

# Briefing

## Health advice on a review of quarantine-free travel from Victoria and Queensland

<b>Date due to MO:</b>	15 July 2021	<b>Action required by:</b>	15 July 2021
<b>Security level:</b>	IN CONFIDENCE	<b>Health Report number:</b>	20211649
<b>To:</b>	Hon Chris Hipkins, Minister for COVID-19 Response		
<b>Copy to:</b>	Rt Hon Jacinda Ardern, Prime Minister Hon Grant Robertson, Deputy Prime Minister Hon Nanaia Mahuta, Minister of Foreign Affairs Hon Michael Wood, Minister of Transport		

### Contact for telephone discussion

Name	Position	Telephone
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### Minister's office to complete:

- |   |                                    |  |
|---|------------------------------------|--|
| <input type="checkbox"/> Approved             | <input type="checkbox"/> Decline   | <input type="checkbox"/> Noted               |
| <input type="checkbox"/> Needs change         | <input type="checkbox"/> Seen      | <input type="checkbox"/> Overtaken by events |
| <input type="checkbox"/> See Minister's Notes | <input type="checkbox"/> Withdrawn |  |

Comment:

# Health advice on a review of quarantine-free travel from Victoria and Queensland

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**Security level:** IN CONFIDENCE      **Date:** 15 July 2021

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**To:** Hon Chris Hipkins, Minister for COVID-19 Response

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## Purpose of report

1. This report provides my advice on a review of quarantine-free travel (QFT) from Victoria and Queensland to New Zealand following the notification of locally acquired cases of COVID-19.

## Summary

2. At 2.30pm on Tuesday 14 July 2021 (New Zealand Standard Time (NZST)), the Ministry of Health (the Ministry) was notified of seven locally acquired cases of COVID-19 in Victoria.
3. An initial public health risk assessment determined that QFT from Victoria could continue, as there was not enough evidence to raise the risk level or to implement a QFT pause for Victoria.
4. The Ministry has been monitoring the situation closely due to a growing number of locations of interest. There has also been regular communication with Victorian and other Australian counterparts.
5. At 4.15pm on Thursday 15 July 2021, an updated public health risk assessment determined that the situation in Victoria is increasingly deteriorating and QFT should be paused. While all cases can be epidemiologically linked, there have been several high-risk events, and a high number of resultant contacts and locations attended by people who have then tested positive, including a football match at the Melbourne Cricket Ground (MCG), pubs, and gyms.
6. Furthermore, there is a lack of information and testing results from these significant exposure events and the cases involved have not yet been whole genome sequenced (WGS).

## Latest case information

### *Victoria*

7. As at 4.15pm on Thursday 15 July 2021, there are 16 locally acquired cases and 80 locations of interest in Victoria.
8. To date, all cases are epidemiologically linked and there is a known source of transmission - the Delta variant linked to the current New South Wales (NSW) outbreak. There is not yet evidence of widespread community transmission but there are many outstanding test results.

9. In the past 72-hours Victorian contact tracers have completed 'seven rings' of contact tracing across the outbreaks. Victorian health officials view this as considerably fast.

#### *Queensland*

10. On Thursday 15 July 2021, three locally acquired cases of COVID-19 were notified in Queensland. In response to these new cases Queensland is maintaining some restrictions that have been in place since their early July 2021 snap lockdown.

### **Public health advice**

#### *Victoria*

11. Based on the information available at 4:15pm on Thursday 15 July 2021, and **taking a precautionary approach, I recommend that QFT from Victoria be paused from 11:59pm on Thursday 15 July 2021 (Australian Eastern Standard Time (AEST)), with a review on Monday 19 July 2021.**
12. While the public health risk is low, the situation in Victoria is evolving and appears to be deteriorating over time. My assessment may change as more information is available.
13. There are concerns about the large number of locations of interest and risk of super-spreader events. While there is some mitigation of concern due to the strong epidemiological links, we are lacking WGS data that can link all positive cases so far.
14. A pause will allow further evidence to be assessed and evaluated, including testing results, to minimise the risk of COVID-19 spreading to New Zealand and enable a robust risk-based response to "Keep it Out" to be implemented.

#### *Queensland*

15. Based on the information available at 4:15pm on Thursday 15 July 2021, **I recommend that QFT from Queensland continue, but will be reviewed on Friday 16 July 2021.**
16. To mitigate any immediate risk, the existing section 70 notice issued under the Health Act 1956 for Queensland will continue to be updated as new locations of interest are identified. Current locations are not considered to be of high-risk at this moment.

### **Controls in place to mitigate the risk to New Zealand**

17. Several controls are in place to mitigate the immediate risk posed by travellers to New Zealand, including:
  - a. requiring a negative Polymerase Chain Reaction (PCR) COVID-19 pre-departure test (PDT) be undertaken within 72-hours of travel
  - b. completion of all baseline pre-departure questions for contact tracing purposes
  - c. a prohibition on people travelling from Australia if they have been at any locations of interest in the past 14-days, even if they have evidence of a negative PDT
  - d. a prohibition on people travelling to New Zealand if they been in a state or territory from which the New Zealand Government does not currently allow QFT
  - e. a section 70 notice issued under the Health Act 1956 requiring the testing and isolation of persons in New Zealand who have been at any locations of interest.

## Pausing QFT

18. QFT from Australia has been enabled by the COVID-19 Public Health Response (Air Border) Order (No 2) 2020 (the Air Border Order) which allows the Minister for COVID-19 Response to issue an exemption from quarantine and isolation requirements for travellers who arrive in New Zealand on an aircraft undertaking a QFT flight.
19. If you agree to pause QFT from Victoria, you will need to add a condition to the current exemption from requirements under the Air Border Order for travellers from Australia (for all states and territories).
20. Before any decision to pause QFT, you must consult the Prime Minister, Deputy Prime Minister, the Minister of Foreign Affairs, and Minister of Transport. Other relevant Ministers may also be consulted.
21. When deciding whether to grant or modify an exemption and what (if any) conditions to impose, you must take into account my advice on the public health implications. You must also be satisfied that the exemption is necessary and desirable in order to promote the purposes of the Act or the Air Border Order, and that the exemption is not broader than necessary to address the matters giving rise to the exemption.

### *Exemption Notice*

22. If you agree with to pause QFT from Victoria, an amendment needs to be made to the exemption under the COVID-19 Public Health Response (Exemptions and Conditions for Quarantine-free Travel) Notice 2021 to exclude people who have been in Victoria on or after 11:59pm on Thursday 15 July 2021 (AEST). An amendment is being prepared for your signature pending your consideration of my advice. Once signed, the Notice will come into force at 11:59pm on Thursday 15 July 2021 (AEST).
23. The consequence of a pause will be that QFT from Victoria will be temporarily suspended and travellers will be required to shelter in place for the duration of the pause. If a traveller needs to return to New Zealand urgently, they will need to secure a flight and a place in the Managed Isolation and Quarantine (MIQ) system.
24. Travellers from other states and territories will remain eligible to undertake QFT to New Zealand, provided they have not previously been in Victoria after 11:59pm on Thursday 15 July 2021 (AEST). If they have been in a location of interest before this date, they will be subject to the conditions of the section 70 notice and will be required to get tested and isolate or quarantine.

## Recommendations

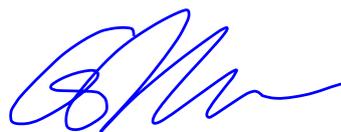
We recommend you:

- a) **Note** that while I consider the public health risk for New Zealand appears to be low at this time, the situation in Victoria is evolving and appears to be deteriorating, and that my assessment may change as more evidence is made available. **Noted**
- b) **Agree** that as a precautionary measure, quarantine-free travel from Victoria to New Zealand be paused from 11:59pm on Thursday 15 July 2021 (Australian Eastern Standard Time), with a review by Monday 19 July 2021. **Yes/No**

- c) **Note** that a review of the pause and further public health risk assessment for Victoria will be completed on Monday 19 July 2021 or earlier if the situation changes significantly. **Noted**
- d) **Agree** that a person who has been in Victoria on or after 11:59pm on Thursday 15 July 2021 (Australian Eastern Standard Time) is prohibited from travelling on a quarantine-free travel flight that departs for New Zealand. **Yes/No**
- e) **Agree** that quarantine-free travel from Queensland to New Zealand can continue, pending a further public health risk assessment on Friday 16 July 2021. **Yes/No**
- f) **Note** that individuals in Australia who were at any of the locations of interest in Victoria or Queensland must follow local health advice about isolation and testing and cannot not travel to New Zealand. **Noted**
- g) **Note** that individuals in New Zealand who have been at a location of interest in Australia must identify themselves with Healthline, be tested, and self-isolate until receiving a negative test result or as advised by a Medical Officer of Health (but no longer than 14 days) in accordance with the section 70 Direction under the Health Act 1956. **Noted**
- h) **Agree** to forward this advice to the Prime Minister, the Deputy Prime Minister, the Minister of Foreign Affairs, and the Minister of Transport for consultation. **Yes/No**
- i) **Sign** the attached COVID-19 Public Health response (Exemption for Quarantine-free Travel) Notice 2021, which will come into force at 11:59pm on Thursday 15 July 2021 (Australian Eastern Standard Time). **Yes/No**



Robyn Shearer  
**Te Tumu Whakarae mō te Hauora**  
**Acting Director-General of Health**  
Date: 15 July 2021



Hon Chris Hipkins  
**Minister for COVID-19 Response**

Date: 15/7/2021

# Health advice on a review of quarantine-free travel from Victoria and Queensland

## Background

1. At 11:59pm on Sunday 4 July 2021 (NZST), QFT from Victoria and Queensland recommenced. All QFT travellers to New Zealand now must meet the following conditions, including:
  - a. evidence of a negative PCR COVID-19 PDT taken within 72-hours of travel, unless they have been in Australia for less than 72 hours
  - b. completion of all baseline pre-departure questions, including that they have not been in a location of interest in the past 14 days
  - c. that they have not been in a state or territory from which the New Zealand Government does not currently allow QFT
2. At 2.30pm on Tuesday 14 July 2021 (NZST), the Ministry of Health (the Ministry) was notified of seven locally acquired cases of COVID-19 in Victoria.
3. An initial public health risk assessment determined that QFT from Victoria could continue as there was not enough evidence to raise the risk level or to implement a pause for Victoria. The Ministry will monitor the situation due to a growing number of locations of interest and will review again within 24 hours.
4. In addition to the conditions listed above, several other controls are in place to mitigate the any immediate risk of travellers from Victoria to New Zealand, including:
  - a. a prohibition on people travelling from Australia if they have been at any locations of interest in the past 14-days, even if they have evidence of a negative PDT
  - b. a section 70 notice issued under the Health Act 1956 requiring the testing and isolation of persons already in New Zealand if they have been at any locations of interest in Victoria, or any other state or territory with an active section 70 notice.
5. At 4:15pm 15 July 2021, an updated public health risk assessment determined that the situation in Victoria was evolving and deteriorating over time.

## Latest Victoria case overview

6. As at 4:15pm on Thursday 15 July 2021, there are 16 locally acquired cases of COVID-19 linked to four clusters in Victoria. There are two chains of transmission, with one moving aggressively through different settings. The table below outlines the cases further.

Cluster	s 6(a), s 9(2)(a)
1. City of Hume-Family from New South Wales (NSW)	

	s 9(2)(a), s 6(a)
2. Ariele Apartment Complex - NSW Removalists	
3. Melbourne Cricket Ground (MCG) #1	
4. Melbourne Cricket Ground (MCG) #2	

*Potential source of infection*

7. To date, all cases are epidemiologically linked and there is known source of transmission, linked to the NSW outbreak. There is no evidence yet of widespread community transmission as all cases are contained to an apartment complex and close contacts. There are not yet any unexplained cases, but also no WGS data yet. We are awaiting the results of a high number of test results from many close and casual contacts.

*Locations of interest*

8. As at 4:15pm on 15 July 2021 (NZST), Victorian authorities have identified 80 locations of interest. These locations include public transport routes, major shopping centres, fast food outlets, a large apartment complex, community sport clubs and the MCG.

*Contact tracing*

9. There are approximately 1,500 primary and close contacts and 5,000 secondary contacts in isolation across Victoria. In the past 72-hours contact tracers have gone through 'seven rings' of contact tracing across the outbreaks:
  - a. first - s 9(2)(a) that were in Victoria at the end of last week, identified late on Sunday night into Monday morning

- b. second - s 9(2)(a)
- c. third - the neighbours, the residents in the apartment building
- d. fourth - friends of those residents and neighbours, s 9(2)(a)
- e. fifth - families of the friends of the people in the area, s 9(2)(a)
- f. sixth - primary close contacts of those cases, Victoria are testing those people today
- g. seventh - secondary close contacts, who are all locked down in isolation.

*Testing results*

10. We do not yet have adequate information about the testing results primary and secondary contacts. The table below outlines current COVID-19 testing rates reported to the Australian Department of Health at 12:00pm 14 July 2021.

<b>Past 24 hours to 12: 00pm 14 July 2021</b>	<b>Australia (TOTAL)</b>	<b>Victoria</b>
Tests	126,678	31,426
<b>Last 7 Days</b>		
Tests	742,027	175,323
Rate per 100,000 population	2,926	2,659
Percent testing positivity	<0.1%	<0.1%
<b>Cumulative total</b>		
<b>Total tests</b>	22,275,925	7,606,658
Percent testing positivity	0.1%	0.3%

11. Overall, testing rates in Victoria have steady and at an adequate level in relation to its population. In the last 24 hours approximately 31,000 tests were processed and in the last seven days approximately 175,000 tests were conducted, averaging around 17,000 tests a day.

*Extra public health measures required by Victoria*

12. In response to this outbreak, from midnight on Wednesday 14 July 2021, Victorian authorities mandated the following:
- a. a snap lockdown from midnight Wednesday 15 July 2021 for five days
  - b. the use of face coverings for Greater Melbourne in all indoor settings, including workplaces (but not at home) and anywhere outdoors where social distancing is not possible - they are also now mandatory in schools for students aged over 12.
13. Victoria's borders remain closed to NSW and the Australian Capital Territory. People need a 'red-zone' permit to enter Victoria from those areas.

### Responses from other jurisdictions

14. Western Australia has closed its border with Victoria and arrivals must complete 14-days of isolation. South Australia requires Victorians to be tested within 24 hours of arrival and not to enter high-risk settings such as aged care for 14 days.
15. Queensland is urging people not to travel to Victoria and consider returning as soon as possible. The Northern Territory have yet to declare any hotspots in Victoria but are advising anyone who has been in a location of interest to check the NT Health website as they be subject to self-isolation and testing requirements.

### Latest Queensland case overview

16. As at Thursday 15 July 2021, there are five locally acquired cases of COVID-19 in Queensland. Two cases were already in isolation when they tested positive.
17. s 6(a), s 9(2)(a)  
[Redacted text]
18. s 6(a), s 9(2)(a)  
[Redacted text]
19. From 6:00am (AEST) Friday 16 July 2021 restrictions for South East Queensland will continue for a further seven days. This includes face coverings and gathering restrictions, including visitor restrictions for vulnerable person facilities (hospitals, aged care and disability centres), Restrictions will ease for Townsville, Magnetic Island and Palm Island - restrictions will be the same as for the rest of Queensland.

### Health advice

#### Victoria

20. Based on the information available at 4:15pm on Thursday 15 July 2021, and **taking a precautionary approach, I recommend that QFT from Victoria be paused from 11:59pm (AEST) on Thursday 15 July 2021.** A review and further public health risk assessment for Victoria will be completed on Monday 19 July 2021 or earlier if the situation changes significantly.
21. The situation in Victoria is evolving and appears to be deteriorating overtime. There are concerns about the large number of locations of interest, a high number of contacts to test and risk of super-spreader events. While there is some mitigation of concern due to the strong epidemiological links, we still lack WGS data. My assessment may change as more information is available.
22. A pause will allow further evidence from Victoria to be assessed and evaluated to minimise the risk of COVID-19 spreading to New Zealand and enable a robust risk-based response to "Keep it Out" to be implemented.

## Queensland

23. Based on the information available at 4:15pm on Thursday 15 July 2021, **I recommend that QFT from Queensland can continue, but this will be reviewed further on Friday 16 July 2021.**
24. To mitigate any immediate risk, the existing section 70 notice for Queensland will continue to be updated as any new locations of interest are identified. Current locations are not considered to be high-risk currently.

## Statutory power to grant an exemption

25. The Exemption Notice, which was made under the Air Border Order, exempts certain people who arrive in New Zealand on a quarantine-free travel flight from the requirements for:
  - a. a confirmed allocation to enter MIQ
  - b. isolation or quarantine on arrival.
26. Pausing QFT would entail imposing an additional condition on the exemption. The condition is that travellers must not have been in Victoria on or from 11:59pm on Thursday 15 July 2021 (AEST).
27. You may exempt any person or class of person from the requirement to comply with any provision of the Air Border Order and Isolation and Quarantine Order if you are satisfied that:
  - a. the exemption is necessary and desirable to promote the purposes of the Act or Air Border Order
  - b. the extent of the exemption is not broader than is reasonably necessary to address the matters giving rise to the exemption.
28. When deciding whether to grant or modify an exemption and what (if any) conditions to impose you must take into account my advice provided above, on the public health implications.
29. You must also consult the Prime Minister, the Deputy Prime Minister, the Minister of Foreign Affairs, and Minister of Transport before any decision on pausing QFT. Other relevant Ministers may also be consulted [CAB-21-MIN-0101].

## Promotion of the purposes of the Act and the Air Border Order

30. The proposed pause of QFT from Victoria will promote the purposes of both the COVID-19 Public Health Response Act 2020 (the Act) and the Air Border Order.
31. The pause will make travellers from that area subject to the requirements of the Air Border Order, including isolation and quarantine on arrival and a confirmed allocation to enter MIQ. The pause is aimed at preventing and limiting the risk of an outbreak or spread of COVID-19 and it is proportionate as it is limited to travellers from an area of higher risk, namely Victoria.

32. There will be social and economic impacts from a pause of QFT, but this is expected to be limited compared to an introduction of COVID-19 in New Zealand and the potential for increased Alert Levels and the resulting economic and social costs.

## **New Zealand Bill of Rights Act 1990**

33. The exemption discretion must be exercised consistently with the New Zealand Bill of Rights Act 1990 (NZBORA).
34. The greatest threat to the health of people in New Zealanders continues to be from the introduction of COVID-19 cases at the border. That risk continues to be present with the emergence of new Covid-19 variants. A pause in QFT from Victoria would further this important objective of preventing the introduction of COVID-19 to New Zealand, pending clarification of the risk this outbreak poses to people in New Zealand.
35. New Zealand citizens have the right to enter New Zealand. A pause in QFT would limit the realisation of that right by citizens currently offshore in Victoria (citizens forced to remain in Australia will have their right to enter New Zealand limited for the duration of the pause).
36. Any limit on the right of New Zealanders to enter the country must only extend as far as necessary and be proportionate in the circumstances. A decision to rescind the exemption in relation to Victoria is likely to be a proportionate response, given that there is further information that officials need to gather in order to determine the extent of any potential community transmission; and that any pause in QFT is likely to be a temporary measure to allow officials time to gather that information and consider proportionate public health measures in response.
37. The discretion to grant or rescind exemptions should be viewed considering the totality of other restrictions imposed on other arrivals to New Zealand under the Air Border Order and Isolation and Quarantine Order. If the exemption power is not exercised in line with the purpose of the Act this could have the effect of making managed isolation restrictions on others appear arbitrary and not proportionate to the public health risk.
38. When assessing the proportionality of a pause it is also relevant to note that the Government has been transparent with advice to the public that for the purposes of QFT, New Zealand citizens departing the country do so at their own risk. Bearing in mind the advice that New Zealanders going to Australia should be prepared for the possibility of a pause, being required to shelter in place for a brief period should not cause significant hardship, especially given the social rights enjoyed by New Zealand citizens in Australia (e.g. reciprocal health care).

## **Equity**

39. The pause of QFT will disrupt travel and prevent New Zealand citizens, residents and visa holders who have been in Victoria on or after 11:59pm on Thursday 15 July 2021 from returning to New Zealand in the short-term.
40. Preventing the introduction and spread of COVID-19 in New Zealand will protect vulnerable New Zealanders, including Māori and Pacific communities who have been historically disproportionately impacted by a widespread epidemic.

## Exemption Notice

41. If you agree to the recommendations in this report, you will need to sign the attached COVID-19 Public Health response (Exemption for Quarantine-free Travel) Notice 2021, which adds a condition to the current exemption for travellers from Australia from isolation and quarantine on arrival by excluding travellers who have been in Victoria on or after 11:59pm on Thursday 15 July 2021 (AEST). The Notice will be in force until superseded or modified.
42. The consequence of a pause will be that QFT from Victoria will be temporarily paused and travellers will be required to shelter in place for the duration of the pause. If a traveller needs to return to New Zealand urgently, they will need to secure a flight and a place in the MIQ system, which is likely to be difficult.

## Next steps

43. If you sign the revised exemption following the necessary consultation, the additional condition pausing QFT for people who have been in Victoria on or after 11:59pm Thursday on 15 July 2021 (AEST) will come into force at 11:59pm on Thursday 15 July 2021 and will apply only in relation to a flight that departs on or after that time.
44. Agencies, through the National Leadership Response Team (NLRT) and the Response Framework will operationalise the pause.
45. Further review and advice on QFT from Queensland will be provided on Friday 16 July 2021 and for QFT from Victoria will be provided on Monday 19 July 2021.
46. The Ministry of Health will continue to work closely with Australian counterparts to collect further information on the outbreak. This will be assessed and evaluated to minimise the risk of COVID-19 spreading to New Zealand.

**ENDS.**