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Dear The Hon. Brad Hazzard

Re: Submission on a vaccination exemption for real estate agents in areas of concern

The Real Estate Institute of New South Wales Limited (**REINSW**) would like to request that the NSW Government insert into the *Public Health (COVID-19 Additional Restrictions for Delta Outbreak) Order (No 2) 2021 (Public Health Order)* a new clause applying to real estate agents in areas of concern, similar to that of clause 5.8.

As you would be aware, clause 5.8 allows construction workers who reside in an area of concern to attend a construction site for work if they meet certain vaccine requirements, namely if they have:

- (a) had two doses of the COVID-19 vaccine; or
- (b) had one dose of this vaccine at least 21 days ago; or
- (c) had one dose of this vaccine at least 21 days ago and a COVID-19 test within the previous 72 hours; or
- (d) a medical contraindication certificate issued to the person and has had a COVID-19 test within the previous 72 hours.

We believe that there should be an equivalent clause permitting real estate agents to leave an area of concern to attend work (including at other people's residences), where it is not reasonably practicable to complete their work from home. Our reasons for such a request are as follows:

- There are many reasons why people may have to move in the middle of a lockdown, including for reasons of financial hardship or because their lease has ended and is not being renewed. People need to find shelter, something which the Public Health Order recognises in item 14 of schedule 2 by making it a reasonable excuse to leave home to move or inspect a new residence. In this regard, agents provide important services to the community in facilitating this process. Many agents who live in an area of concern need to manage and sell properties that are located outside their area in order to enable people to buy, sell and lease property. If agents are not permitted to leave their area of concern for this purpose, then this limits the services they can provide to consumers who need to buy, sell or lease property.

Tenants are particularly disadvantaged by this restriction as many real estate offices work across different local government areas, and tenants are reliant upon their property managers to facilitate urgent repairs or to find a property if they have to move for circumstances outside of their control. As an example, one REINSW member has three vacant properties but has been unable to finalise the bonds of three COVID-19 impacted tenants because these properties are

outside the area of concern in which this agent resides. This agent is fully vaccinated.

- Like construction workers, the nature of agents' work means that many tasks cannot be completed from home (for example, private inspections, routine inspections, outgoing inspections, facilitating tradespeople for urgent and non-urgent repairs and maintenance, onsite listing presentations etc).
- Given the growing list of areas of concern, a significant number of agents are unable to leave these areas to complete work and some agencies, where all staff live within an area of concern, are unable to perform any duties at all. This is impacting the industry's ability to effectively service consumers (in addition to the general impact that this lockdown, while necessary, has already had on the industry).
- The property market plays an important role in the financial stability of New South Wales - particularly as many people's assets are tied up in real property, some of whom may have to sell at this time to liquidate such assets. For example, one agent (a member of REINSW) was unable to conduct private inspections for a property outside of their area of concern in circumstances where the vendor was suffering financial hardship. It is important for the economy that this industry continues to function as much as possible, within the constraints of the necessary lockdown restrictions, and we see a clause similar to that of 5.8, but applied to real estate agents, as assisting in this process.
- If agents from areas of concern were to meet the same vaccination requirements as those outlined in clause 5.8 (in addition to the usual precautions such as mask wearing, social distancing, following COVID-19 Safety Plans etc.), we believe that:
 - (a) this could alleviate the risks associated with real estate agents from areas of concern breaching the Public Health Order by leaving such areas for work purposes;
 - (b) this could minimise the spread of COVID-19 from areas of concern into Greater Sydney and Regional NSW because there would be stringent vaccination requirements that real estate agents would have to adhere to before leaving such areas; and
 - (c) it would provide an additional incentive for real estate agents to get vaccinated, helping NSW Government to meet its vaccination targets.

We recognise that if agents who satisfy the vaccination requirements are permitted to leave their areas of concern for work purposes, then they would be "authorised workers" and, as such, would need to obtain permits to leave their respective areas of concern.

For the reasons above, we would be grateful if you would consider an amendment to the Public Health Order on these terms as we believe it would help support the community, the property industry and the wider NSW economy.

We look forward to your response.

Yours faithfully



Tim McKibbin
Chief Executive Officer