



New South Wales

Public Health (COVID-19 Additional Restrictions for Delta Outbreak) Amendment (No 27) Order 2021

under the

Public Health Act 2010

I, Brad Hazzard, the Minister for Health and Medical Research, make the following Order under the *Public Health Act 2010*, section 7.

Dated 14 August 2021.

BRAD HAZZARD, MP
Minister for Health and Medical Research

Explanatory note

The object of this Order is to amend the *Public Health (COVID-19 Additional Restrictions for Delta Outbreak) Order 2021*—

- (a) to extend the Greater Sydney area additional restrictions to the rest of the State until the beginning of 22 August 2021, and
- (b) to provide that certain outdoor work may be carried out in all areas of Greater Sydney if no more than 5 workers visit the place of residence at any time, and
- (c) to prohibit persons in declared areas of Greater Sydney from leaving their place of residence to undertake outdoor recreation, but allow leaving for the purpose of supervising a child who is undertaking exercise or at play, and
- (d) to require persons to answer questions from contact tracers, and
- (e) to clarify when a person may leave a place of residence in Greater Sydney to move to a new place of residence, between different places of residence of the person or to inspect a potential new place of residence, and
- (f) to reduce the distance a person is generally permitted to travel outside a person's local government area to obtain food or other goods or services or for exercise and outdoor recreation from 10 kilometres to 5 kilometres.

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1 Name of Order

This Order is the *Public Health (COVID-19 Additional Restrictions for Delta Outbreak) Amendment (No 27) Order 2021*.

2 Commencement

- (1) This Order commences at the beginning of 16 August 2021, subject to subclause (2).
- (2) Schedule 1[5], [9] and [10] commence at 5pm on 14 August 2021.

Schedule 1 Amendment of Public Health (COVID-19 Additional Restrictions for Delta Outbreak) Order 2021

[1] Clause 22B Workers in places of residence

Insert after clause 22B(2)(a)—

- (a1) the prescribed work is work carried out in an outdoor area of the place of residence and no more than 5 workers visit the place of residence at any time, or

[2] Clause 22B(3)

Omit the subclause.

[3] Clause 24EC, heading

Omit “or outdoor recreation”.

[4] Clause 24EC(1)

Omit “outdoor recreation”.

Insert instead “to supervise a child aged 12 years or under who is undertaking exercise or at play”.

[5] Parts 4B

Omit Parts 4B–4G. Insert instead—

Part 4B Application of special directions for Greater Sydney to regional NSW area

24F Application of Greater Sydney restrictions to regional NSW area

- (1) The Greater Sydney provisions extend to the regional NSW area, subject to subclause (2).
- (2) For subclause (1)—
- (a) a reference in the Greater Sydney provisions to Greater Sydney is to be read as including a reference to the regional NSW area, except as provided by paragraphs (b) and (c), and
- (b) a reference to Greater Sydney in Schedule 1, item 7, as applied to the regional NSW area by this clause, is to be read as a reference to the regional NSW area only, and
- (c) a reference to Greater Sydney in clause 22A(7)(d), as applied to the regional NSW area by this clause, is to be read as a reference to the local government area in which the person resides, and
- (d) an exemption granted under clause 25 for an activity in Greater Sydney applying for Greater Sydney generally operates as an exemption for an activity in the regional NSW area, subject to the same conditions, if any, and
- (e) an exemption may be granted under clause 25 to any of the Greater Sydney provisions as applied to the regional NSW area by this clause, and
- (f) clause 24(1)(l), as applied by this clause, does not prevent a person who was staying at a caravan park or camping ground when this clause

commenced from continuing to stay at the caravan park or camping ground if—

- (i) the booking to stay there was made before the commencement of this clause, and
 - (ii) the booking is not extended after the commencement of this clause, and
- (g) the Greater Sydney provisions, as applied by this clause, do not prevent a significant event being held in the regional NSW area if it is held before 16 August 2021, other than in an area that was subject to Parts 4B–4G as in force immediately before the commencement of the *Public Health (COVID-19 Additional Restrictions for Delta Outbreak) Amendment (No 27) Order 2021*.
- (3) Subclause (2)(g) does not authorise a person to whom clause 20 applies, including because of this Part, to contravene clause 20 if the person’s place of residence is in Greater Sydney or an area that was subject to Parts 4B–4G as in force immediately before the commencement of the *Public Health (COVID-19 Additional Restrictions for Delta Outbreak) Amendment (No 27) Order 2021*.
- (4) In this clause—
place of residence includes, for a person staying in temporary accommodation, the temporary accommodation.
regional NSW area means the area of NSW other than Greater Sydney.

24G Travelling through NSW

Clause 20, including as extended by this Part, and clause 21 do not apply to a person merely because the person—

- (a) travels through NSW in a vehicle if the person does not leave the vehicle while in NSW, or
- (b) enters NSW by road and then travels through NSW by the most practicable direct route, or
- (c) enters NSW by air and does not leave the airport while in NSW, or
- (d) enters NSW, by vessel or aircraft, and then travels directly from the port or airport at which the person arrived to leave NSW by the most practicable direct route, or
- (e) enters NSW to travel to a port or airport to leave NSW and then travels to the port or airport by the most practicable direct route.

24H Repeal

This Part is repealed at the beginning of 22 August 2021.

[6] Clause 25A

Insert after clause 25—

25A Directions about answering questions from contact tracers

- (1) The Minister directs that a person, at the request of an authorised contact tracer, must answer questions or provide other information about the person’s movements.
- (2) The Minister directs that a person, at the request of an authorised contact tracer, must provide the person’s contact details to the authorised contact tracer.

- (3) The Minister directs that a person who provides information under this clause must ensure the information is true and accurate.
- (4) In this clause—
authorised contact tracer means a person engaged by NSW Health whose duties include—
- (a) identifying persons who may have come into contact with a person with COVID-19, or
 - (b) notifying a person that the person has been identified as a close contact, being a person—
 - (i) likely to have come into contact with a person with COVID-19, and
 - (ii) at risk of developing COVID-19.
- contact details**, of a person, means—
- (a) the person’s name, and
 - (b) the person’s telephone number or email address.

[7] Schedule 1 Reasonable excuses—Greater Sydney

Omit “10 kilometres” wherever occurring in item 1(2), definition of *locally*, paragraph (b)(i) and item 5(a)(ii).

Insert instead “5 kilometres”.

[8] Schedule 1, items 8–8C

Omit item 8. Insert instead—

- 8** Moving to a new place of residence within Greater Sydney or between different places of residence of the person within Greater Sydney, or inspecting a potential new place of residence within Greater Sydney
- 8A** Moving to a different place of residence of the person outside Greater Sydney, but only if—
- (a) the movement is for the purpose of or to facilitate a person’s work and only the person moves to the other place of residence, or
 - (b) the movement is for the purpose of urgent maintenance or repairs or animal welfare and only 1 person moves to the other place of residence
- 8B** Inspecting a potential new place of residence outside Greater Sydney, but only if the person has a genuine intention to move to and reside at the new place of residence as soon as practicable, or moving to a new place of residence outside Greater Sydney
- 8C** Supervising or facilitating a business moving to new premises

[9] Schedule 4 Dictionary

Omit the definition of *Greater Sydney provisions*. Insert instead—

Greater Sydney provisions means the provisions of this Order that are expressed to apply in relation to Greater Sydney except—

- (a) clauses 11(2)(h), 19(3), 21, 22, 22AA, 24AB, 24AD and 24EA, and
- (b) Parts 4A and 4B,
- (c) Schedule 1, items 8A and 8B.

[10] Dictionary, definition of "Newcastle and Hunter area"

Omit the definition.