

Bulletin 15

The question on everyone's lips is Can Strata Managers continue to work in Melbourne under Stage 4 restrictions?

And the answer to date is - *Yes and No*

Advice received from Business Victoria has identified the following, based on the [Guide for business – stage 4 restrictions](#)*

Under Stage 4 'Stay at Home' Restrictions the default is that workplaces in metropolitan Melbourne are **closed** unless the workplace is part of a permitted industry set out in this table provided.

Strata Management is not recognised as an industry permitted to work. [See Sector 'Real Estate Services' and 'Administrative and Support Services' both recognised as closed for on-site work*]

This means that, **yes you can work if you can conduct your work from home**. No you cannot work if your role requires you to go into the office.

We are reminded that the purpose of the heightened restrictions is to remove the potential for the virus to spread among the community. The primary purpose is therefore to limit people coming into contact with each other, hence the 'stay at home' directions.

Strata Management is not considered an 'essential service', although part of what we do can trigger an essential activity that may require you to work at a site other than your home (but only when it is unavoidable).

Only works and services that are deemed essential should take place during Stage 4 lockdown restrictions. Any work, repairs or maintenance that is not deemed essential must not take place. The only exception being work authorised prior to 5pm 3 August and scheduled to be carried out before 5pm 17 August and are essential to wellbeing or livelihood.

Services that are deemed essential are those to support ongoing provision of electricity, gas, water, sewage and waste and recycling services and their maintenance which are permitted to continue.

Works which are deemed essential are those that are detrimental to the health or safety of the residents and/or building occupants, both residential and commercial in nature.

For example would residents suffer if the garden was not maintained or the windows were not cleaned for the next six weeks? The answer to these questions is generally 'no', unless

it poses a potential OH&S risk, and they should not proceed during the time of Stage 4 restrictions. They should be deferred.

Examples of what works may be essential are:

- essential safety measures maintenance
- cleaning
- pest control
- lift servicing and call outs if anyone is stuck in a lift
- repairs required to fix a burst pipe
- repairs required to address issues that impact the structural integrity of the building
- access control, register key systems
- security issues
- electrical
- waste management

Under these circumstances, a Strata Manager may be required to work to provide services that allow the essential works to be carried out; eg provide keys to access the property where it cannot be arranged via an alternative means or manage contractors in the event of an emergency.

These same principles should be applied to Building Managers. A building manager should not be required to remain on a worksite for the duration of their workday. They can however remain on call from the safety of their home. Attending the site to manage contractors who are attending to repairs, maintenance or services required for the purpose of maintaining the health and safety of the building's occupiers.

As mentioned yesterday, further announcements are intended to be released throughout this week to assist us interpret and apply processes under the restrictions with more clarity. This may include a greater awareness of exceptions that may be applied to support SMEs better manage the current environment. We lead to believe that such particulars, may include the ability for a staff member to attend the office for short periods to carry out tasks that cannot be undertaken at home, such as collect mail once a week and similar.

Once again we will keep you informed as more information comes to hand and continue to work behind the scenes to better position the strata sector.

Anyone who is travelling to work to undertake a Permitted Activity under an approved Category for on-site work, must carry a Permit under the Permitted Worker Scheme.

- The responsibility to issue the permit is that of the employer.
- Contractors undertaking permitted works for OCs are responsible for their employees.
- Principals of OC businesses are responsible for their staff who may be required to travel to coordinate and/or attend any urgent or essential works that arise.

You can find out more about permits here <https://www.justice.vic.gov.au/permitted-worker-scheme>.

An OC Manager may support an OC's contractors by:

- requesting confirmation whether they are continuing to offer or suspend their services under Stage 4 restrictions,

- continuing to issue Work Orders for essential works and/or call outs as they occur, in order to validate the contractors Permit,
- for those contractors continuing to work, request verification that they have a COVID Safe Plan in place and if there is any impact on or obligations of the OC and
- who to contact from your firm to receive any reports.

OC Managers should notify lot owners and residents of any changing conditions for your management from 6 August. Advising that:

- you are not operating or
- you are operating or continuing to operate remotely
- how your clients can contact you/your staff (if applicable)
- that only essential work will continue until further notice
- what works, servicing may or are to be suspended under Stage 4 restrictions
- where a request for urgent works should be directed (who, phone number, email etc.)
- limited hours of operation of any building or site managers
- continue to encourage a sense of collegiality among the OC community, supporting fellow neighbours, maintaining hygiene standards, wearing a mask when moving about the common property, gloves etc.

Note that an OC who is also an employer, i.e. in the case of a building manager, has an obligation to notify WorkSafe should the employer test positive for the virus. This obligation is also incumbent on Strata Management firms for their employees.

SCAV is continuing to liaise directly with DHHS and will provide further clarification as information comes to hand. This includes additional guidance material currently being updated to identify which permitted operations apply to multi-dwelling properties, as well as commentary on the implementation of COVID Safe Plans.

Remember too to look after yourself and notify your employer should you be unwell or test positive for the virus.

*Reference to 'on-site' in the table can be applied to 'workplace' or 'building site'.

Stay safe,
SCA Victoria