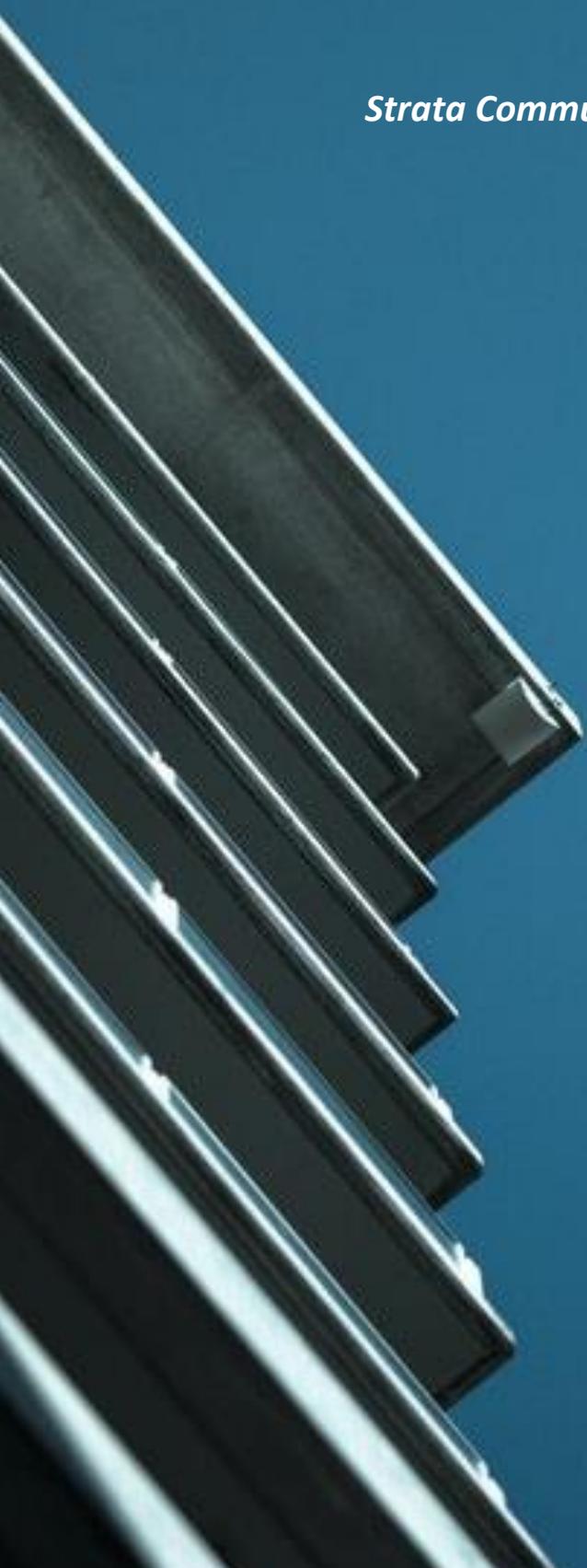


## ACT Parliamentary Inquiry – COVID-19 Response

*Strata Community Association (ACT) Submission*

18 November 2021



## Introduction

SCA (ACT) is the peak professional association for the Australian Capital Territory Body Corporate and Community Title Management industry and provides a forum for improved standards, advocacy and education to the industry and the local community more broadly.

Our membership base includes strata community managers, support staff, committee members and suppliers of products and services to the industry (tradespeople and professional advisors such as lawyers and accountants). SCA proudly fulfills the dual roles of a professional institute and consumer advocate.

SCA (ACT) is a chapter of the Strata Community Association, which represents practitioners throughout Australasia, including in all states and Territories in Australia as well as in New Zealand. The Strata Community Association also has formal links with the Community Associations Institute in the USA.

Nationally, based on the 2020 Australasian Strata Insights Report, more than 2.2 million people live in flats and apartments, the vast majority being strata titled.<sup>1</sup> This figure does not include other forms of strata title such as townhouses and community titled developments. Nor does it include businesses operating in strata titled commercial buildings. The estimated value of property under strata title in 2020 exceeds \$1.3 trillion.<sup>2</sup>

As the growth of apartment and strata living has intensified over the last decade, the strata management services industry has grown in lock step, to serve it. Strata managers navigate through a maze of Commonwealth, State and Territory legislation and regulation ranging from strata specific legislation, property industry regulation, workplace legislation, as well as health and safety issues and building codes. In addition, strata managers perform a critical role in the management of owners corporation funds and must navigate the relevant legislation in this regard.

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<sup>1</sup> Hazel Easthope, Sian Thompson and Alistair Sisson, *Australasian Strata Insights 2020*, City Futures Research Centre, UNSW, Accessed at <https://cityfutures.be.unsw.edu.au/research/projects/2020-australasian-strata-insights/>

<sup>2</sup> Ibid, p6

## SCA's Response to the Inquiry

### The Role of the Strata Sector in Responding to the COVID-19 pandemic in the ACT

2021 has seen the continuation of the COVID-19 pandemic, and in particular, the emergence of the Delta variant of the virus, impact the ACT through prolonged, stricter public health restrictions than those encountered in 2020.

The strata sector accordingly found itself dealing with multiple challenges associated with preventing, managing, and responding to the spread of COVID-19, and the difficulties associated with this endeavour in high-density, multi-unit living arrangements.

### SCA (ACT) Correspondence and Liaison with Health Authorities in 2021

In correspondence to the Minister for Health, SCA (ACT) outlined numerous concerns articulated by the core of its membership of strata managers, included but not limited to:

- **Application of the Workplace Health and Safety (WHS) Act in relation to owners corporations and managers – this does not always apply to the former entity but does apply to the latter.**
- **The degree of understanding among owners corporations of duty of care in relation to protecting the health and safety of persons in a building or development, specifically in relation to COVID-19.**
- **Risk management in relation to the WHS Act with respect to ongoing works (such as maintenance) undertaken for owners corporations where a third party may attend a premises.**
- **The balance (or lack thereof) in Access Canberra advice in relation to meeting obligations under the WHS Act, and meeting privacy obligations in the process of managing COVID-19 at a premises.**

Following the distribution of correspondence, SCA (ACT) has met with the Minister for Health and representatives from Access Canberra (Health), respectively, to discuss these issues and commence a process of resolving any confusion among owners corporations and managers with regard to the application of measures including:

- **Information disclosure in the event of a positive COVID-19 case confirmed at a premises, and the degree to which this will occur between the Department of Health and strata managers.**
- **ACT Health support with regard to the composition of COVIDSafe Plans by owners corporations as a requirement.**
- **The potential for further support or clarification by Access Canberra (Health) with regard to QR code check-ins and where these are required on the common property of a premises.**

Upon meeting with the aforementioned stakeholders, SCA (ACT) noted a receptive and accommodating response to each of the concerns raised, ultimately culminating in a productive dialogue aimed to resolving these in a timely and effective manner.

Particular support for the concerns raised by owners corporations and managers around the contents of a COVIDSafe plan, as well as the circumstances where the latter entity may be informed

by Access Canberra (Health) were well-received by the stakeholders within the ACT Government whom SCA (ACT) liaised with.

Ostensibly, as restrictions ease (at the time of writing), and as was noted at the time of our liaison with the government, the approach towards the management of new cases of COVID-19 has been cited as moving to a greater 'self-managed' approach.

With greater case numbers entailing a reopening of the ACT economy and society, SCA (ACT) reiterated the importance of establishing clarity in the procedures for strata managers to step in, and to be provided relevant information according to this 'self-managed' approach as Access Canberra (Health)'s role diminishes in the identification and response to these circumstances.

### **SCA (ACT) Best Practice Guidelines for Managing COVID-19**

In August 2021, SCA (ACT) published a [Best Practice Guideline for preventing, managing, and responding to COVID-19 in strata settings](#) during the prolonged stay-at-home orders, or 'lockdown' was in effect throughout the ACT.

Guides for [residents](#), [building managers](#) and [owners corporation committees](#), respectively, were published by SCA (ACT) during this period, when the aforementioned level of contact between SCA (ACT) and the ACT Government were limited, and information as to the parameters of public health response by authorities in relation to the strata context was limited.

SCA(ACT) is ready, willing and able to work with the ACT Government moving forward as the challenges of COVID-19 continue to be relevant throughout the Territory. As part of the broad Australasian organization of the SCA we have good access to knowledge and experiences in other states and territories which can be shared. We encourage the ACT Government to continue to proactively engage with the SCA(ACT) on issues relevant to multi-unit living in Canberra.



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