

Briefing

Health advice on the potential recommencement of quarantine-free travel from New South Wales and Queensland

Date due to MO:	9 July 2021	Action required by:	9 July 2021
Security level:	IN CONFIDENCE	Health Report number:	20211587
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)
Steve Waldegrave	Group Manager COVID-19 Policy Response, System Strategy and Policy	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 Withdrawn | |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:

Health advice on the potential recommencement of quarantine-free travel from New South Wales and Queensland

Security level: IN CONFIDENCE **Date:** 9 July 2021

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

Purpose of report

1. This report confirms my earlier verbal advice on the potential recommencement of quarantine-free travel (QFT) from Queensland to New Zealand. It also confirms my verbal advice regarding the QFT pause with New South Wales (NSW) and the managed return of travellers.

Summary

2. On Saturday 26 June 2021, you paused QFT from all ports in Australian states and territories. A notice was issued excluding QFT for travellers who had been in Australia on or after 10:30pm Saturday 26 June 2021 (New Zealand Standard Time (NZST)).
3. On Wednesday 7 July 2021, you agreed to continue the QFT pause from Queensland with a further review on Friday 9 July 2021 and from NSW with a review on Wednesday 14 July 2021 (HR20211575 refers).
4. QFT recommenced from Tasmania, the Australian Capital Territory (ACT), Victoria and South Australia at 11:59pm Sunday 4 July 2021 (NZST). QFT from Western Australia and the Northern Territory will recommence from 11:59pm Friday 9 July 2021 (NZST).
5. Managed return flights from Queensland for people ordinarily resident in New Zealand are due to commence from 11:59pm on Friday 9 July 2021 (NZST). These flights from NSW will start from 11:59pm on 12 July 2021.

Latest case information

Queensland

6. As at 10:00 am 9 July 2021, there are 38 locally acquired cases linked to four clusters in Queensland. On Thursday 8 July 2021, Queensland reported two additional cases linked to existing cases. s 9(2)(a) [REDACTED]

New South Wales

7. There are now 395 locally acquired cases since Wednesday 16 June 2021 when the first case of the Bondi cluster was reported. This is an increase of 38 new cases in the 24 hours prior to 8pm Thursday 8 July 2021.

Health Advice

8. Based on public health risk assessment and information available at 10:00am Friday 9 July 2021 (NZST) the overall public health risk of COVID19 from Australia to New Zealand appears to be low, but varies considerably by state or territory, with NSW currently presenting the greatest risk and now considered an 'amber' or medium risk state due to an increase in the COVID-19 rate per 100,000 people.

Queensland

9. The risk posed by Queensland is low and decreasing and three of the four clusters appear to be well contained. The response measures that Queensland has introduced provide an additional layer of assurance. These include:
 - a. the lockdown of 13 local government areas (LGAs) to limit community transmission
 - b. a suite of other restrictions in place until 16 July 2021 for people in those LGAs following that lockdown, including mandatory mask wearing while out of their homes, gathering limits, and physical distancing requirements
 - c. other public health measures for the rest of the state, related to mask use, gathering limits, and physical distancing.
10. Testing has been steady and at a sufficient level to provide confidence in relation to Queensland's population. Approximately 15,000 tests were carried out in the previous 24 hours and approximately 102,000 tests in the previous seven days, averaging around 14,000 tests a day.
11. Pending no significant developments in Queensland, **I consider that QFT from Queensland can recommence from 11:59pm on Monday 12 July (NZST) for travellers who are not close or casual contacts and meet the necessary QFT prerequisites. The managed return of travellers from Queensland from 11:59pm on 9 July 2021 can continue as planned.**
12. I also note your decision to require all travellers from Australia to provide evidence of a negative a Polymerase Chain Reaction (PCR) COVID-19 test taken within three days of departure. This measure will continue if you agree to recommence QFT from Queensland.

New South Wales

13. NSW's COVID situation is escalating and is materially worse than that when QFT commenced in April 2021. In the past week, there were 2.5 cases per 100,000 population which places NSW in the medium risk category. This will be higher for Greater Sydney.
14. We have little confidence in the now-extended NSW lockdown. There appears to be poor compliance with lockdown measures across Greater Sydney with many new cases infectious in the community during the lockdown period. Shops remain open and many shopping centres are now locations of interest during the lockdown period.
15. This increases the potential that returning travellers could be exposed or infectious on arrival in New Zealand. It also reduces our confidence in pre-departure test preventing infection coming into New Zealand.

Revised approach to managed return flights from New South Wales

16. On Wednesday 7 July 2021, you agreed to allow managed returns from NSW from 11:59pm Friday 9 July 2021 (NZST) provided travellers met certain prerequisites, including a pre-departure test.
17. However, based on the most recent risk assessments, **I recommend that you defer any managed return of travellers from NSW to New Zealand until 11:59pm Monday 12 July 2021 and from then require such travellers to enter a dedicated managed isolation and quarantine facility (MIQF) for 14 days.** This approach is outlined below:
 - a. travellers do not need to obtain a pre-departure test in NSW
 - b. travellers must enter a dedicated MIQF for 14 days with the usual testing regime, including a Day 0 test
 - c. officials would cohort returnees as much as operationally possible
 - d. subject to operational capability, this would be in effect from 11:59pm Monday 12 July 2021.
18. This revised approach reflects the increased risk profile of NSW. It balances the public health need to gain reasonable assurance that these travellers are not presenting a risk upon their re-entry into the New Zealand community against the practicalities for the MIQF system.

Recommencing QFT from Queensland

19. 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.
20. If you agree to recommence QFT from Queensland, you need to amend the COVID-19 Public Health Response (Exemptions and Conditions for Quarantine-free Travel) Notice 2021 and replace it with a new exemption notice with the measures outlined above.
21. Before any decision to recommence QFT from Queensland, you must consult the Prime Minister, Deputy Prime Minister, the Minister of Foreign Affairs, and Minister of Transport. You may consult other relevant Ministers.¹
22. 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.

¹ CAB-21-MIN-0101 and cl 26(3A)(a), Air Border Order.

Recommendations

We recommend you:

- a) **Note** that on 7 July 2021, you agreed to continue the QFT pause from Queensland until 9 July 2021 when further advice would be provided. **Noted**
- b) **Agree** that based on information and public health advice available at 10:00am on Friday 9 July, QFT from Queensland can recommence from 11:59pm on Monday 12 July 2021(NZST) for eligible travellers. **Yes/No**
- c) **Note** that all travellers from Queensland and the rest of Australia will be required to have a negative PCR test within 72 hours of departure (or certification from a medical practitioner) and meet all other QFT prerequisites. **Noted**
- d) **Note** that if you agree to recommence QFT from Queensland, the Parliamentary Counsel Office will prepare the revised exemption notice for your signature). **Noted**
- e) **Note** that QFT from New South Wales remains paused and a further review will be provided to you on Wednesday 14 July 2021. **Noted**
- f) **Agree** to defer any managed return of travellers from New South Wales to New Zealand until 11:59pm on Monday 12 July 2021. **Yes/No**
- g) **Agree** that subject to operational capability, travellers on managed return flights from New South Wales from 11:59pm on Monday 12 July 2021:
- a. do not require a pre-departure test **Yes/No**
 - b. must enter a dedicated managed isolation and quarantine facility for 14 days with the usual testing regime, including a Day 0 test. **Yes/No**
- h) **Note** that if agreed to, officials would cohort returnees from New South Wales as much as operationally possible. **Noted**
- i) **Note** that the managed return of travellers from Queensland from 11:59pm on 9 July 2021 remains unaffected and can continue as planned. **Noted**
- j) **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**



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

Date: 09/07/2021



Hon Chris Hipkins
Minister for COVID-19 Response

Date: 9/7/2021

Health advice on the potential recommencement of quarantine-free travel from New South Wales and Queensland

Background

23. On Saturday 26 June 2021, you paused QFT from all Australian states and territories effective 10:30pm (NZST) that day. This followed a substantial deterioration of Australia's overall COVID-19 situation and a significant exposure event at a Northern Territory mine.
24. At 11:59pm on Sunday 4 July 2021 (NZST), QFT resumed from Tasmania, ACT, Victoria and South Australia with the following conditions:
 - a. Passengers must meet all eligibility requirements captured in the baseline pre-departure questions, including that they have not been in a current location of interest in the past 14 days
 - b. Passengers must have not been in a state from which the New Zealand Government does not currently allow QFT
 - c. Passengers must have evidence of a negative PCR COVID-19 test taken within 72 hours of travel. This condition does not apply to anyone who has been in Australia for less than 72 hours.
25. On Wednesday 7 July 2021, you agreed to continue the QFT pause from Queensland with a further review on Friday 9 July 2021.
26. QFT from Western Australia and the Northern Territory is due to resume from 11:59pm Friday 9 July 2021 (NZST) for people who have not previously been in Queensland or NSW on or after 10:30pm Saturday 26 June 2021 (NZST). They must also meet the conditions listed at paragraph 24.
27. Managed return flights from Queensland for people ordinarily resident in New Zealand were due to commence from 11:59pm on Friday 9 July 2021 (NZST). These flights from NSW will now be permitted to start from 11:59pm on Monday 12 July 2021.
28. The existing condition remains in place in relation to locations of interest. Anyone that has been at a location of interest anywhere in Australia cannot travel to New Zealand within 14 days of exposure, regardless of whether they have evidence of a negative pre-departure test. Anyone already in New Zealand who has been in a location of interest is subject to a Section 70 notice. This places a legal requirement on people to isolate until they received a negative test result.

Latest Queensland case information

29. Queensland is now considered at the same risk level as current QFT states and territories. Australian authorities assess the state's COVID-19 situation as 'under control'.

Case and cluster numbers

- 30. As at 10:00 am 9 July 2021, there are 38 community cases linked to four clusters in Queensland.
- 31. The table below outlines further detail. All cases have been linked to border cases and recent cases have been in self-isolation. The last exposure event was on 2 July 2021.

Cluster	s 6(a), s 9(2)(a)
1. Mongolia Flight Four - Points Brisbane Quarantine Hotel [REDACTED] s 9(2)(a), s 6(a) [REDACTED] [REDACTED] [REDACTED] [REDACTED]	[REDACTED]
2. Novatel Hotel - s 6(a) [REDACTED] s 9(2)(a) [REDACTED] - Prince Charles Hospital	
3. Brisbane International Airport Workers (Menzies)	
4. Virgin Airlines Flight Attendant	

Queensland's response to the current outbreak

32. On 1 July 2021, Queensland announced a three-day lockdown until 6pm Saturday 3 July 2021 (Australian Eastern Standard Time) for 13 local government areas (LGAs) in South East Queensland, Townsville and Palm Island.² All LGAs came out of the lockdown a day early, except for Brisbane City and the Moreton Bay.
33. The following measures are in place until 6:00pm on Friday 16 July 2021 for people in affected LGAs. These include:
 - a. Mask use: A mask must be worn when outside their home, including in workplaces (if safe and people cannot physically distance), on public transport and when doing non-vigorous exercise.
 - b. Gatherings: Limited to up to 30 people in homes and public spaces.
 - c. Hospitals, aged care and disability centres: Visitors continue to be restricted, some exceptions apply, and end of life visits will still be allowed.
 - d. Weddings and funeral: Limit of 100 guests. Max of 20 people dancing at weddings.
 - e. Businesses and venues: Retail dining is allowed, eating and drinking must be seated, and no dancing is allowed except at weddings.
 - f. Indoor and outdoor events: 100 percent allocated seated capacity for indoor events and outdoor events, including stadiums and large convention centres (with COVID Safe Plan), or 1 person per 4m² indoors and 1 person per 2m² outdoors.
34. For the rest of Queensland there are measures in place for mask use, gathering sizes, and physical distancing. People cannot enter Queensland if they have been in a COVID-19 hotspot in the last 14 days. This includes all 35 LGAs of Greater Sydney.

Latest New South Wales case information

35. There were 38 new cases reported on 8 July 2021 of which 26 are linked to previous cases and 12 were reported as unlinked at time of reporting.
36. NSW Health reported there is unlinked spread in west and south east Sydney in culturally and linguistically diverse communities. NSW Health are reporting they are detecting more cases with late presentations who have already infected other household members and wider families. They are also reporting rapid household spread of infection.
37. There are 40 cases currently in hospital. 11 of these are in ICU with three ventilated. NSW Health report they are seeing hospitalisations in younger people. There is no breakdown available of the number of cases in hospital/ICU that are linked to the outbreak.
38. NSW Health has expressed concern regarding a 26 June 2021 hotel lockdown party which has seven linked cases. It is unclear how many people attended the event. Testing of people staying at the hotel at the time is complete, but it is complicated as this hotel is also used for housing close contacts.
39. Approximately 40,000 tests were undertaken across the region in the previous 24 hours which is lower compared to testing the previous week. There were 350,000 tests

² Brisbane City, Moreton Bay, Ipswich, Logan City, Redlands, Sunshine Coast, Noosa, Somerset, Lockyer Valley, Scenic Rim, Gold Coast, Townsville (including Magnetic Island) and Palm Island LGAs.

undertaken across the region in the previous 7 days - an average of approximately 50,000 tests a day, which is an adequate level of daily testing in relation to the population.

40. All states and territories currently require arrivals from NSW to complete 14 days of home quarantine.

Testing data for Australia, New South Wales and Queensland

41. The table below outlines current COVID-19 testing at 12:00pm 8 July 2021.

Past 24 hours	Australia (TOTAL)	NSW	Queensland
Tests	99,235	39,733	14,936
Last 7 Days			
Tests	792,444	350,690	102,880
Rate per 100,000 population	3,125	4,337	2,020
Percent testing positivity	<0.1%	<0.1%	<0.1%
Cumulative total			
Total tests	21,633,133	7,335,119	3,020,432
Percent testing positivity	0.1%	0.1%	0.1%

42. For Queensland, testing has been steady and at an adequate level in relation to its population. Approximately 15,000 tests were carried out in the last 24 hours and approximately 102,000 tests in the last seven days, averaging around 14,000 tests a day.
43. For NSW, 350,000 tests were undertaken in the last 7 days, which is an average of approximately 50,000 tests a day. This is a good level of daily testing in relation to the population. There have been no detections of COVID-19 in the regional wastewater sites which can be interpreted as the outbreak being contained to the Greater Sydney region.

Public health risk assessment

44. This information is set out in the health assessment, attached as Annex 1. Based on the risk assessment, I consider the risk to New Zealand from the outbreaks of COVID-19 in Queensland is low and in NSW is medium.

Statutory power to grant an exemption

45. The COVID-19 Public Health response (Exemption for Quarantine-free Travel) Notice 2021, which was made under the Air Border Order (ABO), exempts certain people who arrive in New Zealand on a quarantine-free travel flight from the requirements for:
- a confirmed allocation to enter a managed isolation or quarantine facility
 - isolation or quarantine on arrival.
46. Recommencing QFT would entail revocation of the current exemption notice to remove the condition that travellers must not have been in Queensland from 11:59pm on Monday 12 July 2021 (NZST).

47. You may exempt any person or class of person from the requirement to comply with any provision of the ABO and Isolation and Quarantine Order if you are satisfied that:
 - a. the exemption is necessary and desirable in order to promote the purposes of the COVID-19 Public Health Response Act 2020 or ABO
 - b. the extent of the exemption is not broader than is reasonably necessary to address the matters giving rise to the exemption.
48. 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.
49. You must also consult the Prime Minister, Deputy Prime Minister, the Minister of Foreign Affairs, and Minister of Transport before any decision to recommence QFT. You can also consult other relevant Ministers [CAB-21-MIN-0101].

Health advice

50. My advice on recommencing QFT from Queensland is set out from paragraph 8 above.
51. You have been and will continue to receive ongoing advice about the risks associated with COVID-19. In accordance with section 9(2) of the COVID-19 Act, you may have regard to that advice without it being repeated here. COVID-19 is a highly infectious disease which may be spread by people who are not showing symptoms. This supports significant intervention measures for those at heightened risk of contracting or spreading COVID-19.

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

52. The proposed recommencement of QFT from Queensland promotes the purposes of the Act and the ABO as it will mean travellers from Queensland, as well as other states and territories in Australia, who meet the general QFT eligibility requirements, will not be subject to managed isolation or quarantine on arrival in New Zealand. Recommencing QFT will also re-enable social, cultural and economic activities between New Zealand and Queensland.

New Zealand Bill of Rights Act 1990

53. Your powers under the Act and the Orders must be exercised consistently with the New Zealand Bill of Rights Act 1990 (NZBORA). In undertaking our NZBORA assessment, we have considered what the Act, the Orders, and our recommended amendment to the Notice are trying to achieve. They are all part of a bespoke legal framework for managing the public health risks posed by COVID-19. They support the Government's Elimination Strategy and have the purpose of preventing COVID-19 reaching and being transmitted in our community.
54. We have also considered the affected individual or individuals. The Act, the ABO and the exemption notice seek to reduce the risk that a person travelling to New Zealand has, and will transmit, COVID-19. The controls we recommend are imposed on people seeking to undertake QFT travel have a public health focus. We are recommending them to keep New Zealand and all people here safe and well through preventing illness and fatalities.

55. The NZBORA rights engaged by the controls imposed on persons returning from Queensland are freedom of movement (including the right of citizens to enter New Zealand), and the right to be secure against unreasonable search and seizure (in relation to pre-departure testing). The principal NZBORA rights engaged by the controls imposed on persons returning from New South Wales are freedom of movement (including the right of citizens to enter New Zealand, and the right to movement and residence within New Zealand), the right to be secure against unreasonable search and seizure (in relation to testing) and the right to be free from arbitrary detention (in relation to the requirements to enter managed and self-isolation).
56. The rights are engaged as they impose pre-departure and in-flight controls on travellers. In all cases, we have considered if the impact on the affected individual or individuals could be lessened through fewer or alternative controls. At a fundamental level, the primary justification is that 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.

Equity

57. Recommencing QFT will allow most New Zealand citizens, residents and visa holders who have been in Queensland on or after 11:59pm on Monday 12 July 2021 (NZST) to return to New Zealand.

Exemption Notice

58. If agreed, PCO will draft an amendment to the current exemption notice for QFT travellers from Australia (including Queensland). It will provide relief from isolation and quarantine on arrival for travellers who have not been at a location of interest, have self-isolated for 14 days where they have been in a location of interest, and who provide evidence of a negative COVID-19 test 72 hours before departure for New Zealand if they are from Queensland. If agreed, the notice will be in force until revoked.

Next steps

59. The decisions to resume QFT flights from Queensland and commence managed return flights from New South Wales and Queensland will be implemented via an amendment to the QFT Exemption Notice that will be sent to you for signing from PCO.
60. Once you sign the notice, QFT will recommence from Queensland for travellers who meet the QFT eligibility requirements, from 11:59pm on Monday 12 July 2021 (NZST).
61. Further review and advice on resuming QFT from NSW will be provided to you on Wednesday 14 July 2021.
62. Agencies, through the National Leadership Response Team (NLRT) and the Response Framework will operationalise the recommencement of QFT from Queensland and the start of managed flights from Queensland and NSW. It will be communicated in agreement with your office, with updates provided on the relevant websites.

ENDS.

Annex 1

Public Health Risk Assessment: New South Wales and Queensland

Withheld under section 6(a) of the Act, if the release would be likely to prejudice the international relations of the Government of New Zealand.

PROACTIVELY RELEASED