

Briefing

Public health response to New South Wales case in Wellington

Date due to MO: 23 June 2021 **Action required by:** 23 June 2021

Security level: IN CONFIDENCE **Health Report number:** 20211471

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

Copy to: 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
Dr Ashley Bloomfield	Te Tumu Whakarae mō te Hauora Director-General of Health	s 9(2)(a)
Sue Gordon	Deputy Chief Executive COVID-19 Health System Response	s 9(2)(a)

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 Withdrawn | |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:

Public health response to New South Wales case in Wellington

Security level: IN CONFIDENCE **Date:** 23 June 2021

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

Purpose of report

1. This report provides you with written advice, confirming what was communicated to you verbally earlier today, on an appropriate public health response to the New South Wales case who we believe to have been infectious while in Wellington over the weekend of 19-21 June 2021.

Summary

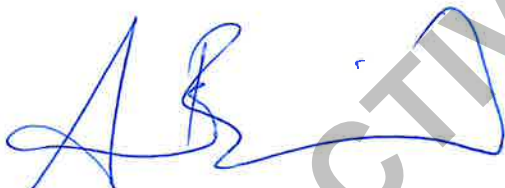
2. At 1930hrs New Zealand Standard Time (NZST) on Tuesday 22 June 2021, we were alerted to the fact that a traveller from Sydney, New South Wales (NSW), Australia who had spent the weekend in Wellington returned home and subsequently tested positive for COVID-19 (Case A). The traveller has been epidemiologically linked to the NSW outbreak, and although yet to be confirmed, is likely to be infectious with the Delta variant.
3. The Ministry considers that Case A was active in the Wellington community while infectious and was infectious on their arrival and departure flights. Case A visited several locations whilst in Wellington, including crowded exhibition at Te Papa Tongarewa and a bar. Test results for Case A's wife are pending and the initial test results of the Case's New Zealand close contacts are negative. Advice for contacts who were at the locations of interests is on the Ministry of Health website. We are constantly reviewing the information available.
4. As there is concern about the variant and several locations of interest have been identified in central Wellington, **I am recommending, as I advised you verbally, that the greater Wellington Region, including Kapiti and the Wairarapa, move to Alert Level 2 from 6:00pm NZST tonight, Wednesday 23 June 2021.** I recommend that the Alert Level setting is reviewed, and a further decision made on Sunday 27 June 2021.
5. Alert Level 2 asks people to be vigilant and follow public health advice, such as scanning QR codes, following basic hygiene like washing hands well and following physical distancing rules (2 meters from strangers, 1 meter in controlled environments like workplaces). Gathering and events are limited to 100 people, and there are specific restrictions for the hospitality and entertainment sector (separated, seated, single-server).
6. The move will provide us with the opportunity to emphasise our public health advice for any person who has been in the Wellington region. and at any location of interest. It will encourage an appropriate response.
7. In the ordinary course, an Order must be notified in the New Zealand Gazette 48 hours before it comes into force. However, an Order can come into force urgently if you are satisfied that it is required to reduce or mitigate the risk of the spread of COVID-19. I

recommend that this occur, as I verbally advised earlier today, based on the health advice in this briefing and the need to act expeditiously in our response to this case.

Recommendations

The Ministry recommends that you:

- a) **Note** that based on the information available, and taking a precautionary approach, my advice (as communicated to you verbally earlier today) confirms your decision to move the greater Wellington Region to Alert Level 2 at 6:00pm New Zealand Standard Time on Wednesday 23 June 2021 **Noted**
- b) **Agree** that Alert Level Two for the greater Wellington Region will be reviewed on Sunday 27 June 2021 **Yes/No**
- c) **Note** my advice on the prerequisites for making an Order under the COVID-19 Public Health Response Act 2020, including: **Noted**
- i. the risks of an outbreak or spread of COVID-19, and
 - ii. the nature and extent of measures appropriate to address those risks
- d) **Agree** that the Order is made under urgency, so the usual 48-hour notice period is dispensed with **Yes/No**
- e) **Note** that officials are working with Parliamentary Counsel Office to prepare a draft Order for your signature today. **Yes/No**



Dr Ashley Bloomfield
Te Tumu Whakarae mō te Hauora
Director-General of Health

Date:

23/6/21



Hon Chris Hipkins
Minister for COVID-19 Response

Date:

23/6/21

Public health response to New South Wales case in Wellington

Background

- At 19:30hrs NZST on Tuesday 22 June 2021, we were alerted to the fact that a traveller from Sydney, New South Wales (NSW), Australia who had spent the weekend in Wellington returned home and subsequently tested positive for COVID-19 (Case A).

Situation update

New South Wales case (Case A) who travelled

- Case A travelled to Wellington from Sydney, NSW Australia on Friday 18 June 2021 (arriving into Wellington Airport shortly after midnight on Saturday 19 June 2021). Case A returned to Sydney from Wellington on Monday 21 June 2021, departing Wellington Airport just after 10am. Case A and his wife stayed at the Rydges Hotel in central Wellington. Test results for Case A's wife are pending.
- Case A returned a positive test result with a low CT score in Sydney from a test taken on Monday 21 June 2021, which suggests an acute infection. The case is reported to be symptomatic and is being managed as having been infectious on both flights and for the duration of their stay in New Zealand. Symptom onset is reported to be in the early hours of Monday 21 June 2021.
- Case A and his wife spent the duration of their time in Wellington sightseeing with four friends ^{s 9(2)(a)} [REDACTED].
[REDACTED] The group visited several locations across the city centre.
- Contact tracing is underway with locations of interest being updated as they become known. All passengers on the flight are being treated as close contacts, and locations of interest include Te Papa Tongarewa and Jack Hackett's bar on the corner of Taranaki St and Dixon St, where Case A watched a rugby game.
- The couple with whom Case A spent time in Wellington, live ^{s 9(2)(a)} [REDACTED] with two flatmates who are considered secondary contacts. They are in isolation and have both tested negative to COVID-19. ^{s 9(2)(a)} [REDACTED].
[REDACTED]
- Both flatmates were contacted on 22 June 2021. At the time of contact, one flatmate was in ^{s 9(2)(a)} [REDACTED]. The other flatmate is currently staying in ^{s 9(2)(a)} [REDACTED] but was briefly exposed to the close contacts prior to travel to Wellington. Both these secondary contacts have also tested negative.
- Public communications have suggested that any close or casual contacts should report to Healthline for advice on what steps to take. Healthline, in turn, are referring any close contacts to their General Practitioners for testing and self-isolation as required. Two sites for testing have been set up in Wellington Central, with one now fully booked. A third site

is being set up. The public are being told to get tested as soon as possible if in doubt and to self-isolate until they receive a negative result. This is an important time for testing since it is now 5 days since Case A arrived in New Zealand while infectious.

Continuing evolution of the NSW outbreak

16. The situation in NSW also continues to evolve, with 14 new cases reported by Australian officials today. You decided to pause quarantine free travel (QFT) with NSW with effect from 11:59pm NZST on Tuesday 22 June 2021 [HR 20211436 refers].

Public health advice

17. The Ministry considers that Case A was active in the Wellington community while infectious and was infectious on their arrival and departure flights. Case A has been epidemiologically linked to the NSW outbreak. They are s 9(2)(a) and attended s 9(2)(a) was assessed on 15 June 2021, however it was a different floor to where Case A works.
18. Case A is potentially infectious with Delta variant. However, this remains to be confirmed. We are awaiting advice of their whole genome sequencing results and will provide updated advice on this when it is known. We are constantly reviewing the information available.
19. Several of the locations Case A visited were crowded. These included an exhibition at Te Papa Tongarewa and the bar. The identification of locations of interest is ongoing and will grow. Furthermore, given there is concern about the variant and the locations of interest identified in central Wellington, **I am recommending, as I advised you verbally earlier today, that we take a cautious approach in our response to this case.**
20. **I recommend, as I advised verbally, that the greater Wellington Region, including Kapiti and the Wairarapa, move to Alert Level 2 from 6:00pm NZST tonight, Wednesday 23 June 2021.** Alert Level 2 asks people to be vigilant, follow public health advice and consider others. Gathering and events are limited to 100 people, and there are specific restrictions for the hospitality and entertainment sector.
21. Moving to Alert Level 2 will provide us with the opportunity to emphasize our public health advice for any person who has been in the Wellington region, and at any location of interest, and encourage an appropriate response. It will provide us with the opportunity to gather more information, continue contact tracing and ascertain test results. **I recommend that the Alert Level setting is reviewed, and a further decision made on Sunday 27 June 2021.**

Process for making an Order

22. You may make an Order under section 11 of the COVID-19 Public Health Response Act 2020 (the Act) if either:
 - a. a state of emergency has been declared
 - b. an epidemic notice is in force
 - c. it has been authorised by the Prime Minister.
23. There is currently an epidemic notice in place, which allows you to make an Order. In making an Order under section 11, you must:

- a. have received advice from the Director-General about:
 - i. the risks of the outbreak or spread of COVID-19; and
 - ii. the nature and extent of measures appropriate to address those risks; and
 - b. be satisfied that the proposed Order does not limit or is a justified limit on the rights and freedoms in the New Zealand Bill of Rights Act 1990 (NZBORA); and
 - c. consult with the Prime Minister, Ministers of Health and Justice, and any other Ministers you think necessary; and
 - d. be satisfied that the Order is appropriate to achieve the purposes of the Act.
24. The requirement to have consulted with the Prime Minister and Ministers of Health and Justice, and other relevant Ministers on the draft Order has been fulfilled through the Cabinet policy decisions made today (Wednesday, 23 June 2021) and the previous consultation on the form of the template Alert Level Order, which the Order to be drafted is based upon.
25. In the ordinary course, an Order must be notified in the New Zealand Gazette for 48 hours before it comes into force. However, an Order can come into force urgently if you are satisfied that it is required to reduce or mitigate the risk of the spread of COVID-19. I recommend that this occur, as I verbally advised, based on the health advice in this briefing and the need to act expeditiously in our response to this case.

Promotion of the purposes of the Act

26. The recommended move to Alert Level 2 for the greater Wellington Region is consistent with the purpose of the Act as it will ensure that the people of Wellington remain vigilant and take appropriate measures to reduce the risk of COVID-19 transmission. It will provide officials with the time to gather further information and further consider proportionate public health measures in response.

Health advice

27. My advice on the pause is set out in detail in this report. You are also receiving ongoing advice about the risks associated with COVID-19. In accordance with section 9(2) of the Act, you may have regard to that regular advice without it being repeated here.
28. It is my view, as earlier advised, is that we should adopt a **cautious approach in our response to Case A**. They may have been infectious with the Delta variant. Several of the locations Case A visited were crowded, including an exhibition at Te Papa Tongarewa and the bar. The identification of locations of interest is ongoing.

New Zealand Bill of Rights Act 1990

29. A matter for you to consider each time an Order is proposed under the Act is whether the exercise of such powers will be appropriate. The power to make an Order must be exercised consistently with the New Zealand Bill of Rights Act 1990 (NZBORA).
30. Changing Alert Levels will result in limits to the rights and freedoms affirmed by the NZBORA, including the rights to peaceful assembly, manifest religion and freedom of movement. The Order will only be lawful if it limits those rights to the extent that can be demonstrably justified in a free and democratic society.

31. The Government's plan for responding to COVID-19 cases in the community provides for a precautionary approach. In particular, rapid and decisive action, while case investigation and contact tracing are undertaken. A move to Alert Level 2 can be seen as our best chance to avoid needing to further escalate up the Alert Level framework (with corresponding greater limitations on rights and freedoms).
32. The Alert Level 2 controls are justified as COVID-19 is a highly contagious and unpredictable virus that has the potential for asymptomatic transmission. For this reason, a cautious public health approach is considered proportionate to the risk. This will provide officials with the time to gather further information and further consider proportionate public health measures in response.
33. I consider limits that will be imposed by the Order may be demonstrably justified in a free and democratic society. In particular, the restrictions are limited by reference to the location of the risk of community transmission (the greater Wellington Region). I also note these restrictions are intended to be reviewed on Sunday 27 June 2021, once more information such as critical testing results have been obtained.

Equity

34. The change to Alert Levels will disrupt people in the greater Wellington Region in the short-term. However, limiting the potential 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.

Next steps

35. If you are satisfied that the grounds for moving to Alert Level 2 have been met, and making the Order is appropriate under the Act, we will prepare a draft Order for your signature: It will be provided to you later today with further advice.
36. Agencies, through the National Leadership Response Team (NLRT) and the Response Framework will continue work to operationalise the change and move to Alert Level 2. We will also continue to update on the situation and the NSW outbreak, to enable future decisions, as information becomes available.

ENDS.