaining human health, safety and wellbeing, regardless of whether those activities are privately or publicly funded;
- activities prescribed by government from time to time as "State Critical Infrastructure Projects";
- construction and maintenance for the purposes of national security and defence; and
- activities that are deemed by Government to have satisfied the test in (a) and endorsed by the Chief Health Officer on a case by case basis.

The expectation is that very few activities will meet the above tests. Project proponents can contact [COVID-19Team@ecodev.vic.gov.au](mailto:COVID-19Team@ecodev.vic.gov.au) to apply for a determination by the Chief Health Officer.

### **What are the rules for civil construction?**

All civil works and all building and construction activities (whether publicly or privately funded) are subject to the large scale, small scale and early stage residential land development project tests and restrictions, unless those activities:

- constitute construction of critical and essential infrastructure (see above); or
- constitute critical repairs to any premises where required for emergency and safety (as provided for by the Stage 4 Restrictions “Permitted Work Premises” published on the [DHHS website](#).[External link \(opens in same window\)](#))

### **Are the restrictions on construction the same in regional Victoria as they are in metropolitan Melbourne?**

No. These further restrictions apply to all works in metropolitan areas under Stage 4 restrictions.

### **What are the arrangements for the wearing of personal protective equipment by workers on site?**

Workers should wear the required personal protective equipment at all times. Specialist contractors who may be required to move between sites will require enhanced PPE and hygiene measures and be restricted to attending only one site on any given day.

The Victorian Government is working closely with industry – and will ensure they have the most appropriate personal protective equipment for every setting.

Industry will be required to have personal protective equipment and there will be checks to ensure they do. If businesses are struggling to get the personal protective equipment they need, Government is available for advice and support.

## **Reduced operations requirement**

### **What is the level of permitted operation for large-scale construction sites?**

Worksites must not exceed a daily maximum of workers on site calculated as the greater of:

- 25 per cent of their baseline site workforce (calculated below); and
- 5 workers.

All workers count towards the applicable daily worker limit with the exception of workers specifically dedicated to oversight of COVIDSafe functions in the workplace.

### **How is baseline site workforce defined for large scale construction sites?**

Baseline workforce is the average daily number of workers on site across the project lifecycle, as derived from the project’s resourcing plan as at 31 July 2020.

The resourcing plan and calculation are subject to audit.

Project lifecycle commences from the date of on-site mobilisation and ends at handover.

### **What is the definition of a worker?**

Workers refer to people working on a site including, but not limited to, owners, managers, employees, contractors, workers on labour hire and security.

It does not include workers specifically dedicated to oversight of COVIDSafe functions in the workplace e.g. workers doing additional cleaning of high-touch points or overseeing the implementation of COVIDSafe practices.

Workers do not include suppliers and deliveries (e.g. concrete testers and the like) who are only present onsite for a short period of time and these do not count towards the daily worker limits.

### **What is the definition of specialist contractors**

- Appliance installers
- Asphalters
- Brick layers
- Cabinet installers
- Carpenters
- Carpet layers
- Caulkers
- Cladding installers
- Concreters
- Earthworks and drainage specialists
- Electricians
- Engineers
- Floor installers
- Floor layers
- Flora and fauna specialists
- Garage door installers
- Gas contractors
- Geotechnical specialists

- Gold class riggers
- Heritage and cultural heritage specialists
- Insulation installers
- Joiners
- Landscape architects
- Mechanics who install and repair plant
- Mobile Cranes – Operators and dogmen
- Painters
- Plasterers
- Plumbers, including roof plumbers
- Post Tensioners
- Precast installers
- Renderers
- Retaining wall specialists
- Security system installers
- Sewer contractors
- Shower screen/mirror installers
- Solar installers
- Sprinkler fitters
- Steel fixers
- Telecommunications installers
- Termite specialists
- Tile layers, including roof tilers
- Traffic engineers
- Vertical access riggers
- Water proofers
- Welders
- Window and glass installers/glaziers

**What about architects, surveyors, auditors, building inspectors and engineers?**

Workers that provide architecture, engineering, surveying, building inspection or compliance services or statutory functions must work from home where possible. Where these workers are required to attend sites for inspection and safety purposes, they are counted as workers. Workers in this category who need to move between sites should visit no more than three times a week, except where those visits are required to meet a minimum statutory obligation or requirement.

### **What about specialists who provide safety services?**

Specialists who install critical OHS equipment including scaffolding, safety rails, guardrails, stair void protection systems, other critical safety equipment/installations and those who conduct safety inspections and training talks are not limited to three sites per week.

### **I'm not on the specialist contractor list, how many sites can I visit a week?**

Unless you are on the specialist contractor list or otherwise permitted (e.g. safety specialist, undertaking statutory functions or site supervisor for small-scale construction), you can only work at 1 site while the Workplace (Additional Industry Obligations) Directions are in place.

## **Documentation**

### **What documentation is required?**

Specified worksite operators will be required to declare in an attachment to their [COVIDSafe Plan](#):

- the location and nature of the activities undertaken at sites intended to continue restricted operations;
- (if applicable) the baseline workforce levels calculated for each site and the methodology and time period used to establish these levels;
- the restricted workforce levels proposed for each site during the restriction period calculated in compliance with the order; and
- that the operator will retain and agrees to make available for inspection the business records and calculations used to establish the restricted workforce levels and demonstrate compliance with those restricted workforce levels through the period to which the restriction apply.

### **Compliance and enforcement**

Government is introducing a specified worksite reporting regime supported by independent compliance reviews and site inspections. The process is being established to ensure the specified worksites comply with the intent of the order and can provide independently verifiable evidence of their compliance during and after the restriction period.

### **What documentation do I need to retain?**

The COVIDSafe Plan and attachment (as specified above) must be retained and be available for inspection on request. It will not be otherwise be submitted to or endorsed by the Victorian Government.

Operators will also be required to retain and make available for inspection evidence of compliance with the daily workforce limits, including roster, time and attendance, payroll and other site attendance records.

### **Who will enforce these restrictions?**

Authorised officers will be undertaking site inspections for workplaces subject to reduced operation requirements to ensure they are complying and have a complete [High Risk COVIDSafe Plan](#).

### **How will compliance be monitored?**

Site operators will be randomly selected for independent compliance review and asked to demonstrate compliance with the order. To facilitate these compliance reviews which will take place both during and after the Stage 4 restriction period, operators will be required to retain and make available for inspection site rosters, time and attendance data, payroll data and other site attendance records as requested.

Compliance reviews will be conducted by independent agents appointed by the Victorian Government for this purpose.

## Frequently asked questions

### Can solar installations continue?

### Can my renovation proceed?

Tradespeople and builders can only visit your home for renovations if you have fully vacated the property and are not staying there during the period of Stage 4 restrictions.

If you have vacated the property, then renovations can proceed in line with restrictions on residential construction.

If you're still living at the property, then trades people and builders can only make emergency repairs.

### What defines a high-risk workplace for construction projects?

### How do I develop a High Risk COVIDSafe Plan?

### Does Government need to approve my High Risk COVIDSafe Plan?

Is work carried out on one level of a building greater than 3 storeys considered small or large scale construction?

Can large-scale construction sites run two shifts at 25% workforce each shift?

Can supervisors and/or managers for permitted workplaces move between sites?

Will builders be able to operate display homes/suites for clients to visit under Stage 4 restrictions?

I'm an architect, can I attend site?

Are apprentices counted in the 5 worker limit for small-scale projects, or 25% for large scale construction projects?

I am an apprentice; I cannot get to and from work without carpooling with someone. Am I allowed to get a lift with someone?

How do I calculate the allowable number of people on site based on the maximum 25% of workers, given our numbers fluctuate?

Are machine operators allowed to operate across different sites?

Can Melbourne-based construction workers work in regional Victoria and vice versa?

For metropolitan based workers working on regional projects, can you clarify whether ‘employed on a project’ is limited to those already inducted/physically present?

I’m a permitted worker. Will my normal car park be open?

Can offices remain open under Stage 4 restrictions for tasks that are not able to be completed from home?

I think my project is critical and essential infrastructure. How do I get an exemption from the Stage 4 restrictions?

Is there an exemption process for civil construction?

Are Council, Federal Government or University projects included in the exemption list?

We mainly do renovations, extensions, decks, pergolas, landscaping etc, are we able to continue with this work?

These works can only be undertaken in vacated sites and in compliance with the small-scale construction rules. Work is not permitted in an occupied residential site unless it is required in an emergency or for safety reasons.

Can manufacturing operate under Stage 4 restrictions to support construction projects?

What are the enhanced PPE and enhanced hygiene requirements?

How will compliance be monitored?

Can the selection of the 25% of the workforce be changed day to day or week to week at the discretion of the Principal Contractor?

Can I still get supplies from a hardware store?

Can more workers than the limit come on site if there is an emergency?

Is concrete manufacturing permitted under Stage 4 restrictions?

Can I have more than five workers for a slab pour on a small-scale construction project?

Can I attend onsite if I have confidential documents or mail I need to access in a Stage 4 restricted area, but I am not a permitted worker?

Are commercial cleaners allowed to operate under Stage 4 restrictions?

I'm not on the specialist contractor list, how many sites can I visit a week?

Do we rely on the site's footprint or the site's floor size to determine whether a site is more than 1,500m<sup>2</sup>?

Are builders allowed to carry out maintenance and warranty work during stage 4 to meet contractual requirements after the property has been handed over?

Maintenance and repairs activities for inhabited properties can only be completed for emergency reasons and/or environmental obligations. All other maintenance and warranty work should be deferred during Stage 4 restrictions.

Work at uninhabited properties must be undertaken in accordance with small-scale construction rules.

**How will the five worker rule apply with respect to sites where the home owner attends the building site?**

Will trade waste from construction projects be classified as waste from 'commercial contractors' and permitted to access waste transfer stations?

If our employees inform us that if they share accommodation with anyone working at another high-risk workplace, what do we do with that information and what actions are we expected to take?

Will HomeBuilder eligibility period be extended to consider this Stage 4 lockdown period?

Please follow the link below for answers to FAQ's.

<https://www.business.vic.gov.au/disputes-disasters-and-succession-planning/covid-safe-business/construction-sector-guidance#Frequently%20asked%20questions>