



Government Gazette

of the State of

New South Wales

Number 212–Health and Education

Friday, 11 September 2020

The New South Wales Government Gazette is the permanent public record of official NSW Government notices. It also contains local council, non-government and other notices.

Each notice in the Government Gazette has a unique reference number that appears in parentheses at the end of the notice and can be used as a reference for that notice (for example, (n2019-14)).

The Gazette is compiled by the Parliamentary Counsel's Office and published on the NSW legislation website (www.legislation.nsw.gov.au) under the authority of the NSW Government. The website contains a permanent archive of past Gazettes.

To submit a notice for gazettal, see the Gazette page.



New South Wales

Public Health (COVID-19 Restrictions on Gathering and Movement) Order (No 4) Amendment (No 5) 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 11 September 2020.

BRAD HAZZARD, MP
Minister for Health and Medical Research

Explanatory note

The objects of this Order are to make further provision in relation to—

- (a) the maximum number of persons at places of public worship and significant events, and
- (b) participation in, and the conduct of, auctions and open houses.

Public Health (COVID-19 Restrictions on Gathering and Movement) Order (No 4) Amendment (No 5) 2020

under the

Public Health Act 2010

1 Name of Order

This Order is the *Public Health (COVID-19 Restrictions on Gathering and Movement) Order (No 4) Amendment (No 5) 2020*.

2 Commencement

This Order commences at the beginning of 14 September 2020.

Schedule 1 Amendment of Public Health (COVID-19 Restrictions on Gathering and Movement) Order (No 4) 2020

[1] Clause 3 Definitions

Insert in alphabetical order in clause 3(1)—

separate area, for a place of public worship, means a building—

- (a) that is separate from other buildings within the premises, and
- (b) has been designated as a separate building by the occupier of the premises, and
- (c) that is staffed by persons officiating or volunteers or other staff who provide services in that building only, and
- (d) that does not allow persons gathering in different buildings to mingle.

[2] Clause 7 Direction of Minister requiring COVID-19 Safety Plans

Insert “or place of public worship” after “hospitality venue” in clause 7(2).

[3] Clause 9

Omit the clause. Insert instead—

9 Directions of Minister about places of public worship

- (1) The Minister directs that the occupier of a place of public worship must ensure—
 - (a) for a place of public worship with more than one separate area, the maximum number of persons in each of the areas is the lesser of—
 - (i) the number of persons that is equivalent to one person per 4 square metres of space in the area, or
 - (ii) 100 persons, and
 - (b) for any other place of public worship, the maximum number of persons on the premises is the lesser of—
 - (i) the number of persons that is equivalent to one person per 4 square metres of space on the premises, or
 - (ii) 100 persons.
- (2) The Minister directs that the occupier of a place of public worship comprised of more than one separate area must ensure that a religious service, activity or event conducted in one separate area does not commence or end at the same time as another religious service, activity or event in another separate area in the place.
- (3) Subclause (1) does not apply in relation to a wedding service or a gathering following a wedding service.

Note. Clause 14A(5) provides for the maximum number of persons for wedding services and gatherings following wedding services.

[4] Clause 11, heading

Omit “**Direction**”. Insert instead “**Directions**”.

[5] Clause 11(1A)

Insert after clause 11(1)—

- (1A) The Minister directs that a visitor to a place of residence must not participate in a gathering at the residence consisting of more than 20 visitors.

[6] Clause 14 Visitors

Insert after clause 14(b)(viii)—

- (ix) to view or inspect real property for sale or lease or participate in an auction of real property.

[7] Clause 14A Restrictions on certain activities

Omit clause 14A(6) and the note at the end of the clause. Insert instead—

- (6) This clause does not prevent a person from making or accepting a booking for a significant event exceeding the maximum amount of persons specified by this clause if the event complies with this clause as in force when the event is held.
- (7) Persons are to be excluded in calculating the maximum number of persons specified by this clause for a significant event if clause 4(1) excludes them in calculating the space available for each person on the premises.

[8] Clause 21A

Insert after clause 21—

21A Direction of Minister concerning auctions, open houses or other inspections or viewings

- (1) If a real estate agent is engaged to sell or lease real property, the Minister directs that the agent must ensure that an auction, open house or other inspection or viewing of the property is conducted in compliance with a relevant COVID-19 Safety Plan.
- (2) In this clause—
real estate agent has the same meaning as in the *Property and Stock Agents Act 2002*.
relevant COVID-19 Safety Plan means a COVID-19 Safety Plan that addresses the matters required by the approved COVID-19 safety checklist for auctions and open houses approved on 23 July 2020.



New South Wales

Public Health (COVID-19 Border Control) Amendment Order (No 5) 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 11 September 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 Border Control) Order 2020* in relation to critical service (agriculture) workers crossing the Victorian New South Wales border to provide critical agricultural services.

Public Health (COVID-19 Border Control) Amendment Order (No 5) 2020

under the

Public Health Act 2010

1 Name of Order

This Order is the *Public Health (COVID-19 Border Control) Amendment Order (No 5) 2020*.

2 Commencement

This Order commences at the beginning of 12 September 2020.

Schedule 1 Amendment of Public Health (COVID-19 Border Control) Order 2020

[1] Clause 3 Definitions

Omit “Victorian resident” from the definition of *critical service (agriculture) worker* in clause 3(1).

Insert instead “person”.

[2] Clause 3(1), definition of “critical service (agriculture) worker”

Insert “or Victoria” after “New South Wales”.

[3] Part 4, Division 4

Insert after Division 3—

Division 4 Provisions consequent on Public Health (COVID-19 Border Control) Amendment Order (No 5) 2020

19 Definitions

In this Division—

amending Order means the *Public Health (COVID-19 Border Control) Amendment Order (No 5) 2020*.

commencement means the commencement of the amending Order.

20 Existing critical service (agriculture) entry permits

- (1) This clause applies if, immediately before the commencement, a person held an entry permit mentioned in item 2C of Schedule 1 as in force immediately before the commencement.
- (2) From the commencement, the entry permit—
 - (a) is taken to be an entry permit mentioned in item 2C of Schedule 1 as substituted by the amending Order, and
 - (b) is subject to the relevant conditions specified in relation to an entry permit mentioned in item 2C of Schedule 1 as substituted by the amending Order, and
 - (c) continues in force for the balance of the period (if any) for which it was issued, unless sooner revoked.

[4] Schedule 1 Authority to enter New South Wales

Omit “in New South Wales” from paragraph (b) in Column 1 for item 2C.

Insert instead “in the State where the service is provided”.

[5] Schedule 1, item 2C

Omit “concern, or” from paragraph (b) in the first entry in Column 3.

Insert instead “concern.”

[6] Schedule 1, item 2C

Omit paragraph (c) from the first entry in Column 3.

[7] Schedule 1, item 2C

Omit the third entry in Column 3. Insert instead—

The person must have documentary evidence that the service meets the criteria specified in Column 1 signed by—

- (a) the head of the organisation that employs the person, or
- (b) if the person is self-employed—the person to whom the service is provided.

If the person is a Victorian resident, the person must—

- (a) self-isolate except when providing the service, and
- (b) not travel more than 100 km north of the border.

If the person is a NSW resident, the person must—

- (a) not travel more than 100 km south of the border, and
- (b) self-isolate on returning to NSW except when providing a critical agriculture service in NSW, unless the NSW resident self-isolated for the whole time the person was in Victoria except when providing the critical agriculture service.