DEFINITION OF CONSTRUCTION AND HIGH RISK CONSTRUCTION WORK

Under the Work Health and Safety Act 2012 (SA), certain people have health and safety duties with which they must comply in relation to undertaking construction work.

WHO SHOULD READ THIS?
This fact sheet should be read by persons who carry out any activities related to construction.

MEANING OF CONSTRUCTION WORK
‘Construction work’ means any work carried out in connection with the construction, alteration, conversion, fitting out, commissioning, renovation, repair, maintenance, refurbishment, demolition, decommissioning or dismantling of a structure, which includes the following:

- any installation or testing carried out in connection with construction work; or
- the removal from the workplace of any product or waste resulting from demolition; or
- the prefabrication or testing of elements, at a place specifically established for the construction work, for use in construction work; or
- the assembly of prefabricated elements to form a structure, or the disassembly of prefabricated elements forming part of a structure; or
- the installation, testing or maintenance of an essential service in relation to a structure; or
- any work connected with an excavation; or
- any work connected with any preparatory work or site preparation (including landscaping as part of site preparation) carried out in connection with an activity referred to as construction work; or
- construction work that is carried out on, under or near water, including work on buoys and obstructions to navigation.

MEANING OF HIGH RISK CONSTRUCTION WORK
‘High risk construction work’ means construction work that:

- involves a risk of a person falling more than three metres; or
- is carried out on a telecommunication tower; or
- involves demolition of an element of a structure that is load-bearing or otherwise related to the physical integrity of the structure; or
- involves, or is likely to involve, the disturbance of asbestos; or
- involves structural alterations or repairs that require temporary support to prevent collapse; or
is carried out in or near a confined space; or
is carried out in or near a shaft or trench with an excavated depth greater than 1.5 metres, or a tunnel; or
involves the use of explosives; or
is carried out on or near pressurised gas distribution mains or piping; or
is carried out on or near chemical, fuel or refrigerant lines; or
is carried out on or near energised electrical installations or services; or
is carried out in an area that may have a contaminated or flammable atmosphere; or
involves tilt-up or precast concrete; or
is carried out on, in or adjacent to a road, railway, shipping lane or other traffic corridor that is in use by traffic other than pedestrians; or
is carried out in an area at a workplace in which there is any movement of powered mobile plant; or
is carried out in an area in which there are artificial extremes of temperature; or
is carried out in or near water or other liquid that involves a risk of drowning; or
involves diving work.

EXCLUSIONS
Construction work does not include:

- the manufacture of plant;
- the prefabrication of elements, other than at a place specifically established for the construction work, for use in construction work;
- the construction or assembly of a structure that, once constructed or assembled, is intended to be transported to another place;
- testing, maintenance or repair work of a minor nature carried out in connection with a structure; and
- mining or the exploration for, or extraction of, minerals.

TRANSITIONAL PROVISIONS
For further information refer to SafeWork SA fact sheet ‘Transitional Arrangements for Construction Work’.

Important
This information provides guidance on work health and safety matters. It may refer to legislation that has been amended or repealed and should not be taken as a statement of law. To ensure compliance with your legal obligations, you should always refer to the current Work Health and Safety Act and Regulations.