



New South Wales

Public Health (COVID-19 Northern Beaches) Amendment Order (No 3) 2020

under the

Public Health Act 2010

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

Dated 28 December 2020.

BRAD HAZZARD, MP
Minister for Health and Medical Research

Explanatory note

The object of this Order is to amend the *Public Health (COVID-19 Northern Beaches) Order 2020*—

- (a) to make special provisions for the New Year period, and
- (b) to prohibit current Northern Beaches residents leaving the Northern Beaches local government area to obtain food, goods or services unless they are not reasonably available in the area, and
- (c) to incorporate exemptions granted under clause 11 of the *Public Health (COVID-19 Northern Beaches) Order 2020* that permitted the following—
 - (i) the opening of natural swimming pools and outdoor playground equipment,
 - (ii) the opening of outdoor gymnasium equipment and skate parks,
 - (iii) small outdoor gatherings for the purposes of outdoor recreation, and
- (d) to remove spent provisions.

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1 Name of Order

This Order is the *Public Health (COVID-19 Northern Beaches) Amendment Order (No 3) 2020*.

2 Commencement

This Order commences at the beginning of 29 December 2020.

Schedule 1 Amendment of Public Health (COVID-19 Northern Beaches) Order 2020

[1] Clause 3 Definitions

Omit the definition of *former Northern Beaches resident* from clause 3(1). Insert instead—
former Northern Beaches resident means a person who is not a current Northern Beaches resident, but who was a current Northern Beaches resident within the previous 14 days.

[2] Clause 3(1)

Insert in alphabetical order—

natural swimming pool means a swimming pool that only contains untreated water that is supplied directly to the pool from the ocean or other natural water source and that does not have a circulation system.

Northern area means the part of the Northern Beaches local government area shown as the Northern area on the Public Health (COVID-19 Northern Beaches) Map approved by the Minister from time to time.

Note. A copy of the map is available on the NSW Government website www.nsw.gov.au.

Northern area resident means a person whose current place of residence or temporary accommodation is in the Northern area.

Southern area means the part of the Northern Beaches local government area that is not in the Northern area.

Southern area resident means a person whose current place of residence or temporary accommodation is in the Southern area.

[3] Clause 7 Direction of Minister concerning staying at home

Insert after clause 7(5)—

- (5A) The Minister directs that a person who is a current Northern Beaches resident must not leave the Northern Beaches local government area to obtain food or other goods or services unless the food, goods or services, or equivalent food, goods or services, are not reasonably available in the Northern Beaches local government area.

[4] Clause 9 Direction of Minister concerning gatherings of more than 2 persons

Omit clause 9(3)(c).

[5] Clause 9(3)(h) and (i)

Insert after clause 9(3)(g)—

- (h) a gathering for the purposes of exercise or outdoor recreation in the Northern area if—
- (i) all persons participating in the gathering are Northern area residents, and
 - (ii) no more than 5 persons participate in the gathering,
- (i) a gathering for the purposes of exercise or outdoor recreation in the Southern area if—
- (i) all persons participating in the gathering are Southern area residents, and
 - (ii) no more than 10 persons participate in the gathering.

- [6] Clause 10 Directions of Minister concerning closure of certain premises**
Omit clause 10(1)(g). Insert instead—
(g) places of public worship, except for the purposes of conducting a funeral service at which there are no more than 100 persons, including the person conducting the service,
- [7] Clause 10(2)(a)**
Insert “, but not a natural swimming pool” after “swimming pool”.
- [8] Clause 10(2)(e)–(g)**
Omit the paragraphs.
- [9] Part 4A, heading**
Omit “**Christmas**”. Insert instead “**New Year**”.
- [10] Clause 10A Definitions**
Omit clause 10A(1). Insert instead—
(1) In this Part—
New Year period means the period from 4pm on 31 December 2020 to the end of 1 January 2021.
- [11] Clause 10B, heading**
Omit “**Christmas**”. Insert instead “**New Year**”.
- [12] Clauses 10B(1), (2) and (4)**
Omit “Christmas” wherever occurring. Insert instead “New Year”.
- [13] Clause 10B(3)**
Omit the subclause.
- [14] Clause 10C Directions of Minister about number of persons allowed on residential premises in Northern area**
Omit clause 10C(1). Insert instead—
(1) The Minister directs that each adult member of a household of a place of residence in the Northern area must not allow—
(a) a person who is not a Northern area resident to visit the place of residence on any day during the New Year period, and
(b) more than 5 persons to visit the place of residence on any day during the New Year period.
- [15] Clause 10C(2)**
Omit “Christmas”. Insert instead “New Year”.
- [16] Clause 10D**
Omit the clause. Insert instead—

10D Directions of Minister about number of persons allowed on residential premises in Southern area

- (1) The Minister directs that each adult member of a household of a place of residence in the Southern area must not allow—
 - (a) a person who is not a Southern area resident to visit the place of residence on any day during the New Year period, and
 - (b) more than 10 persons to visit the place of residence on any day during the New Year period.
- (2) The Minister directs that a Southern area resident who is visiting a place of residence in the Southern area must not, during the New Year period, participate in a gathering at the place of residence consisting of more than 10 visitors who are Southern area residents.

[17] Schedule 1 Reasonable excuses

Insert “or outdoor recreation in the Northern Beaches local government area” after “exercising” in item 5.

[18] Schedule 1, item 7

Omit the item. Insert instead—

- 7** attending a funeral service at which there are no more than 100 persons, including the person conducting the service