

ADVICE TO LVML MEMBERS – STAGE FOUR RESTRICTIONS

Updated 5.00pm August 7, 2020

LVML has updated this document to address concerns from members and provide further clarity around some areas of the current restrictions. We will continue to make updates as new information becomes available.

Originally published 5 August, 2020

Updated 6 August, 2020

- *Classification of Landscaping within DHHS directives (p. 2)*
- *Distinction between works on inhabited vs uninhabited properties (p. 2)*
- *Further requirements for on-site workers - carpooling, high risk living arrangements (p. 3)*
- *FAQ appendix added (p. 5)*

Updated 7 August, 2020

- *FAQ's – Travel between Stage Three and Four regions (p. 6)*
- *Amendment to the '5 person on site' guidance (p. 6)*

On behalf of the LVML Board and staff, thank you for your patience while we have sought answers relating to landscaping works during the metropolitan Melbourne Stage Four lockdown. We understand this has been a frustrating and challenging time for all concerned.

Stage Four restrictions will remain in place until at least September 13th 2020, unless otherwise specified by the Victorian Government.

We are yet to receive official written confirmation from the relevant authorities regarding which areas of residential construction can continue to operate. We have however received verbal advice from Business Victoria that will impact our members, to the best of our knowledge, as outlined below.

For many members and businesses operating in the landscaping industry, this means they must cease work for the duration of the Stage Four restrictions.

The limited number of businesses that can operate during the restriction period will need to adhere to Covid Safe guidelines as issued by the [Victorian Government](#).

If you are unsure if your work falls into one of the permitted categories, or cannot adhere to Covid Safe guidelines, LVML's advice is to stop work.

Further detailed information is expected to be released by as late as next Monday, 10th August. LVML will continue to provide updates as more information is available.

LANDSCAPE BUILDER MEMBERS

- For the purpose of classifying landscape construction in DHHS documents, Landscaping is considered NON BUILDING CONSTRUCTION
- Landscape works on construction sites (e.g. a new home build/knockdown rebuild already in progress and where **no one resides** at the property)
 - can continue for the duration of the lockdown
 - no new work can commence

For landscaping works (non building construction) on inhabited residential properties, there are limited circumstances where construction works can be undertaken:

- Construction trades have until **Monday 17th August** to complete current works in progress but **only to a stage where they can be left safe and secure, and will not cause injury or property damage**, for the duration of the lockdown period.
 - Please note, this does not mean you can keep working as normal until the deadline. The only works that can be carried out are **those essential for the safety and structural integrity** of the site. Finishing touches like painting and rendering that are not essential for site safety should not be carried out.
 - These works must be complete by 5pm and staff must be home before the 8pm curfew comes into effect.
- For the duration of the Stage Four restrictions, tradespeople **can only attend a property for the purpose of emergency repairs, or to address an urgent health or safety issue.**
 - No specific guidelines have been provided as to what is considered an emergency or health and safety issue so common sense must apply. A burst water pipe is an emergency, an unsightly, overgrown lawn is not. A disabled access ramp that has fallen into disrepair is a safety issue, discolouration of stone pavers is not.

LANDSCAPE GARDENER MEMBERS

Domestic gardening services, e.g. lawn mowing, can no longer be provided from 11.59pm (Wednesday 5th August). This includes Body Corporate works carried out under a fixed contract, and all other contracted domestic maintenance works.

For the duration of the Stage Four restrictions, domestic gardening services **can only be provided for the purpose of emergency repairs, or to address an urgent health or safety issue.**

For works in progress, such as an open irrigation ditch, **the August 17th deadline applies** (as above) to allow time to leave the site in a safe and secure state. The only works that can be carried out are **those essential for the safety and security** of the site.

LANDSCAPE DESIGNER MEMBERS

Landscape designers can continue to work remotely but cannot attend a client's property under any circumstances. All consultations and meetings must be conducted remotely.

SUPPLIER MEMBERS

- **Permitted wholesaler and/or manufacturers** can continue to supply to trades.
- **Retailers** can continue to supply to trades and the general public (contactless delivery/pick only up for the general public).
- **Nurseries** can continue to operate as they fall under the heading of Agriculture

COMMERCIAL MEMBERS

- Commercial construction can continue to operate if the works are required to complete the project.
- Essential Commercial maintenance for the safety and upkeep of public and recreational spaces, such as parks, gardens, golf courses can continue. Members may also continue to carry out commercial maintenance works where the client remains open as a permitted business e.g. shopping centres, medical suites or operational educational facilities.

ALL BUSINESSES THAT ARE PERMITTED TO WORK

While any Permitted work is undertaken as described above, all businesses must:

- [Have a Covid Safe Plan](#)
 - there is an exemption for small business with less than five employees however, LVML's advice is to have a plan in place regardless as best practice.
 - [Click here for Covid Safe Plan FAQ's.](#)
- [Issue their staff with a Permitted Worker Permit](#)
- [Adhere to restricted operations guidelines as provided by the Department of Health and Safety.](#) This includes observing social distancing, wearing face coverings, practicing good hygiene and abiding by guidelines such as the *5 person / 25% of employees on site restrictions as they apply to your business.
- [Keep a workplace Attendance Register](#)
- If you can work from home, you must do so.

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

- prohibited from car-pooling to and from work
- required to inform their employer if they share accommodation with anyone working at another high-risk workplace eg healthcare or aged care workers
- required to limit movement between multiple sites and observed enhanced PPE and hygiene measures if working between sites.

* Please note, the 5 person on site guidance has been amended and is now "five people plus a supervisor at any one time". In addition, supervisors can move between sites and specialist trades can move between up to three sites per week, subject to enhanced COVID safe practices.

[Click here](#) for further guidance relating to the construction sector.

ADVICE TO REGIONAL LVML MEMBERS STAGE THREE RESTRICTION ADVICE

Regional members can continue to operate under Stage three restrictions.

Can you leave your house to go to work?

If you can work from home, you must do so.

However, if you cannot do your work from home, you can go to work. When at work, you should maintain physical distancing by keeping at least 1.5 metres between you and others and practice good hygiene - wash your hands and cough and sneeze into a tissue or your elbow.

You must wear a face covering when you leave home, this includes wearing your face covering while at work, unless you have a lawful reason for not doing so. This also includes when you are travelling for work purposes, for example either to or from work on public transport or in shared cars with people outside your household. For more information visit the face coverings page.

If you are unwell, you must stay home and you should also get tested for coronavirus (COVID-19) and remain at home until you receive a negative test result.

Can building sites remain open?

Yes. Building sites can remain open. The construction industry is encouraged to review the relevant guidance and implement appropriate measures on their construction sites in order to keep staff safe. Additional restrictions apply in Melbourne, refer to Stage Four advice outlined above.

To get to work, I need to travel through metropolitan Melbourne – am I able to travel through this area?

Yes. Travelling through metropolitan Melbourne is allowed.

Whilst not specified, LVML's recommendation for anyone who cannot avoid travelling through metropolitan Melbourne is to err on the side of caution by:

- Not stopping in metropolitan Melbourne if it can be avoided
- [Carry a Permitted Worker Permit](#)
- [Complete a Covid Safe Plan](#) to ensure you are doing the utmost to protect staff and clients and to be prepared to take action if a positive case impacts your business.

Refer to the FAQ appendix (p. 6) for further information regarding working in Stage Four regions.

FREQUENTLY ASKED QUESTIONS

How does the 'no tradespeople on properties unless it's an emergency' rule work?

Trades can only enter a residential property to address an emergency. There are no hard and fast guidelines as to what an emergency is under current restrictions so common sense must apply.

A burst water pipe or fallen tree is an emergency. A leaky irrigation system that could be addressed by simply turning off the tap is not an emergency.

For all 'emergencies' the main considerations are, if left in its current state for six weeks will it:

- Cause injury?
- Cause damage to property?

If the answer is yes, then it's an emergency repair and is permitted.

How does the August 17th deadline work?

Trades have until **Monday 17th August** to complete current works in progress but **only to a stage where they can be left safe and secure, and will not cause injury or property damage**, for the duration of the lockdown period.

Please note, this does not mean you can keep working as normal until the deadline. The only works that can be carried out are **those essential for the safety and structural integrity** of the site. Finishing touches like painting and rendering that are not essential for site safety should not be carried out.

What about fences?

Fences can only be erected for the purpose of making a site or residence secure. For instance, a fence can be erected to make a construction site secure.

A fence can also be erected or repaired to make a residential property secure where required, eg to keep pets inside the yard, install or repair a pool safety barrier.

Cosmetic works, such a painting, or replacing a timber fence, with colourbond is not essential work and cannot be carried out.

Can employees work on multiple sites?

Wherever possible you should have one dedicated crew per site for the duration of Stage Four restrictions. However, if it is absolutely necessary crews can work on multiple sites provided:

- You abide by guidelines such as the 5 person / 25% of employees on site restrictions as they apply to your business.
- A log must be kept recording which site workers attended, on which date/s and at what times
- Shifts aren't blended

Can a business owner/site supervisor visit a construction site/s for quality control or supervision purposes?

It is discouraged but is allowed if necessary provided:

- You keep your time on site to a minimum
- Keep a log of which site you attended, on which date/s and at what times
- Avoid visiting more than one site per day

Can I, or my staff, travel and work between Stage Three (regional) and Four (metro) regions?

Travel from regional Stage Three locations into metro Stage Four locations is permitted. While in Stage Four locations you must abide by ALL Stage Four requirements including:

- You must carry a Permitted Worker permit
- Have a Covid Safe Plan
- Keep a log of all sites visited on what date/s and at which time/s, and keep a record of all contacts including phone numbers
- Must not carpool
- Adhere to all restricted operations guidelines including observing social distancing, wearing face coverings, practicing good hygiene and abiding by guidelines such as the 5 person / 25% of employees on site restrictions as they apply to your business.

Travel from metro Stage Four locations into regional Stage three locations is permitted, though it is discouraged to prevent further spread of Covid 19 into regional Victoria. While in Stage Three locations, you must continue to observe ALL Stage Four requirements and behave as though you are still in metropolitan Melbourne. This includes:

- Only working on construction sites. **You cannot enter a residential property in a Stage Three location** unless it is for the purpose of emergency repairs.
- Carrying a Permitted Worker permit
- Having a Covid Safe Plan
- Keeping a log of all sites visited on what date/s and at which time/s, and keep a record of all contacts including phone numbers
- Must not carpool
- Adhering to all restricted operations guidelines including observing social distancing, wearing face coverings, practicing good hygiene and abiding by guidelines such as the 5 person / 25% of employees on site restrictions as they apply to your business.