

Question on Notice

No. 573

Asked on 17 April 2007

MR HAYWARD ASKED THE MINISTER FOR STATE DEVELOPMENT, EMPLOYMENT AND INDUSTRIAL RELATIONS (MR MICKEL)—

QUESTION:

Will he advise if residents or body corporates of group title properties are subject to audits under the *Workplace Health and Safety Act*, and if so, how often must these audits be conducted?

ANSWER:

I am advised that any work done by a resident or unit owner of a group title property (whether paid or done voluntarily) does not attract the application of the *Workplace Health and Safety Act 1995*. This is because the work is not done at a “workplace” as defined by the Act.

I am further advised that where the body corporate is managed by a professional body corporate management company, and that company engages the services of a unit owner, the management company owes workplace health and safety obligations to that person (for example, one of the residents doing the gardening). Audits are an appropriate way for the management company to ascertain the state of safety in the common areas of the property. The Act does not prescribe for the frequency of audits.