

19 HIGH RISK WORK ACTIVITIES REQUIRING SAFE WORK METHOD STATEMENTS (WA)

What are my legal obligations?

If you are a person conducting a business or undertaking (PCBU) that includes the carrying out of high risk construction work must, before high risk construction work commences, ensure that a safe work method statement (SWMS) for the proposed work is prepared, or has already been prepared by another person.

A PCBU carrying out high risk construction work in connection with a construction project must, before the high risk construction work commences, ensure that a copy of the SWMS for the work is given to the principle contractor.

The PCBU must ensure that a SWMS is reviewed and as necessary revised if relevant control measures are revised under regulation 38.

When do I need a SWMS?

You will need to make sure that a SWMS has been prepared whenever any of the 'high risk construction work' listed below is carried out.

The meaning of the term 'high risk construction work' is work that:

- (a) involves a risk of a person falling more than two metres; or
- (b) is carried out on a telecommunications tower; or
- (c) involves demolition of an element of a structure that is load-bearing or otherwise related to the physical integrity of the structure; or
- (d) involves, or is likely to involve, the disturbance of asbestos; or
- (e) involves structural alterations or repairs that require temporary support to prevent collapse; or
- (f) is carried out in or near a confined space; or
- (g) is carried out in or near -
 - (i) a shaft or trench with an excavated depth greater than 1.5 metres; or
 - (ii) a tunnel; or
- (h) involves the use of explosives; or
- (i) is carried out on or near pressurised gas distribution mains or piping; or
- (j) is carried out on or near chemical, fuel or refrigerant lines; or
- (k) is carried out on or near energised electrical installations or services; or
- (l) is carried out in an area that may have a contaminated or flammable atmosphere; or
- (m) involves tilt-up or precast concrete; or
- (n) 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
- (o) is carried out in an area at a workplace in which there is any movement of powered mobile plant; or
- (p) is carried out in an area in which there are artificial extremes of temperature; or
- (q) is carried out in or near water or other liquid that involves a risk of drowning; or
- (r) involves diving work.

What needs to be in a SWMS?

The SWMS must:

- (a) identify the work that is high risk construction work; and
- (b) specify hazards relating to the high risk construction work and risks to health and safety associated with those hazards; and
- (c) describe the measures to be implemented to control the risks; and
- (d) describe how the control measures are to be implemented, monitored and reviewed; and
- (e) be prepared taking into account all relevant matters, including:
 - (i) circumstances at the workplace that may affect the way in which the high risk construction work is carried out and
 - (ii) if the high risk construction work is carried out in connection with a construction project — the WHS management plan that has been prepared for the workplace; and
 - (iii) be set out and expressed in a way that is readily accessible and understandable to persons who use it.

What happens if the SWMS is not being followed?

If high-risk construction work is not carried out in accordance with the SWMS for the work, the person must ensure that the work is stopped immediately or as soon as it is safe to do so and resumed only in accordance with the statement.

How long do I need to keep the SWMS?

The PCBU must keep a copy of the SWMS until the high risk construction work to which it relates is completed however, if a notifiable incident occurs in connection with the high risk construction work to which the statement relates, the person must keep the statement for at least 2 years after the incident occurs.

Get your SWMS templates from NECA!

NECA Safety has a suite of generic high risk, electrical and refrigerant SWMS to assist you with compliance. For more information please call **(08) 6241 6100** or email safety@necawa.asn.au.

References:

Work Health and Safety (*General*) Regulations 2022 [Part 6.3 (Division 2)]

Work Health and Safety Act 2020 [Part 2]