

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.”*