

**Publication Date: 4 August 2021**  
**YSP Podcast Transcript: Episode 273. What does the “2 worker” rule really mean?**

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**Amanda Farmer:** Hello and welcome to this week's podcast episode. I am your Host, Amanda Farmer. And this week I'm bringing you an edited version of my live chat with SCA New South Wales President Chris Duggan. Chris and I were live over on the Your Strata Property Facebook page last Friday, the 30th of July. We covered the new Professional Standards Scheme for New South Wales strata managers as well as the amended public health orders.

These amended orders in New South Wales allow renovation work to commence, once again, in our residential premises, but on very strict conditions. Chris and I debate the meaning and the effect of these conditions on our strata communities in the second half of this chat. Now, unusually and perhaps for me and Chris, unexpectedly, the health orders have not changed since this chat.

We don't yet have the clarity that we were hoping to get and that you'll hear us call for. The good news about that is that what you are about to hear is still up-to-date as of the time I'm recording this intro, which is the morning of Wednesday, the 4th of August. But do make sure that you stay up-to-date. The link to access the current version of the New South Wales public health order is in the show notes for this episode.

And you can access those over at [yourstrataproperty.com.au/podcasts](http://yourstrataproperty.com.au/podcasts). You'll see at the top of the list there, this Podcast Episode number 273 and that's also where you can access a transcript of this episode. I am live over on Facebook fortnightly Fridays, most often interviewing a special guest. I'd love to see you there. You can find us on Facebook by typing Your Strata Property into the Facebook search.

And if you choose to like or follow the page, you'll know when I'm next live. Right now, I'll take you over to the edited version of my recent live chat with Chris Duggan. My guest this week hardly needs any introduction. He is well-known to many of you I am sure. Chris Duggan is the Managing Director of the Bright & Duggan Property Group and he is the current President of SCA New South Wales.

He was also recently appointed by the minister for better regulation as the inaugural chair of the newly formed property services expert panel. He has been one of our most popular podcast guests over the years and he is also a previous and very popular guest on our Friday live. I can tell that popularity hasn't declined, Chris, because there are lots of people here tuning in live ready to hear from you. It is an absolute pleasure to welcome him back. He is indeed, Chris Duggan. Hey, Chris.

**Chris Duggan:** Hello, Amanda. Thank you for having me once again and thank you for the very generous introduction as always.

**Amanda Farmer:** You are a busy man, Chris, and I imagine that it feels like a lifetime ago. I think it was only a month, the 1st of July, when you announced the Professional Standard Scheme, but so much has happened since then. I want to take us back there. Would you mind sharing for us what the Professional Standards Scheme is all about and why on New South Wales strata managers to be outset.

**Chris Duggan:** I'll look absolutely. And at the outset, let me just also do a shout out to the wonderful event that you're putting on next week. I think you've got incredibly generous sponsors and yourself and also in Women in Strata to be putting on that event. And I would encourage everyone. I think I'm going to get along myself because it sounds amazing.

It sounds like something that's totally appropriate for what we're all doing and coping together with. But focusing on the Professional Standard Scheme and it does feel like an eternity. And I think everyone who's on this webinar can feel that, whether you're living strata, working strata, or have an interest in strata, it's been an exceptional period of change.

And a month ago we had huge amount of change when we announced the commencement of our Professional Standard Scheme. And I guess to give a little bit of context about what a Professional Standard Scheme is, I think, is probably appropriate. So the technical definition is it's an occupation association which in this instance is SCA New South Wales.

Publication Date: 4 August 2021

## YSP Podcast Transcript: Episode 273. What does the “2 worker” rule really mean?

And we actually put in place via the professional standards authority our own unique piece of legislation. So shorthand, it means that it's about monitoring, enforcing and improving professional standards mostly to benefit the consumer, but also to improve standards of performance of strata managers. So we're very lucky, we're rather rarefied company. There's only 17 professional standards in Australia and you may recognise them.

There's the bar associations of each state. There's the Law Society, there's CPA, there's CAs. And most recently the first time in 6 years, Strata Community Association New South Wales along with the Institute of Building Surveyors had our schemes approved by the government, which is incredible.

We think it's a wonderful thing and there are significant consumer benefits, which I can go into because ultimately it's about improving standards, improving trust, and making sure that strata management as a whole improves.

**Amanda Farmer:** All sounds like good stuff, Chris. This is something that I know you have been working on for some time, some years, if I have that right. You talk about improving standards and the skills and the expertise of our strata managers. Does this mean increased education, training? What are the practicalities of that for our managers?

**Chris Duggan:** Absolutely, Amanda. It does. It means more work for strata managers, but necessarily so to make sure that we can improve because look, strata managers everywhere will tell you that they will embrace the idea and the notion of improving their professionalism. And I'm hoping consumers embrace it likewise. So what it means on the ground, it means that there's going to be a beefed up code of ethics that will be adhered to by our managers.

And that creates a pathway for dispute resolution and for escalation of issues by consumers that will be overseen by an independent group under the auspice of SCA New South Wales to make sure that we do improve. And I think one of the key thing is it's not just a complaint resolution body and we don't want it to become that because there are other mechanisms as well that will operate in parallel like Fair Trading, which will still have an equally important role.

But what it will mean is that we have meaningful areas of improvement to work on. We will get firsthand experience of some of those consumer pressure points and pain points and frustrations. And we'll have a focus over the forward 12 months as an organisation to make sure we improve standards. So as a manager, you'll find yourself having to do more CPD points. And we're unashamed about that.

Strata managers need to set themselves apart from the bare minimum and do more. So we think managers will embrace that. In fact, we know they will and they'll get more CPD by being more involved in their association. So, for example, coming along to events like this main time, be something that they can get their CPD points for. So we may be sending more managers your way, Amanda, to try and get their CPD points.

But what we do hope is that to improve consumer trust is a result of this. And that is that we understand that consumers get a lot of advice from strata managers and maybe from time to time receive some frustrations with the way they perform or the way that their expertise needs to be moved. And we're hoping as an association to move the dial forward. And as I said, we're very confident that everyone is on that journey with us.

**Amanda Farmer:** And is it the case that if you are an SCA strata manager member you are automatically part of the Professional Standards Scheme and automatically required to do this additional education and training, and also have the added protections that the scheme gives you as a professional? Is it for all New South Wales strata manager members?

**Chris Duggan:** It is. It's for New South Wales strata manager members. In fact, it's for anyone that's a member of our association that touches a customer. So we're expanding it beyond just strata managers. So to the staff at Becker House that deal with customers. This is about lifting standards across the board. It's initially based in New South Wales because we're obviously a state-based organisation, but I have got great interest from our counterparts across the country to make this a national scheme.

**Publication Date: 4 August 2021**

## **YSP Podcast Transcript: Episode 273. What does the “2 worker” rule really mean?**

So we'll be working with each of the states to try and obviously replicate what we've achieved here. And I can see it in time being a national standard that's applied equally. And it's also a great way for us to harmonise. And as you know, trying to harmonise laws through government is not impossible. So as an association, we'll take on that agenda and hopefully get there ourselves.

**Amanda Farmer:** Something that I hear a bit, Chris, from consumers, you call consumers, you're referring to the owners in our schemes, our residents who have strata managers who are serving them, is that when things go wrong, if the strata manager doesn't do what the owners expect that they do or they feel that they're not fulfilling their duty, it's hard for owners to know where to go, where to complain, where to seek redress for that.

Do they go to Fair Trading? I'm often asked, do they go to the Tribunal? Amanda, which section of the Act is it if we want to take action against our strata manager. Is it the case that now with this scheme in place part of being a professional is having that obligation, that responsibility for self-regulation as lawyers do.

There's a whole system set up on behalf of lawyers for the people that we work with, that if there's a problem, then it's dealt with by our professional body. Is that the kind of thing that's now going to be happening for strata managers? Do our owners go to SCA if they have a problem with their strata manager?

**Chris Duggan:** That's right. And that's what we'll be promoting. And it's an aspirational goal that we're moving towards. And now we've got the framework under the professional standards to try and achieve that, Amanda. So it will mean that we'll need to all change our pattern of behaviours in terms of understanding how strata managers operate in that framework.

But also how consumers, when I say consumers, I mean owners in strata and tenants and strata and those who are stakeholders, they will have the opportunity to utilise our enforceable code of ethics. They'll have a very clear, visible choice about who they'd like to go with as a strata manager. And we're hoping that they start to see that differentiation between a professional strata manager under SCA and others.

They should in time improve the level of competence they have dealing with a recognised professional, but that may take a bit of time for that to happen. There'll be a public register. So you'll be able to search who your manager is, but ultimately we're hoping that some of those road bumps that we get along the way are going to be used really effectively to improve education above that base minimum that we have.

Now, Fair Trading will still play a role. There's still our licensing body. So if you still have issues, you can go to them. And certainly when it comes to the very more serious issues, we'll be expecting people to still go and utilise those services at Fair Trading. But we also want Fair Trading to not be the only port of call and SCA as a responsibility and obligation.

We've already put on three more staff, in fact, as at this month to deal with the professional standard scheme. So we're very serious about making sure we resource it. And I've seen some of the chat about people wanting to contact SCA. I mean, absolutely. If your manager is a member of SCA, then you have an entitlement to put through an application under that code of ethics.

**Amanda Farmer:** Some strata managers, Chris, might be saying this all sounds like a lot more work for us, a lot more onerous for us to be able to meet these education requirements. I became a strata manager because I didn't want to do that stuff that lawyers and accountants want to do. What's in it for strata managers? Why would they want to be part of this scheme? I've got another follow-up question to that, but I'll leave that one with you for the minute. Why would a strata manager want to be part of a professional standard scheme?

**Chris Duggan:** Look, absolutely, and I think you'll find that the majority of managers already do the work that's required for the additional CPD points. And that they're already engaged in many of them who are on this chat are the ones who I know that go over and above. But this is about an escalated career path. It's about clearly setting apart strata management as a property profession.

**Publication Date: 4 August 2021**

## **YSP Podcast Transcript: Episode 273. What does the “2 worker” rule really mean?**

**Chris Duggan:** It's about reengaging and reinforcing the leadership opportunities that they have, the career progression, increasing their professionalism. So I actually think that we're going to find that many people gravitate towards it as a positive. And there will be a few people who find this a bridge too far. But frankly, the people who don't want to increase their professionalism are not necessarily the ones that we want out there at the helm.

So we only want unashamedly people who want to take that next step. And there may be a place where people say, that's not for me. I'm hoping it's not all the feedback we've had unanimously across the board from managers both interstate and in New South Wales are that they want this aspirational goal. They want that highest standing the recognition.

They want that self-regulation type responsibility that SCA is going to provide. And there's ultimately a benefit for them because they're going to be professionals. And I'm sure at a point, lawyers had questions about that level of scrutiny, but they've embraced that and they've created bona fide career parts as a result of that. So I think overwhelmingly it's a positive approach.

**Amanda Farmer:** Do you think strata managers will see room to be charging more for their services now that they have or in time have this escalated level of recognition and professionalism?

**Chris Duggan:** Look, whilst we're not going to suggest that by merely having a professional standard scheme you can increase fees. That's not appropriate. But what we hope is that increased professionalism increases the value to the customer, which is strata plan. So as a result of people becoming more qualified, having a more robust code of conduct, being more accountable, then I would imagine they'd be more confident to have more value in the services they provide.

**Chris Duggan:** So there is a correlation, it's not something that we would ever directly advocate, but you've probably seen that people go to a lawyer knowing that they're getting good advice and being happy to pay for it. We want strata managers ultimately to have that same trust relationship with their customers.

**Amanda Farmer:** Yes. I'm just saying, I think it's a comment here from Gale who is saying that, I imagine that all strata managing company has given their receptionist the title of assistant strata manager handling everything with no qualifications. Now I understand, Chris, there were some changes to our property services legislation in 2020 that changed licensing rules, titles, terminology. Can you speak to this title of assistant strata manager and what that means?

**Chris Duggan:** Yes. Absolutely. I mean, and that's a technical label under the new licensing obligations. So we have now the new qualification of assistant strata manager, which used to be a certificate strata manager under the old legislation. And rightly so, anyone who undertakes delegated function on behalf of the agency needs to be an assistant manager or a class one manager or a licensee-in-charge.

So that person in your agency, Gale, I gather is undertaking one of those functions. They ought to have qualifications. They need to have the appropriate certificate and qualification under Fair Trading and under their licensing under the Property Stock and Business Agents Act. And what an assistant means is that they have certain restrictions on what they can do.

So a licensed strata managing agent is now considered a class one agent. And I think you'll find that I'm not trying to make a comment on the particular circumstances here, but I'd be hoping that they have the appropriate qualifications to be undertaking that. They can't just call themselves an assistant without having that base level qualification in place.

**Amanda Farmer:** Thank you for answering that one. And I'm seeing some other questions here about how do I speak to SCA, what's the number? I am more than happy to come back and fill that in for you. Leoni in particular is asking that question. And I imagine, Chris, has no objection to our owners reaching out to SCA New South Wales for direction.

**Chris Duggan:** That's what we're here for.

**Amanda Farmer:** Excellent. And the same with Philly, you've got a question that I'll come back and address. If you're having difficulties with your owner's corporation members, your strata committee, that is certainly a different path to your strata manager. If

Publication Date: 4 August 2021

## YSP Podcast Transcript: Episode 273. What does the “2 worker” rule really mean?

I can just make that clear and I'll come back and answer some of those comments to give some of that direction.

Something that I do want to get into now, Chris, a big something that I have foreshadowed earlier in this live session is that I do want to make sure we have enough time to talk about the amended public health orders. And you and I have both anticipated that there will be some questions around these. I know that you run a webinar.

I think it was directed to SCA members earlier this week, but quite generously that webinar was shared publicly on your website. And I had listened to that earlier today. Since then the amended orders that will commence Saturday, the 31st of July have been published on our legislation, New South Wales website. And I will just invite Richelle to pop the link to that page in the comments here.

This is the page that I keep saying most weeks we should be returning to the COVID legislation page on our New South Wales legislation website to get the most up-to-date public health order. You'll see from the lists and lists and lists of amendments. It is amended almost every day, but this week in particular, the key amendment for us living in, working, serving strata schemes is about the kind of work that can now recommence in our buildings.

Chris, I might hand over to you to introduce from your point of view and from what you're hearing in terms of your strata manager questions that are coming, and your contractor questions that are coming in. What is it that is going to be allowed to happen in our strata buildings from tomorrow?

**Chris Duggan:** It's an excellent question, Amanda. And it underlies, I guess, the complexity of the issues we're dealing with at the moment. So it is a moving feast. We did similar to you and update last week to our members after the rather abrupt awareness around the impacts that were occurring. I think that might've been two weeks ago.

And since then we've clearly had the latest public health order which I think creates some certainty, but also creates a whole bunch of other areas requiring clarity. And we spent a lot of time dealing with individual nuanced questions. And in fact, what we found is that there's still a moving feast around some of the interpretations.

So I guess it's best to work with what we know and at the outset, can I tell you that we've been lucky to have been engaging very closely with government from a fair trading and a health perspective around trying to get clarity on these orders. Because as you can imagine, when the head of government, so the premier and her team make announcements, it has a trickle down effect to all of the different departments and they get quickly into interpretation and clarification mode.

And then oftentimes all of the different industry groups that are impacted put their two cents forward and you end up with quite a difficult situation to get any clear answers. We've been very lucky to have some real time responses, but in the same time, I think we acknowledge that government has their hands full here. And I think one of the major issues we're seeing is that the government very much has a clear mandate to limit travel.

And that is often in conflict with what a lot of us would like to see, which is the loosening of some of these restrictions to enable some of that business as usual issues. So if I could deal with it in two areas, Amanda, if you don't mind, one is the non-lockdown or the non-restricted LGAs. I think they're much simpler, frankly, because they require, I guess, a little bit less discussion around what can and can't be done.

So if we deal with them as a standalone in the non-lockdown areas effective from tomorrow, there's going to be a recommencement of some development of construction work, obviously, and some trade work, including cleaners and gardeners allowed to resume their normal duties. However, they're subject to further restrictions in an outdoor area limiting those people to 5 and in an indoor area limiting them to 2.

Which creates a bit of discussion, which I'm happy to have for you there because there's a number of scenarios that play out from there because the wording of that gives rise to 2 people within a residential premise. And it's probably worth having a discussion there because whilst it does allow someone to isolate in their apartment whilst a trade is there, it potentially limits that 2-person

## YSP Podcast Transcript: Episode 273. What does the “2 worker” rule really mean?

principle to the entire building.

And I know you and I have had a little bit of a discussion prior to about that, but I think that's a particular nuance that needs to be understood because it's going to limit significantly the amount of people that can access a strata property in total.

**Amanda Farmer:** Yes. I have been looking closely at the amended orders here today. They fell on the floor earlier and they're back. On my reading, the work that can now go on in our residential strata schemes, which was previously not permitted or only permitted in very urgent circumstances is cleaning, repairs and maintenance, and alterations or additions. So that renovation work that we were saying last week that's not happening anymore.

But the conditions are that you can only have 2 workers maximum at the place of residence at any one time. That's indoors. And you've already said, Chris, that if they're outdoors, it's 5 workers. The obvious question that comes up and when I read this and when I was emailing you earlier today is while a place of residence, according to the definition in the health order, when we're looking at a strata scheme, includes the common property.

It is your apartment and it is also the access to your apartment, your stairs, your lifts, your front door, your foyer. That is the definition that's in our health orders. So if we say no more than 2 workers at a place of residence at any one time, in my view, that means no more than 2 workers in your apartment doing the work and on the common property doing the work.

It includes common property and the apartment where the work is taking place. So I think buildings are going to have to be very careful to be aware at all times how many workers, and I keep saying workers, it's not just people generally, it's not just visitors or residents, workers are at the building, full stop.

Because it would be very easy in my view to be in breach of this requirement. The minute you've got plumbers working in apartment 2, fixing a pipe, and then your cleaners turn up to empty the bins, oops, we've got 4 people in the building inside at the one time.

**Chris Duggan:** Yes, it's logistically challenging. And I think this is a product of very hasty regulation-making at a government level. And I guess we've been making it abundantly clear. There are very common-sense reasons why the government wants to limit behaviour, and it's not up to us to necessarily put holes in it because frankly when you do these types of restrictive amendments on the run, it creates a whole bunch of confusion.

And I think what we're trying to reinforce with consumers, and with owners, with strata managers, and with suppliers, is that everyone needs to be sensible, reasonable and understand what makes common sense on the common property to do right now and what can necessarily be deferred.

So I've been cautioning people to try and not overextend, even though it makes a lot of sense and people want to get back to their business as usual type of function, particularly in an owners corporation. But we've seen enough evidence to present that if we don't do our part and if we don't try and bend those rules, the risk is that we're going to be here longer and have firmer restrictions.

So I think it's very unfortunate that we're here where we are now. And we're likely to see some amendments to these orders, frankly, particularly when we get to the restricted LGAs, Amanda, but it's challenging. And I probably want to touch on gardening if you don't mind.

**Amanda Farmer:** Please do. We've already had a question from Leoni about lawns. Can lawns be mown. There it is.

**Chris Duggan:** Look, and I think the answer is yes, lawns can be resumed so long as have that limitation in an unrestricted LGA to the 5 people. I think that can happen because that isn't a contactless trade call it that can occur. It can occur very easily and it can occur without potentially impacting or coming into contact with anyone else.

I think it gets more challenging when you talk about the restricted LGAs, which we might pass over to soon. But I think that is

## YSP Podcast Transcript: Episode 273. What does the “2 worker” rule really mean?

probably the easiest one that we can deal with, which is lawns and gardens. I think it's more challenging when you start to overlay the multiple trades attending 2 apartments at once.

And bear in mind that each particular interest group will have their own challenge around this because I know real estate agents want a resumption to their sales activities and their pre-letting activities and their inspection activities, which are necessarily restricted at present.

And they become compounding factors for strata because they become areas that we need to manage by proxy because we have to obviously manage tenancy move-ins and move-outs by nature of the common property function.

**Amanda Farmer:** Yes. It's frustrating that after all this time, what feels like all this time, and I keep going back to March last year, when the pandemic first hit here in this country, and we were talking about health orders that they continue to be produced in such a form that we as strata schemes, the strata sector were overlooked. And I know that is not due to any lack of advocacy, any lack of discussion that's happening.

**Amanda Farmer:** I know exactly what you're doing, what the Owner's Corporation Network is doing. I know who's talking to who and I just don't understand why the message doesn't land or where it gets lost. Because I mean, I'm just pulling out here Kevin's comment. This is exactly as we predicted, Chris. Here come the questions. Kevin is saying, we have 48 apartments.

If I have 2 workers in mind and I have isolated myself, which is a good point, Kevin. That is the second part to this. You can't be in the same room as the workers. No other apartment can have workers in their apartment while my guys are there? We have no building manager. That's going to be held who set up and be monitored.

Now, Kevin, I thought about this this afternoon, if the 2 workers at a place of residence, I've already said it, that includes your apartment and the common property, but what about what's happening in other apartments? That's a very good question. And I've battled with myself as to whether the 2 workers, it means 2 workers on the whole site, including everybody else's apartment on its face

On its face, that is actually how the health order reads. But if we apply that interpretation, then the visitor rule, which we used to have back in the beginning, you could only have 5 visitors to a place of residence. The visitor rule applies that way too, which surely is not the intention that you could only ever have 5 visitors to an entire site of 48 apartments, for example, Kevin.

The lucky person in apartment number 5, who gets all of their visitors in first, nobody else can have visitors. That's clearly not the intention. But I think we need clarity there to say, you can have workers in different apartments because they are separated from others, but the issue of passing each other on the common property is an important one. It's one that there needs to be common sense around that.

And I think definitely the buildings would be wise to be making sure if they have numerous contractors on site, those contractors are communicating with each other to make sure that they're not on the common property at the same time. I know a building I'm working closely with today was asking me this question. Can the renovations in Unit 27 now continue?

And I've said 2 workers in that apartment, but on Tuesday when the cleaners turn up, they better talk to each other because they need to make sure they don't bump into each other in the common hallway or on Level 7. So it's tricky and the health orders are not clear and a lot is being left to us to work out for ourselves and apply this common sense approach. And it's exhausting

**Chris Duggan:** Look, absolutely. I think Kevin's comment there underscores that level of complexity. And I think you made an appropriate comment there about who is making these orders and what's the context. I know for a fact that fair trading internally have been advocating very heavily with health to put common sense into these orders. In fact, their view is very much harmonised with all the comments I've seen and with our own.

And that is that the practical perspective of this needs to be understood. Health are overriding in most parts, a lot of the decisions

## YSP Podcast Transcript: Episode 273. What does the “2 worker” rule really mean?

at a practical level on the basis of restricting movement. So that's always going to be this very difficult tension to manage over the forward couple of weeks that we've got.

And I think that's going to be our challenge, how we interpret that, how we support our communities and how we can make sure we get a pragmatic outcome. So the one you've just identified, I think is perhaps an easy one. We're talking about people who are in fairly unrestricted areas. And we're going to have to have more people on the common property. You imagine a large block of 100 units.

You've got 2 cleaners there already. So you've got 2 cleaners. You've potentially got a building manager. What happens if a plumber has to come in? What happens if someone has to come in and Unit 3? You've got 4 people on the common property. The orders weren't made to preclude those people. They were made to manage and mitigate having 5 Craigs in the one apartment doing a kitchen renovation.

So I think what we fully expect from here, and I've been on the phone with the government just prior to this. And in fact, I expect to see this potentially in the media over coming days, there is going to be another number of these anomalies pointed out.

And I would expect we're going to get some clarity and hopefully some amendments in the short term, which makes sense of this. But if health come down hard and say that restricted movement is the key priority, we may have to come up with some alternative solutions, Amanda. And I know the community on here is best placed to understand that and deal with it, but it will be challenging.

**Amanda Farmer:** Speaking of challenges, we now have 8 LGAs in Greater Sydney that subject to even tighter restrictions. I know with the growth of those areas, that's something that you, your members, your contractors, you have supplier members, cleaners have been trying to grapple with. What is the situation with those 8 LGAs? No one in, no one out.

**Chris Duggan:** Yes, it's challenging. It's not necessarily no one in, no one out, but let's deal with the lockdown LGAs. It is really challenging. These are very, very large parts of Sydney when you put them together. And the representation that we made and what's been made internally within government is that this is a large part of the workforce that supports strata.

So if you can imagine a lot of the buildings, particularly a lot of the cleaners and trades in those buildings live in those lockdown LGAs and despite very strong representation about allowing those people to be recognised as authorised workers. There has been a very, very firm mandate that the government is aware of that impact, but does not want those people traveling into those other LGAs.

So I suspect this is going to be where we really see the rubber hit the road. We're going to see some capacity issues in the short term. I spoke to a journalist only an hour ago, who said, there's already buildings where there's conjecture about whether or not those cleaners are allowed to attend out of those lockdown LGAs.

And our very firm advice, unfortunately, is that anyone in a lockdown LGA, unless you fit the very prescriptive list of authorised workers, and cleaners unfortunately are not one of those. You cannot leave. I did hear some people tried to classify some of the services under other services, which is one of the criteria under number 12 of the authorised people.

And the government has come back with very, very clear advice that only relates to essential services in relation to public and recreational spaces. And they're saying that strata are not. So this is not ideal listening for one number of people on here. And I suspect this is going to crunch when it comes to capacity, but those areas are locked down. Now, you said, move in, move out.

The irony here, and you can probably back me up hopefully is that people moving into, so contractors moving into those lockdown LGAs don't have the same restrictions. So if you're residing in North Sydney, for example, and you're a trade, my understanding is, Amanda, and you can hopefully back me up here is that you can go into Paramatta and do your work subject to obviously the appropriate restrictions that are in place within the LGA, but you're not burdened with the same restriction.

**Amanda Farmer:** That was my understanding when I last looked at that question last week, Chris, because I like you had the

Publication Date: 4 August 2021

## YSP Podcast Transcript: Episode 273. What does the “2 worker” rule really mean?

deluge of questions from contractors when this restriction was first put in place for cleaning in particular, Amanda, I don't live in those areas. I live outside, but my boss is telling me to go to work.

Can I go to work? And when I looked at that, I said, strangely, yes, you can. I will check that that hasn't changed. But last I looked, that was the case. I'll come back and at this part of the recording, I will put my comments there and just making sure that if that has changed, I'll let you know. But otherwise, I think that's the case.

**Chris Duggan:** No, it is. And I think it's not just cleaners. I think we also need to talk about building managers, concierge, staff, security, they all are slightly nuanced. And this is where it's very difficult to provide a one size fits all comment because it depends on where that person resides, where the building is, and whether each of those are in a restricted LGA or not, whether the functions are for an emergency, whether there's a security or safety aspect to it, where someone else can do that function for them.

So you can see every time a question is posed, and this is why it's very difficult when you get a one-dimensional question, can I attend this building? It needs to go through three or four filters of common sense and of clarification. It may not be unfair that we're expected to do that, but that's where the order stands at the moment.

What I expect to see is I expect to see a little bit of a sifting of some of this uncertainty over the coming days, and perhaps a bit of a change around some of these. I suspect the first area of change will be those cleaners been locked into those restricted LGAs. I think that is impractical.

I perfectly understand the risks, but if you said to a cleaning contractor, you need to get tested every 2 days or 3 days like most of the other high-risk areas before you can leave, I'm sure they'd be happy to, because I think we're going to see a crunch in capacity.

And I already know of a number of cleaning workforces that have no employees that reside outside of restricted LGAs. And then it comes down to, well, who's going to move those bins. Who's going to clean those high-frequency touchpoints. And having those areas not maintained creates a compounded health and safety risk for those buildings.

**Amanda Farmer:** Yes, definitely. A question about fire safety, fire professionals just while we're on the topic of authorised workers. This is something that has been coming up, Chris. Am I right that in the strata context, they are still the only relevant professional or trade that is an authorised worker, and therefore can have people coming from those 8 LGAs to a strata building.

**Chris Duggan:** That's right. I mean, fire was added in as a standalone item, and I've got my list here like you. I mean, I've got more pieces of paper to refer to, and this is why I think it's quite unfair for a lay person or for a consumer to be expected to understand this. And that's why I'm hoping that-

**Amanda Farmer:** And it's very hard on my printer. I print 25 pages of news stuff every day and I chuck out the rest.

**Chris Duggan:** Unfortunately, I'm like you. I have to print it because I need to. Otherwise, there are too many screens open on mine and you can see me here. I feel like I've got 4 screens open because they're all got different information and I need to print them to be across them. So fire is one of the only caveat.

I mean, and I've seen Jane's comments and she's exactly right. There's no prescriptive caveat for any of building managers, cleaners security, under authorised workers. You could, and I'm not going to suggest, but there's an argument around some essential work that may be required in the event of emergency.

But I think we've got to get the sensible in real here. And what's the common sense approach that's been advocated. And that is if you're in one of those LGAs, you've been restricted for a reason. And that is that there is a very high likelihood that you're going to potentially spread that virus into an area that's not unrestricted. And therefore, if it could be done by someone else, it should be. Now, that's logistically challenging.

It's a pain in the backside. It means that we all need to potentially innovate, but that's what we're here to do. And I think as a

## YSP Podcast Transcript: Episode 273. What does the “2 worker” rule really mean?

village, we can solve this. We solved it before last year perhaps with not as much uncertainty, which is ironic considering we were dealing with the pandemic from scratch. But I think there is just a little bit more concern about the rapid spread of Delta relative to what it was last year.

**Amanda Farmer:** Question here from Linda. This is a good one. It came up in a building that I sit on the committee very recently. Our neighbours are moving next week. Is there a limit on how many movers are permitted to be in the building, including their unit, the hallways, the lift, et cetera. Chris, you might weigh in.

But my view on this is that as long as the movers are not coming from one of the 8 LGAs where only authorised workers are permitted to leave for the purpose of work, then moving people in outside of those LGAs is work that can continue. Its work that can't be done from home obviously. We have to be moving people in, but definitely, and this is what I suggested to my fellow committee members earlier this week, we need to be finding out where those people are coming from.

Make sure they're not coming from one of the 8 LGAs because they're not permitted to leave those LGAs. And the removalist work is not construction work, it's not cleaning, it's not repairs and maintenance. So it's not one of those categories of work where we have numbers restricted. So that in my view is allowed to happen. Chris, you got thoughts on that.

**Chris Duggan:** I do. And this is what I feel for anyone in government. It's very difficult to create a set of prescriptive laws that fits all the different nuances of the way strata a building community or any industry operates. I think this is probably one of the more challenging ones, and I know that there are building managers and building strata committees that have been put in the unenviable position of needing to verify where removalist has come from.

Is it fair to expect a strata committee member to ask a removalist who's been engaged by a tenant or an owner to show that they've had their tests done, to ask where they're from. So I think that's where we need the assistance. And I think this is one of those areas where it doesn't fit some of the prescriptive criteria, but a common sense approach needs to apply.

So if we're saying that there is a limit to contactless tradies, for example, two people internally, then I would expect the mover to have 2 people only. And I'd expect them where they can to provide a contactless service.

Now that's difficult when you're moving, because you would like to stand there and tell them which room you'd like things in, but we need to be mindful that it's a higher risk industry. And it's a higher risk as we've seen from some of the interstate challenges that have occurred with removalist. I think everyone needs to apply that common sense stick where we can.

**Amanda Farmer:** On that contactless point, Chris, I don't know if I was reading it or I might've heard it on your webinar, a suggestion that our strata managers in particular start to develop procedures around contactless key handover for trades in particular now that this work can start up again.

You were calling it a click and collect style system. How many managers are you seeing doing that? Is that happening in Bright & Duggan? What tips have you got around setting up that kind of process?

**Chris Duggan:** So a shout out to Anthony Botano from Premier Strata. I stole Click and Collect from him. And as of today, our business installed two Click and Collect boxes at the front of our building. So we've got key boxes there and we've got QR codes to operate. So this is again an innovative response to a current practical issue.

We've created a system where you pick up a key and you drop off a key via a QR code system, totally contactless for trades and for tenants and the lock who need to access their property. Very simple. Was a \$200 lock box in each instance. QR codes can be downloaded and set up in the blink of an eye. So that is I think, an innovative response.

It's also a very practical response that that strata managers could start to implement or even buildings who don't have a building manager where you might have some common property keys that you provide, and an owner for example, can leave a key to their apartment outside or the like.

## YSP Podcast Transcript: Episode 273. What does the “2 worker” rule really mean?

Obviously, seek approval before installing anything on the common property. But there are typically areas where you may be able to put a small key box. So I think that's a solution, Amanda, to a current problem. It also then plays into the hands of strata searches, which we had a lot of inquiry on our webinar the other day, because strata searches are a really functional part of the economy of strata, which is property transactions continuing, people needing to do necessary searches.

**Chris Duggan:** And they can be accommodated often without any contact, but they can be challenging if the technology doesn't support that. So there are some solutions that strata managers can put in place. There can be some direct data dumps that can be done for the very flat line data in a Section 184 that needs to be produced.

They can also be information that can be provided on email or I guess in a less technology enabled fashion, you can have someone in the office if they're capable of attending the office to provide that material via email to a person. We would strongly recommend that you get a professional search agent trying to take those. I don't think now is the time to do your own strata search. I think for a small investment for large peace of mind, get a professional to do it.

**Amanda Farmer:** Yes. That's definitely a question that has been coming up a lot, how do we continue to facilitate those searches? And I would have hoped that most strata management companies last year would have put in place the processes and the technology to be able to have online search functionality, to have all of their files electronic, but it does seem that still some companies aren't quite there yet.

You've probably seen a rapid change in the last 18 months and a big shift to more modern way of working forced shifts that might not otherwise have happened so quickly.

**Chris Duggan:** Look, there's nothing too unreasonably expect that every strata search could be conducted in a short period of time electronically. I mean, all that information should be electronic. There is some historical documentation that may not be. But frankly, if that information is not available on electronic form, I don't know about its relevance.

I mean, if anyone has seen the handover of books or records, you've probably seen how much information and historical information is there. Now, I don't think that's necessarily appropriate to be viewed by a strata searcher, but in some cases they'd like to sit. I think what we'd like to see and what we're working with potentially in any change legislation is a much more mandated set of what information should be provided.

So a consistent set of information provided and potentially legislated with that provision because to steer off a little bit into building defects, there is an inconsistency in the information that's being provided to consumers, which is preventing them having the full picture around what they're buying. I think there needs to be a harmonisation and potentially legislation around consistency of information in a strata search.

**Amanda Farmer:** That would be amazing to have that. There's definitely a difference between what a strata searcher asks to be produced and wants to inspect and what a strata lawyer asks to be produced and wants to inspect for sure. So it would be very helpful to have some guidelines around that legislation. That's something that I would look forward to. Lots and lots of comments, questions here.

I'm very grateful to our experts. I'm going to call you who are tuning in and who are in there answering questions, Natalie Fitzgerald, from More Than Strata. I can see is in there answering questions. I've been following those and you're looking like you're on the money there, Natalie. Jane Hearn's comments.

Jane is the spokeswoman for the Owner's Corporation Network when it comes to COVID and also short-term letting and a past guest here on live and Jane's comments are always insightful. And she is certainly one of those people who has a seat at the table with government and does her best to ensure we don't get forgotten in this process.

Looking forward, Chris, to seeing what further amendments we might see to these public health orders, to be able to clarify some of these issues that we've been talking about. That's definitely something as they come to my attention, I will be bringing to our

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## **YSP Podcast Transcript: Episode 273. What does the “2 worker” rule really mean?**

followers here on the page. And as I said in my email today, Chris, I know you don't mind a weekend text message from me saying, Chris, how did this happen? What's your view on this? Does this mean what I think it means?

**Chris Duggan:** And look, I think, just to use the very sad age, we are all in this together. I think the one thing we can be certain of is that there's going to be significant change, unfortunately, over the next 4 weeks. And what I'm really happy with and what I think is a wonderful reflection of the collegiate ness of the strata industry is how freely we share information and collaborate.

And everyone ultimately wants to serve the strata community better. So I can tell you of going back to that last fortnight ago, when the original orders hit, there were a bunch of strata professionals across the country in contact with each other, in contact with government, sharing that information real time and hopefully for the benefit of strata owners so that we can give you that advice.

But when, and if it does change where here. Hopefully, not this weekend. I'd like to just watch the Olympics please and have some time out as probably you would. But if, and when it changes, that's our job.

**Amanda Farmer:** Thank you very much, Chris. I hope you do get some downtime this weekend. Thank you everyone for tuning in. We will catch you next time and thank you, Chris Duggan. See you soon.

**Chris Duggan:** Thanks, Amanda. Thank you to your viewers.

**Amanda Farmer:** Bye everyone.

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