



Did you know that two-thirds of deaths in the industry can be attributed to poor design and poor planning according to a major European Study?*

OVERVIEW ON SAFE DESIGN

The Work Health and Safety (WHS) legislation is being harmonised across Australia. Seven states and territories including NSW, ACT, Queensland, NT, the Commonwealth, SA and Tasmania have enacted the legislation. WA and Victoria have delayed adoption.

Of particular interest to our clients is the requirement to provide adequate information on any conditions necessary to ensure that the structure is without risks to the health and safety of persons for the purpose for which it is designed and when used as a workplace. The designer must provide this information to anyone who is issued with the plans. Additionally a safety report is specifically required when the person commissioning the work is a person conducting a business or undertaking (PCBU). This report must specify the hazards unique to that particular design that create a risk to the WHS of persons who carry out construction work and any control strategies recommended.

WHS LEGISLATION

The triangle diagram shows the legislation, including the Act and Regulation (law), codes of practice, standards and guidance notes and how they all fit together.



The codes of practice, in particular the Safe Design of Buildings and Structures Code of Practice, are a guide to how the legislation should be implemented. You should also consult industry standards.

The Safe Design Code of Practice was finalised by Safe Work Australia in July 2012. There are many other codes of practice that should be consulted on safe design such as Preventing Falls, Confined Spaces, Removal of Asbestos, Managing Risks in Construction Work and Demolition etc.

WHAT IS SAFE DESIGN?

Safe design is the integration of hazard identification, risk assessment and control measures early in the design process to eliminate or minimise risks to health and safety throughout the construction and life of the product being designed.

The designer should consider the design and its intended purpose, materials to be used, possible methods of construction, maintenance, operation and demolition and identify hazards and control them through elimination, substitution, isolation, engineering, administration or personal protective equipment (PPE).

WHO RECEIVES MY SAFE DESIGN REPORT & INFO?

The WHS regulation 295 requires the designer to provide a safety report to the person who commissions the work (PCBU). In addition to this, section 22(4) of the Act says that anyone who receives a copy of your design should also receive your safe design information. Safe Work Australia advise that you would be required to issue your safe design information with your plans to persons such as the client, certifier, Council and the builder.



WHAT INSURANCES DO I NEED TO BE COVERED?

Some of your duties as a designer may be covered by your professional indemnity insurance. In many situations your insurance may not cover you if you are prosecuted although some policies cover the designer if they are not found to be negligent. You should consult with your insurer as to whether you are covered for any possible court costs and fines. You may need to take our extra cover for this. We always recommend complying with the legislation to avoid fines or prosecution and to fulfil your duties, reducing your risk.

HOW CAN SAFE DESIGN AUSTRALIA HELP YOU?

Safe Design Australia has fully qualified WHS experts available to help you with your Safe Design requirements. When designing your buildings you must make sure that you are aware of all possible risks, so it is important to seek expert advice. Safe Design Australia hold professional indemnity and public liability Insurances so you can feel assured knowing that our work is covered. For more details on our services, please visit our website.

WHAT IS INCLUDED IN OUR SAFE DESIGN REPORTS?

Safe Design Australia conduct a systematic risk assessment process of your residential or commercial design and recommend control measures that you as a designer can implement to reduce these risks. You can select which options you wish to adopt.

Our safe design report details the outcomes of this systematic risk management process including outlining the designer's statutory requirements, providing a hazard table specific to the design showing the before and after risk levels and listing the applicable codes of practice and Australian standards needed to control the identified hazards.

DO I NEED A SAFE DESIGN PLAN?

Adding a "safe design plan" to your plan set, will help to improve the communication as part of your legal requirement under the Act for consultation, co-operation and co-ordination. A WHS file is also recommended under the code of practice to accompany the job, which can be passed along and updated to, to facilitate sharing of WHS information.

