

Issue 26 of 2021 – 13 July

## URGENT COVID-19 UPDATE

### PUBLIC HEALTH (COVID-19 TEMPORARY MOVEMENT AND GATHERING RESTRICTIONS) AMENDMENT (No.6) ORDER 2021

Members are advised that the NSW State Government has issued an updated Health Order today which becomes effective from 12.01am tomorrow (14 July 2021).

A copy of this [latest Health Order can be read here.](#)

Members will note that the Health Order identifies the Local Government Area (LGA) of Fairfield as an “**affected area**”. The Order also gives the Chief Health Officer the authority to publish other LGA’s by notice on the NSW Health website.

The Order also determines that an “**affected worker**” is a person whose place of residence is in an affected area or who is staying in temporary accommodation in an affected area.

The Order provides that:

*“(2) The Minister directs that an affected worker must not enter premises for work in a local government area outside the local government area in which the affected worker resides or is staying, unless the affected worker:*

- (a) Has, within the preceding 72 hours, been tested for COVID-19, and*
- (b) Has evidence of the test available for inspection on request by an employer or occupier of the premises or a police officer.*

***Example:** As SMS text message or email from the testing organisation can be evidence that a test has been taken.*

*(3) The Minister directs that an occupier of premises, other than residential premises, must not permit an affected worker to enter or remain at the premises unless the affected worker has complied with sub-clause (2).”*

Master Builders advises that this surveillance testing every three days does **not** require an affected person to self-isolate pending a test result. However, if a positive test result is returned, the affected person must self-isolate for a 14 day period.

In addition to the above, Health Order contains Directions for testing of workers from Greater Sydney working outside Greater Sydney. In this regard, the Order provides that a Greater Sydney worker is a person whose place of residence is in Greater Sydney or who is staying in temporary accommodation in Greater Sydney.



Under the Order, the Minister directs that a Greater Sydney worker must not enter premises for work that are more than 50km outside Greater Sydney unless the Greater Sydney worker:

- (a) Has, within the preceding 7 days, been tested for COVID-19, and*
- (b) Has evidence of the test available for inspection on request by an employer or occupier of the premises or a police officer.*

**Example:** *As SMS text message or email from the testing organisation can be evidence that a test has been taken.*

- (3) The Minister directs that an occupier of premises, other than residential premises, outside Greater Sydney must not permit a Greater Sydney worker to enter or remain at the premises unless the Greater Sydney worker has complied with sub-clause (2)."*

Master Builders advises that this surveillance testing every seven days does **not** require an affected person to self-isolate pending a test result. However, if a positive test result is returned, the affected person must self-isolate for a 14 day period.

The Health Order also contains Directions on persons about providing information to a police officer. In this regard the Order provides as follows:

#### **24D Directions about providing information**

- (1) The Minister directs that a person must, if requested to do so by a police officer, provide information, including proof of residence and evidence that the person has been tested for COVID-19, to allow a decision to be made about:*
  - (a) Whether the person is an affected worker or a Greater Sydney worker, and*
  - (b) If the person is an affected worker or a Greater Sydney worker, whether the person has complied with this Part.*
- (2) The Minister also directs that a person who provides information in response to a request under this clause must ensure the information is true and accurate."*



Issue 27 of 2021 – 13 July

## **FURTHER URGENT COVID-19 UPDATE PUBLIC HEALTH (COVID-19 TEMPORARY MOVEMENT AND GATHERING RESTRICTIONS) AMENDMENT (No.6) ORDER 2021**

Members were advised earlier today that the NSW State Government had issued an updated Health Order which becomes effective from 12.01am tomorrow (14 July 2021).

Members are now advised that an Amendment has subsequently been issued to give “affected persons” time to undertake COVID-19 surveillance testing.

As a result, the NSW State Minister for Health, has issued an **Exemption Order** which is below.

In summary the Exemption Order provides as follows.

If a person lives or is staying in temporary accommodation in the Fairfield Local Government Area (LGA) and travels to other suburbs to perform essential work eg. construction work, from this **Saturday 17 July 2021**, they will need to have a COVID-19 surveillance test every three days.

Further to the above, the Exemption Order also provides that if a worker whose place of residence is in the Greater Sydney area, or who is staying in temporary accommodation in the Greater Sydney area, and is required to travel more than 50km outside the Greater Sydney area, that worker must, from **Monday 19 July 2021**, have a COVID-19 surveillance test every seven days.

We remind Members that “**affected persons**” required to undertake surveillance testing need **not** self-isolate unless they return a positive test result.



**Exemption under the *Public Health (COVID-19 Temporary Movement and Gathering Restrictions) Order 2021* under the *Public Health Act 2010* (NSW)**

I, Brad Hazzard, Minister for Health and Medical Research, under clause 25 of the *Public Health (COVID-19 Temporary Movement and Gathering Restrictions) Order 2021* (Order), hereby grant the following exemptions to that Order:

- 1) Clause 24B of the Order does not apply to an affected worker, or the employer of an affected worker, until the beginning of 17 July 2021 provided that the worker takes reasonable steps to be tested prior to 17 July 2021, and
- 2) Clause 24C of the Order does not apply to a Greater Sydney Worker, or the employer of a Greater Sydney Worker, until the beginning of 19 July 2021 provided that the worker takes reasonable steps to be tested prior to 19 July 2021.

In this exemption:

- Affected worker has the same meaning as the Order
- Greater Sydney worker has the same meaning as the Order

This exemption is repealed on 19 July 2021.

Note as a result of this exemption:

- An affected worker can continue to work outside of the Fairfield local government area between 14-16 July 2021 even if the worker is not tested for COVID-19 however the worker must take reasonable steps to be tested for COVID-19 during that time.
- A Greater Sydney worker can continue to work outside of Greater Sydney between 14-18 July 2021 even if the worker is not tested for COVID-19 however the worker must take reasonable steps to be tested for COVID-19 during that time.

**Brad Hazzard MP**  
**Minister for Health and Medical Research**

Dated: 13<sup>th</sup> July 2021.

3.16pm.