

29 April 2020

The Hon Rob Stokes, MP
Minister for Planning & Public Spaces
Parliament House
Macquarie Street
SYDNEY NSW 2000

Dear Minister

[EPA \(COVID-19 Development – Construction Work Days\) Order 2020](#)

I am writing to you to ask that you urgently review the EPA (COVID-19 Development-Construction Work Days) Order 2020. The Order applies to residential strata property but, in our view, this is not likely to have been an intended effect you were seeking to achieve. I ask that you amend the Order to create an exception for residential strata property, both strata common property and private individual Lots within a strata scheme under the *Strata Schemes Management Act 2015* (NSW) as a matter of urgency.

By way of background, apartment buildings in Sydney and across NSW are full of residents working from home, children being home schooled, elderly citizens who are even more isolated than usual, residents with co-morbid conditions, including cancer patients, residents living under self-isolation requirements and, in some cases, with a positive diagnosis of COVID-19. These residents are largely confined to home under the NSW 'stay at home orders', with restrictions on movement and a higher than average exposure to the risk of the spread of COVID-19.

The Order, as it is currently drafted, applies to building and work carried out within a Lot or common property that is the subject of a development approval. It relieves the owner(s) of the need for consent and, subject to limited conditions, permits building work to be carried out 7 days a week. As such, it substantially interferes with the normal operation of a strata scheme and is causing substantial disruption to Owners Corporations and to the mental health of residents. In addition, the Owners Corporations and their elected Strata Committees have a duty of care to all residents. This includes day to day management to protect the health and safety of residents and of contractors coming onto common property during COVID-19.

Regrettably, it appears that the Order may have been drafted without the benefit of specific strata sector consideration. It is therefore our hope that you will review the Order, consult a specialist strata lawyer and amend the Order accordingly so as not to apply the Order to residential strata scheme property.

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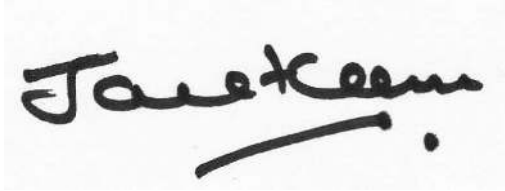


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I ask that you give this matter your very urgent attention so that strata residents can be relieved of this burden on their mental and physical health.

Yours sincerely,

A handwritten signature in black ink that reads "Jane Hearn". The signature is written in a cursive style with a long horizontal stroke underneath the name.

Jane Hearn
Chair
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