

MEDIA RELEASE

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Delta and Apartment Pools and Gyms: Strata in Limbo

“As the Premier said today, the Delta virus does not care who you are or where you live.”

“The Premier put the cat among the pigeons on Sunday announcing that local council pools will open on Monday 27 September. While this is very welcome and is clearly public pools, strata committees will get increasing requests and demands for the reopening of common strata facilities.”, Ms Stiles Executive Officer of the Owners Corporation Network said today.

“The Premier needs to make a clear and unequivocal statement that, as NSW moves towards 70 – 80% vaccination, new Public Health Orders to allow people back into higher-risk shared facilities will also apply to residential apartment complexes,” Ms Stiles said.

“It is common for larger schemes to have outdoor and indoor swimming pools, gyms, spas and saunas. These complexes house hundreds and sometimes thousands of people,” she said.

“Closing facilities has been contentious and Owners Corporations have limited powers. They need the legal authority to act, and that really needs to come from Public Health Orders. It is unfair to leave them on uncertain ground” she said.

“Sydney is a global city and successive governments have driven rapid urban consolidation. This means more people living in high density environments and larger complexes with extensive facilities servicing a whole community. Both Singapore and New York have applied Covid Safe measures to facilities like indoor gymnasiums across all sectors; commercial, hotels, and residential”, Ms Stiles said.

“In Greater Sydney, Strata Committees face criticism and demands for access, which have caused delays in closing facilities. Some facilities have remained open or re-opened with voluntary QR codes, cleaning, reduced capacity limits, mask wearing and monitoring through CCTV.

“We now have to face the issue of unvaccinated residents and visitors in complex facilities. This needs careful thought and the time for NSW to develop a workable policy is now”, Ms Stiles said.

FURTHER BACKGROUND

- On 26 August 2021 Dr Chant PSM Chief Health Officer wrote to strata managers requesting that Strata Rolls be updated to assist contact tracers contact residents. She also opined facilities such as gymnasiums, lounges and theatres should be closed at this time. The opinion has no legal effect and does not assist Strata Committees overcome the limits of their legal authority.
- While most strata schemes have a strata management service, a large percentage do not. Strata management services are often also minimal, rather than full service.
- On 9 September 2021 Singapore, which had fully vaccinated 81% of its population by 5 September 2021, issued safe management measures that differentiate vaccinated from unvaccinated users in all public and private sports and recreational facilities.
- In April 2021, New York City issued both temporary mandatory and best practice guidance for all fitness activities and facilities including hotel, residential, university, and commercial gyms.

About OCN:

The Owners Corporation Network of Australia Limited (OCN) is the peak consumer body representing residential strata and community title owners and residents. Strata is the fastest growing form of residential property ownership in Australia, and the growth of this sector raises increasingly important questions over property ownership and governance.

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