

Australian Capital Territory

# Work Safety (ACT Code of Practice for Construction Industry Amenities) Code of Practice 2010

Disallowable instrument DI 2010 – 226

made under the

*Work Safety Act 2008*, section 18 (Codes of Practice)

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## 1 Name of instrument

This instrument is the *Work Safety (ACT Code of Practice for Construction Industry Amenities) Code of Practice 2010*

## 2 Commencement

This instrument commences on 1 October 2010.

## 3 Approval of a code of practice

Under section 18 of the *Work Safety Act 2008*, having consulted with the ACT Work Safety Council, I approve the ACT Code of Practice for Construction Industry Amenities as a code of practice.

Katy Gallagher  
Minister for Industrial Relations  
3 September 2010



OFFICE OF REGULATORY SERVICES  
DEPARTMENT OF JUSTICE & COMMUNITY SAFETY

# CONSTRUCTION INDUSTRIES AMENITIES

CODE OF PRACTICE

OCTOBER 2010

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# 1. Introduction

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## 1.1 Title

This is the Construction Industry Amenities Code of Practice.

## 1.2 Authority

This edition is approved as a code of practice, in accordance with section 18 of the *Work Safety Act 2008*, by the Minister for Industrial Relations, as the Minister responsible for the Act, on the recommendation of the ACT Work Safety Council.

## 1.3 Purpose

This code of practice sets out practical guidelines on achieving the standard of workplace safety required by the *Work Safety Act 2008* (Work Safety Act) with specific reference to the provision of a minimum standard of amenities for persons engaged in all construction work.

An approved code of practice is designed to be used in conjunction with the Work Safety Act and Regulation, but does not have the same legal force. A person or corporation can not be prosecuted for failing to comply with a code of practice. The code should be followed unless there is an alternative course of action that achieves the same or better standard of workplace safety.

An Office of Regulatory Services (ORS), WorkSafe ACT inspector may cite a relevant approved code of practice in a direction, Improvement or Prohibition Notice, indicating the measures that should be taken to remedy a contravention or non-compliance with the Work Safety Act or its Regulation.

Any failure to comply with a requirement in an Improvement or Prohibition Notice is an offence.

## 1.4 Scope

This code of practice covers the provision of amenities for any person in a construction occupation who provides, or proposes to provide a construction service, or activities connected with construction services. Provisions are detailed regarding:

- General provisions
- Change rooms
- Meal rooms
- Toilets and sanitation
- Washing
- Showers
- Drinking water
- Safe keeping of tools and personal belongings

## 1.5 Commencement

This code of practice commences on the day after notification in the ACT Government Gazette.

## 2. Definitions and Interpretations

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**“base”** means a place of work where workers normally start and finish their daily work, such as a depot, yard or compound, home or accommodation.

**“construction occupation”** means someone who provides services in any of the following occupations:

- a) asbestos assessor;
- b) asbestos removalist;
- c) builder;
- d) building surveyor;
- e) drainer; electrician;
- f) gasfitter;
- g) plumber;
- h) plumbing plan certifier; or
- i) works assessor.

**“construction service”** means the doing or supervision of work in a construction occupation.

**“construction work”** means any work carried out on or near a construction site in relation to the construction of a structure, including:

- a) demolishing or dismantling all or part of the structure and removing from the site anything resulting from the demolition or dismantling;
- b) assembling prefabricated elements to form the structure or disassembling the prefabricated elements that formed the structure;
- c) excavation, landscaping, preparatory work or site preparation carried out on the site; or
- d) work carried out under water, including on a buoy, an obstruction to navigation, a raft, shop or wreck; but

not including exploring for, or extracting, minerals or preparatory work in relation to the extraction carried out where exploration or extraction is carried out.

**“house”** means a building intended mainly for private residential use, or part of such building is less than three (3) storeys; or if part of a building - the part provides structural support, or is a structurally integral adjunct, to the building.

“person in control” means anyone who has control of the premises, plant or equipment, a system of work, design, import or manufacture; including anyone with authority to make decisions about the management of any of the above.

“person conducting a business or undertaking” means a person or entity that is conducting a business or undertaking. This includes, but is not limited, to employers, self-employed persons, municipal corporations, sub-contractors and franchisors. A not-for-profit business or activity conducted by local, state or territory government may be a business or undertaking.

“worker” means an individual who carries out work in relation to a business or undertaking, whether for reward or otherwise, under an arrangement with the person conducting the business or undertaking.

“workplace” means a place where work is, has been, or is to be, carried out by or for someone conducting a business or undertaking.

### 3. Consultation

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#### 3.1 Establishing what is reasonably practicable

The persons in control, persons conducting a business or undertaking, workers and their representatives should consult with each other when observing the recommendations of the code. The consultation process should be used to determine what is reasonably practicable.

The Act indicates that in determining what are *reasonably practicable steps* to eliminate or minimise a risk, consideration must be given to:

- the seriousness of the risk
- the availability and suitability of ways to eliminate or minimise the risk
- what the duty holder knows, or ought reasonably to know, about the hazard giving rise to the risk, the risk itself, and ways of eliminating or minimising the risk
- the cost of eliminating or minimising the risk

The provision of workplace amenities that are reasonable or reasonably practicable (referred to in the table in section 5) should at least take into consideration the following:

- the type/nature of the workplace
- the location of the workplace
- the nature of the work done
- number of workers on a site and their characteristics; including gender, age and special needs
- the size of the workplace
- the distance from the workplace to the nearest available and appropriate amenities
- the time required to access the amenities
- the availability of power and services

## 4. Planning and preparation

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### 4.1 Planning by the person in control

The person in control of premises (such as a workplace) has a statutory duty under the Act to ensure work safety in relation to the premises by managing risk; which is performed by identifying and eliminating any risk, and informing anyone who has a safety duty in relation to the risk.

In practice, the person in control must provide and maintain a workplace that is safe and without risks to the health of workers and any other person present at the workplace or affected by the work in relation to those matters over which he or she has control.

To fulfil these obligations the person in control of premises where construction work will be performed should plan for the provision of amenities. The level of amenities required will depend on the type of workplace.

### 4.2 Types of workplaces

For the purposes of this code, workplaces are divided into four types. The provision of amenities for each type of workplace is outlined in section 5 - Amenities for various workplaces.

- **Type 1 Major construction**

This is usually a fixed location where there are more than 10 people or the duration of work is more than two consecutive weeks. For example, commercial building, engineering construction or multiple residential construction. For housing construction, see Type 4.

- **Type 2 Minor construction**

This is usually a fixed location where there are less than 10 people or the duration of work is less than two consecutive weeks. For example, minor building, road construction or maintenance.

- **Type 3 Building alterations (with access to amenities)**

This is usually a fixed location with reasonable access to existing building amenities. For example, fit-outs, alterations and extensions.

- **Type 4:**

- A. Workers working away from base**

This is a workplace for workers who start and finish work at a base. For example, council, road or rail workers, or workers who receive daily work by telecommunication (as in road maintenance or other public utility work in remote areas).

- B. House construction**

A workplace where workers carry out construction of, or alterations to a house (see definition of house).

- C. Tunnel construction**

Tunnel construction work with established Type 1 amenities on main site.

## 5. Amenities for various workplaces

The following table summarises the amenities required for each type of workplace. See sections seven and eight for more details and indicated by the table.

Type of Workplace	Change rooms	Meal rooms	Toilets	Washing/ showers	Drinking water	Tools/ Personal belongings
<b>Type 1 Major construction</b>	Provide as in 7.1.	Provide as in 7.2.	Provide as in 7.3.	Provide as in 7.4 and 7.5.	Provide as in 7.6.	Provide as in 7.7.
<b>Type 2 Minor construction</b>	Provide change rooms if required by the type of work or as determined to be reasonably practicable.	Provide reasonable access to a meal facility if no existing dining facilities are close by. Alternatively provide mobile amenities, e.g. a caravan.	Provide access to at least one sewer, septic or portable chemical toilet as specified in 7.3.	Provide access to hand washing and shower facilities if work requires showering. Alternatively provide mobile amenities, e.g. a caravan with these amenities.	Provide as in 7.6.	Provide lockable chests for the security of personal belongings and tools.

Type of Workplace	Change rooms	Meal rooms	Toilets	Washing/ showers	Drinking water	Tools/ Personal belongings
<b>Type 3 Building alterations</b>	Provide access to existing facilities. If not available or adequate, type 1 or type 2 workplace provisions apply, depending on the size of construction.	Provide access to existing facilities. If not available or adequate, type 1 or type 2 workplace provisions apply, depending on the size of construction.	Provide access to existing facilities. If not available or adequate, type 1 or type 2 workplace provisions apply, depending on the size of construction.	Provide access to existing facilities. If not available or adequate, type 1 or type 2 workplace provisions apply, depending on the size of construction.	Provide as in 7.6.	Type 1 or type 2 workplace provisions apply depending on size on the construction.
<b>Type 4 Working away from base; house; or tunnel construction</b>	Ensure facilities at the base. Alternatively provide reasonable access to change rooms. Mobile amenities, e.g. a caravan, may be provided.	Provide reasonable access to a meal facility. Alternatively, provide mobile amenities, e.g. a caravan.	Provide access to toilet(s), or provide access to potable toilet(s) as specified in 7.3.	Ensure facilities are provided at the base. Provide or arrange access to hand washing facilities.	Provide as in 7.6.	Provide lockable chests for the security of personal belongings and tools.

## 6. General provisions for all Workplaces

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At the planning stage of each construction project, regardless of the type of construction, the person in control for amenities on site should plan for the following:

1. The provision of the type of amenities required as determined by the type of workplace (see 5 - Amenities for various workplaces).
2. The safe and convenient location of amenities required.
3. Where they are required, amenities should:
  - a. be of sound construction and weather-proof;
  - b. have adequate ventilation, heating, cooling and lighting;
  - c. be protected against insects; and
  - d. be appropriately insulated against weather conditions.
4. All amenities should be kept clean and sanitary. Surfaces should be of an impervious nature and finished to allow for regular and easy cleaning.
5. Waste water from amenities should be adequately discharged to ensure hygiene and safety.
6. An adequate supply of cleaning equipment and accessories, such as soap, hand drying facility, toilet paper, cleaning agents, mops, and brooms.
7. All amenity areas should be positioned or constructed to prevent external flooding and allow safe access for disabled people, if required.
8. Access to all amenities, and facilities within, should be kept clear at all times.
9. Amenities should not be used for the storage of any building materials or equipment, with the exception of workers' personal work tools and protective equipment.
10. All power supplied to amenities should comply with the relevant supply authority rules and be consistent with relevant standards and practices. For guidance, see the NSW WorkCover Electrical practices for construction work - Code of Practice; or *AS 3012:2003 - Electrical installations - Construction and Demolition Sites*.
11. Adequate lighting (natural or artificial) should be provided for safe access to amenities.
12. Where change rooms and meal rooms are provided, they should be separate or separated by an internal wall.

## 7. Types of amenities

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Refer to section 5 - Amenities for various workplaces, to determine what amenities should be provided for the workplace type. All amenities covered in this section should be provided for type 1 workplaces.

The provision of amenities listed in this section is subject to the availability of power and services. If the connection to power and services is not reasonably practicable, alternative arrangements should be negotiated between the person in control of the premises, workers and/or their representatives.

### 7.1 Change rooms

1. Change rooms should be provided if the type of work, location of work or the workers require clothes to be changed.
2. Change rooms should be for the exclusive use of workers.
3. Change room area should have a minimum floor area of 0.5m<sup>2</sup> for each person changing clothes at any one time. The floor area includes bench seating, but excludes floor occupied by furniture, fittings, fixed storage space, or any other permanently fixed items.
4. Suitable bench seating in all change rooms to be at least 400mm wide and 460mm in length for each person using the room at any one time.
5. Adequate numbers of secure hooks should be provided for hanging clothes and be spaced at least 460mm apart. Where appropriate to the type of work being performed, additional hooks for hanging up personal work tools should be provided.
6. Clothes drying facilities should be provided where appropriate to the type of work being performed.
7. Change rooms with suitable enclosures or compartments for privacy should be provided where both males and females are employed at the site.

### 7.2 Meal rooms

1. Adequate numbers of suitable tables and seating should be provided for eating meals.
2. Tables of sturdy construction should be provided and of a length calculated at 560mm for each person using the facility at any one time.
3. Seating should be either chairs or benches 400mm wide x 560mm long for each person.

4. The floor area provided should be at a rate of at least 1m<sup>2</sup> of floor space for each person using the room at any one time. This space includes space occupied by any tables and seating, but excludes fixtures and appliances.
5. Meal rooms should have adequate means of cooling or heating as appropriate to the conditions, such as:
  - Reverse-cycle air conditioning
  - Cooling fans
  - Flow through ventilation
  - Heaters
  - Other alternate methods
6. A refrigerator(s) of adequate size should be provided in each meal room to store perishable foods for all persons using the meal room.
7. An adequate supply of boiling water for hot drinks should be provided.
8. Food warming facilities of adequate size should be provided in each meal room. For example, pie warmer, microwave oven or convection oven.
9. A sink of adequate size, with a supply of clean water, should be provided in each meal room.
10. A suitable space or shelves for storage of workers' provisions should be provided, such as for utensils and food.
11. Garbage bins, with removable liners and secure lids should be provided. Bins should be emptied daily or more frequently if required.

### 7.3 Toilets

1. Toilets should be clearly marked where separate toilets are provided for males and females.
2. The number of toilets provided should be at a ratio of at least one for each 10 people or fraction of 10 people.
3. Toilets and urinals should be installed so as to provide adequate privacy.
4. Toilets should be connected to the sewer where practicable.
5. If connection to a sewer is not practicable, self-contained freshwater flushing or open closet portable toilets should be provided.
6. Toilets that are not connected to a sewer should be serviced at least once every two weeks for a toilet used by up to five people, or at least once every week for a toilet used by more than five people.

7. Toilet facilities should be installed to prevent any odours reaching dining facilities.
8. Portable toilets should be installed to prevent them toppling over.
9. Toilets should be located as close as practicable to the workplace and/or amenities.
10. Adequate numbers of toilets on multi-level buildings should be provided throughout buildings so that no person has to walk up or down more than two floors to a toilet. In respect of this provision, a multi-level building is defined as any multi-level building with the exception of residential units under four floors in height.
11. Toilets should be soundly constructed single units, or separated by partitions of strong construction at least 1.5m in height, with internal measurements of at least 1400mm long x 850mm wide and 2200mm high. Each toilet should be weatherproof and provided with adequate natural/artificial lighting and ventilation.
12. The internal measurements for portable toilets should be at least 1.05m<sup>2</sup> in area and 1.9m high.
13. Each toilet should be fitted with hinged seat and lid and hinged door. The door should be capable of being fastened from the inside.
14. Each toilet should be well drained and have a floor constructed of, or covered with, durable waterproof material.
15. Sanitary disposal units for female use should be provided, where required, and serviced regularly.

#### **7.4 Washing facilities**

1. Undercover washing facilities within or adjacent to each toilet or urinal should be provided. These should be in addition to any provided within portable toilets.
2. Clean water and cleansing agents (and disinfecting where appropriate) should be provided for the purposes of washing.
3. Basins or wash trough points should be provided with water, and hot water where practicable, at the rate of at least one for each 10 people or fraction of 10 people.
4. Water taps over a trough should be at least 500mm apart.
5. Adequate number of mirrors should be provided at convenient points.
6. Garbage bins, with removable liners and secure lids should be provided. Bins should be emptied daily or more frequently if required.

## 7.5 Showers

1. Shower facilities should be provided when required by the nature of the project or type of work being done.
2. When required, a minimum of one shower for each project should be provided and at the rate of at least one for each 25 people or fraction of 25 people. A higher ratio should be provided for work such as demolition, tunnelling or work of a dirty nature.
3. Separate shower facilities should be provided with adequate privacy for the exclusive use of male or females, where both males and females are employed.
4. Each shower cubicle should have a shower curtain or door, soap holder, and hot and cold water.
5. Shower facilities should have non-slip flooring throughout.
6. Bench seating at least 400mm wide and 460mm in length for each shower adjacent to each group of showers should be provided.
7. At least one hook or peg for hanging clothes should be provided for each shower cubicle and spaced 460mm apart.

## 7.6 Drinking water

1. An adequate supply of cool, clean drinking water should be available on working site.
2. Drinking water points should be provided near all hot and strenuous work stations. Additional points if needed should be provided.
3. Where a connection to water supply is not possible, supply may be provided by other means suitable for dispensing drinking water, such as a flask, water bag, or cooled drink dispenser.
4. Where there are a number of amenities on site, at least one chilled water dispenser at each group of amenities should be provided.

## 7.7 Facilities for the safe keeping of tools and personal belongings

1. A space should be provided for workers to bring hand tools inside amenity sheds during breaks/change times.
2. Hooks or pegs (not nails) should be provided to enable hand tools to be kept off the floor. These should be in addition to hooks provided for clothes.
3. Lockable chests, or other means, should be provided for the safe keeping of workers' personal belongings and tool kits.

## 8. Legal requirements

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### 8.1 Work safety

Every person in the workplace has a work safety duty under the Act, whether an employer, worker, self-employed person, or a person in control of the workplace. While the obligation for each person is different, everyone must ensure that the way they carry out their work does not expose other people who are present at the workplace to work safety risks. Refer to the Act for the specific work safety duties of:

- the person conducting a business or undertaking;
- the person in control of the premises;
- the person in control of plant or a system;
- the person in control of design;
- the person in control of manufacture;
- the person in control of import or supply; and
- the worker.