

South Australia

Emergency Management (Cross Border Travel— Associated Direction No 40) (COVID-19) Direction 2021

under section 25 of the *Emergency Management Act 2004*

Preamble

- 1 On 22 March 2020 I, Grantley Stevens, Commissioner of Police, being the State Co-ordinator for the State of South Australia pursuant to section 14 of the *Emergency Management Act 2004* (the *Act*), declared pursuant to section 23 of the Act that a Major Emergency is occurring in respect of the outbreak of the Human Disease named COVID-19 within South Australia.
 - 2 Now I, Grantley Stevens, Commissioner of Police and State Co-ordinator for the State of South Australia, being of the opinion that this is necessary to achieve the purposes of the Act, give the following directions pursuant to section 25 of the Act.
 - 3 This direction is to operate as an appendix to the *Emergency Management (Cross Border Travel—General No 2) (COVID-19) Direction 2021* or to any direction that replaces that direction, and modifies that direction.
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1—Citation

This direction may be cited as the *Emergency Management (Cross Border Travel—Associated Direction No 40) (COVID-19) Direction 2021*.

2—Revocation

The *Emergency Management (Cross Border Travel—Associated Direction No 39) (COVID-19) Direction 2021* is revoked.

3—Interpretation

In this direction—

ACT restricted zone arrival means a person arriving in South Australia who has been in the ACT restricted zone at any time in the 14 days prior to arrival;

ACT restricted zone means the restricted zone declared under clause 6;

Commonwealth MPs and staff includes—

- (a) a member of the House of Representatives of the Parliament of the Commonwealth for an electoral division of South Australia; or
 - (b) a South Australian Senator of the Parliament of the Commonwealth; or
 - (c) a member of staff of a person in paragraph (a) or (b).
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General Direction means the *Emergency Management (Cross Border Travel—General No 2) (COVID-19) Direction 2021*;

Queensland restricted zone arrival means a person arriving in South Australia who has been in the Queensland restricted zone at any time in the 14 days prior to arrival.

Queensland restricted zone means the restricted zone declared under clause 6;

NSW restricted zone arrival means a person arriving in South Australia who has been in the NSW restricted zone at any time in the 14 days prior to arrival;

NSW restricted zone means the restricted zone declared under clause 6;

unrestricted overseas arrival—an overseas arrival is an unrestricted overseas arrival if the only location outside of Australia that they have been in during the period of 14 days before their arrival in South Australia is New Zealand or the Cook Islands;

Victorian restricted zone arrival means a person arriving in South Australia who has been in the Victorian restricted zone at any time in the 14 days prior to arrival;

Victorian restricted zone means the restricted zone declared under clause 6;

4—Application of cross border requirements—overseas arrivals

An arrival from a location specified in the first column of the table below who is of a class specified in the second column of the table is subject to requirements of the level specified in the third column of the table:

Location	Class of person	Level of requirements
Overseas	All overseas arrivals (other than an unrestricted overseas arrival)	Level 5

5—Application of cross border requirements—interstate arrivals

(1) An arrival from a location specified in the first column of the table below who is of a class specified in the second column of the table is subject to requirements of the level specified in the third column of the table:

Location	Class of person	Level of requirements
ACT restricted zone	ACT restricted zone arrivals and NSW restricted zone arrivals (including persons travelling from the ACT restricted zone or NSW restricted zone that fall within clause 6(2) of the General Direction) arriving in South Australia after the commencement of this direction, other than classes of the essential travellers and permitted arrivals specified in this associated direction.	Level 6
NSW restricted zone	<p>Note—</p> <p>An individual may apply to the Department for Health and Wellbeing (SA) for an exemption from requirements under this direction if they need to travel to South Australia.</p>	

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Location	Class of person	Level of requirements
<p>ACT restricted zone</p> <p>NSW restricted zone</p>	<p>ACT restricted zone arrivals and NSW restricted zone arrivals arriving in South Australia after the commencement of this direction, who are—</p> <ul style="list-style-type: none"> • Domestic violence arrivals; or • Commonwealth MPs and staff, who— <p>have been in New South Wales at any time in the 14 days prior to arrival, including as a transiting passenger through Sydney Airport.</p>	<p>Level 5</p>
<p>ACT restricted zone</p> <p>NSW restricted zone</p>	<p>ACT restricted zone arrivals and NSW restricted zone arrivals arriving in South Australia after the commencement of this direction, who are—</p> <ul style="list-style-type: none"> • Essential travellers other than Cross Border Community members; or • Commonwealth MPs and staff, who— <ul style="list-style-type: none"> ○ are returning to South Australia directly provided they are not a transiting passenger through Sydney Airport (but may have transited through a restricted airport zone other than Sydney Airport) after travelling to Canberra for work purposes; and ○ have not been in New South Wales at any time in the 14 days prior to arrival. <p>Note—</p> <p>NSW Cross Border Community members are not permitted to enter South Australia under this associated direction and are Level 6.</p>	<p>Level 4</p>
<p>Queensland restricted zone</p> <p>Victorian restricted zone</p>	<p>Queensland restricted zone arrivals and Victoria restricted zone arrivals arriving in South Australia after commencement of this direction, other than essential travellers and permitted arrivals.</p> <p>Note—</p> <p>An individual may apply to the Department for Health and Wellbeing (SA) for an exemption from requirements under this direction if they need to travel to South Australia.</p>	<p>Level 6</p>
<p>Queensland restricted zone</p> <p>Victorian restricted zone</p>	<p>Queensland restricted zone arrivals and Victoria restricted zone arrivals arriving in South Australia after the commencement of this direction, who are—</p> <ul style="list-style-type: none"> • Essential travellers; or 	<p>Level 4</p>

Location	Class of person	Level of requirements
	<ul style="list-style-type: none"> • Permitted arrivals. 	
Any other part of Australia not previously dealt with in this table	<p>Arrivals from any part of Australia after the commencement of this direction other than the:</p> <ul style="list-style-type: none"> • ACT restricted zone, or • NSW restricted zone; or • Queensland restricted zone; or • Victorian restricted zone, <p>who have transited through Sydney Airport.</p> <p>Note—</p> <p>This means, for example, that a person arriving from the Northern Territory or Tasmania who transits through Sydney Airport on their way to South Australia is a Level 4 arrival, and that clause 6 of the General Direction does not apply to their transit through Sydney Airport.</p>	Level 4

- (2) In addition to their requirements as Level 4 arrivals, a person who arrives in South Australia who is —
- (a) a NSW restricted zone arrival who is an essential traveller engaged in the provision of commercial transport and freight services under clause 3 or 8 of Schedule 3 of the General Direction; or
 - (b) an ACT restricted zone arrival or a Victorian restricted zone arrival who is an essential traveller engaged in the provision of furniture removalist services on a commercial basis under clause 3 or 8 of Schedule 3 of the General Direction;

must—

- (c) produce evidence of a COVID-19 test taken by an appropriately trained and qualified health care worker, within 72 hours preceding their arrival in South Australia; and
- (d) use an approved contact tracing system while in South Australia, including at the testing station.

Note—

For the avoidance of doubt, a person subject to this clause who produces the evidence required by paragraph (c) above is not also subject to the testing requirement in clause 5 of the General Direction (subject to any specific direction by an authorised officer).

- (3) For the purpose of (2)(c), *COVID-19 test* means analysis of a combined oropharyngeal/nasal specimen to test for COVID-19 (also referred to as SARS-CoV-2) using Polymerase Chain Reaction.

6—Declaration of restricted zone

- (1) The Australian Capital Territory is declared to be the ACT restricted zone.
- (2) The State of New South Wales is declared to be the NSW restricted zone.
- (3) The State of Queensland is declared to be the Queensland restricted zone.
- (4) The State of Victoria is declared to be the Victorian restricted zone.

7—Declaration of prescribed roads

- (1) For the purposes of clause 16 of the General Direction, the following roads are prescribed for any person entering South Australia from—
 - (a) New South Wales by road:
 - Wentworth-Renmark Road, Calperum Station (outside Renmark)
 - Barrier Highway, Oodla Wirra
 - (b) Queensland by road:
 - Birdsville Track, Maree
 - (c) Victoria by road:
 - Sturt Highway, Yamba
 - Mallee Highway, Pinnaroo
 - Dukes Highway, Wolseley
 - Wimmera Highway, Laurie Park
 - Casterton Road, Penola
 - Glenelg Highway, Myora
 - Princes Highway, Glenburnie
 - Glenelg River Road, Donovans/Nelson
- (2) Subclause (1) does not apply to essential travellers under clauses 3 or 8 (commercial transport and freight services) of Schedule 3 of the General Direction.

8—Modification of self-quarantine requirements for people subject to Level 5 “Supervised Home Quarantine” restrictions

The following requirements apply to a person (who is otherwise a Level 6 arrival) who has been granted an exemption and permitted to enter as a Level 5 arrival by an authorised officer, and who has been directed by the authorised officer into Level 5 supervised quarantine at a place other than a medi-hotel or quarantine facility (“supervised home quarantine”).

- (1) The person must comply with clause 10 of the General Direction with the addition of the following after paragraph (e) of sub-clause (1):

; and

- (f) must display a sign provided by an authorised officer at the entrance of the place to alert persons attending the place that it is a place of quarantine.

Note—

The sign must be placed in such a way as to be visible to any person before they enter the place.

- (1a) Subject to sub-clause (1b), a person who is not a person listed in paragraph (e) of sub-clause (1) or who has not been authorised by SA Health to enter must not enter the place.

Note—

To avoid any doubt, ambulance officers, SA Pathology staff, employees of the Department for Health and Wellbeing and SA Health authorised medical or nursing staff will be taken to be entering for medical purposes for the purposes of paragraph (e) of sub-clause (1).

- (1b) An exempt person who enters a place must themselves comply with the self-quarantine requirements in clause 10 of the General Direction for the duration of the quarantine period of the person subject to quarantine.

Example—

A person who enters the place to provide care and support to an elderly or vulnerable person subject to Level 5 restrictions will be required to quarantine with that person. If the person enters 7 days after the commencement of the quarantine period, they must remain in quarantine until the completion of the 14 days.

9—Modification of arrivals by vessel provision

- (1) Clause 14 of the General Direction is to be read as though the following is substituted for sub-clause (1):
 - (1) A person must not embark a vessel that has arrived in South Australia from a country other than Australia, and that has not been cleared by a Human Biosecurity Officer for South Australia appointed under the *Biosecurity Act 2015* of the Commonwealth, unless—
 - (a) the person is wearing personal protective equipment as approved by the Department; and
 - (b) the person has been vaccinated against COVID-19; or
 - (c) the person is an emergency service worker responding to an emergency.
 - (1a) Paragraph (b) of subclause (1) does not come into effect until 12:01am on Friday 10 September 2021.
 - (1c) A person may engage in the work described in clause 14(1) if:
 - (a) prior to commencing the work, the person has received one dose of a TGA approved vaccine; and
 - (b) not later than 6 weeks after commencing the work, the person receives a second dose of the same TGA approved vaccine.

10—Modification of essential traveller – cross-border community members

(1) Clause 5 of Sch 3 of the General Direction is to be read as though the following is substituted for sub-clauses (1) and (2):

- (1) Persons who are ordinarily resident in the Victorian cross border corridor and who have a permitted purpose to travel across the border, provided the person—
 - (a) remains in the Victorian cross border corridor while on either side of the border; and
 - (b) has not, during the period of 14 days before entering South Australia:
 - (i) been in a restricted zone outside of the Victorian cross border corridor; or
 - (ii) been associating (in person) with persons from a restricted zone outside the Victorian cross border corridor.
- (2) Persons who are ordinarily resident in the Victorian cross border corridor who have a permitted purpose to travel across the border are not required to submit to the COVID-19 testing requirements set out in clause 5 of the General Direction.

(3) In this clause:

Victorian cross border corridor means the area 70km on either side of the border between South Australia and Victoria;

permitted purpose means:

- (a) employment or education; or
- (b) providing care and support to, or receiving care and support from, another person; or
- (c) obtaining food, petrol or other fuel or medical care or supplies; or
- (d) obtaining a COVID-19 vaccination; or
- (e) recreational or competitive sport.

11—Modification of essential traveller – specialist workers in essential sectors

Clause 7 of Sch 3 of the General Direction is to be read as though the following is substituted for sub-clauses (1) and (2):

- (1) Individual specialist workers required for the purposes of maintaining operations in an essential sector if:—
 - (a) a Cross Border Travel Registration application has been approved that authorises the worker to enter South Australia as an essential traveller under this subclause; and
 - (b) their employer or the operator is applying risk mitigation strategies during periods of work in accordance with a risk mitigation plan relating to COVID-19 (which must be produced on request by an authorised officer); and

- (c) a declaration is made in respect of the worker that the risk mitigation plan complies with guidelines made by the Chief Public Health Officer, which declaration may be made by an authorised representative of one of the following—
 - (i) the employer or operator; or
 - (ii) the labour hire provider; or
 - (iii) an industry representative organisation; or
 - (iv) the Department of Primary Industries and Regions (PIRSA) or the Department for Energy and Mining; and
- (d) a further declaration is made by an authorised representative of one of the above-mentioned entities that—
 - (i) in relation to operations in South Australia—
 - A. the service is time critical; and
 - B. the appropriate skills are not available in South Australia or the low community transmission zone; and
 - C. the provision of the service requires that the person be physically present in South Australia; or
 - (ii) in relation to operations outside of South Australia—the service is time critical.

Notes—

A Cross Border Travel Registration must be lodged for each entry into the State by a worker, or for a period (during which multiple entries may occur) lasting no longer than 30 days.

A Cross Border Travel Registration must be made in the form prescribed on the SAPol website: <https://www.police.sa.gov.au/online-services/cross-border-travel-application>.

The guidelines for risk mitigation plans are available on the SA Health website: <https://www.sahealth.sa.gov.au/wps/wcm/connect/public+content/sa+health+internet/conditions/infectious+diseases/covid-19/response+and+restrictions/covid-19+workplace+risk+mitigation>.

- (2) Seasonal workers (such as forestry workers, fruit pickers or shearers) if—
 - (a) a Cross Border Travel Registration has been approved that authorises the workers to enter South Australia as essential travellers under this subclause; and
 - (b) they are—
 - (i) arriving in South Australia for seasonal work purposes as an individual or as part of a group employed by an essential sector employer; or
 - (ii) returning to South Australia having travelled outside South Australia for seasonal work purposes as part of a group employed by an essential sector employer; and
 - (c) the employer or operator is applying risk mitigation strategies in accordance with a risk mitigation plan relating to COVID-19 (which must be produced on request by an authorised officer) during periods of work; and

- (d) a declaration is made in respect of each worker that the risk mitigation plan complies with guidelines made by the Chief Public Health Officer, which declaration may be made by an authorised representative of one of the following—
 - (i) the employer or operator; or
 - (ii) the labour hire provider; or
 - (iii) an industry representative organisation; or
 - (iv) the Department of Primary Industries and Regions (PIRSA) or the Department for Energy and Mining.

Notes—

A Cross Border Travel Registration must be lodged for each entry into the State by a worker, or for a period (during which multiple entries may occur) lasting no longer than 30 days.

A Cross Border Travel Registration must be made in the form prescribed on the SAPol website: <https://www.police.sa.gov.au/online-services/cross-border-travel-application>.

The guidelines for risk mitigation plans are available on the SA Health website: <https://www.sahealth.sa.gov.au/wps/wcm/connect/public+content/sa+health+internal/conditions/infectious+diseases/covid-19/response+and+restrictions/covid-19+workplace+risk+mitigation>.

12—Modification of essential traveller – remote or isolated workers— restricted zone residents

Clause 9 of Sch 3 of the General Direction is to be read as though the following is substituted for sub-clause (2):

- (2) Persons who are ordinarily resident in a restricted zone and who enter South Australia for work purposes at locations that are remote or geographically isolated where—
 - (a) a Cross Border Travel Registration has been approved that authorises the worker to enter South Australia as an essential traveller under this subclause; and
 - (b) their employer is applying risk mitigation strategies in accordance with a risk mitigation plan relating to COVID-19 (which must be produced on request by an authorised officer) during periods of work; and
 - (c) the person is a specialist required for industry or business continuity and maintenance of competitive operations, or maintenance or repair of critical infrastructure in the mining, oil, gas and energy sectors; and
 - (d) a declaration is made in respect of each worker that the risk mitigation plan complies with guidelines made by the Chief Public Health Officer, which declaration may be made by an authorised representative of one of the following—
 - (i) the employer or operator; or
 - (ii) the labour hire provider; or
 - (iii) an industry representative organisation; or

(iv) the Department of Primary Industries and Regions (PIRSA) or the Department for Energy and Mining.

Notes—

A Cross Border Travel Registration must be made for each entry into the State by a worker, or for a period (during which multiple entries may occur) lasting no longer than 30 days.

A Cross Border Travel Registration must be made in the form prescribed on the SAPol website: <https://www.police.sa.gov.au/online-services/cross-border-travel-application>.

The guidelines for risk mitigation plans are available on the SA Health website: <https://www.sahealth.sa.gov.au/wps/wcm/connect/public+content/sa+health+internet/conditions/infectious+diseases/covid-19/response+and+restrictions/covid-19+workplace+risk+mitigation>

IMPORTANT—FAILURE TO COMPLY WITH THIS DIRECTION IS AN OFFENCE.

This direction operates from the ^{14th} day of ^{August} 2021 at ^{12/6} hours

SIGNED at ^{Adelaide} on this ^{14th} day of ^{August} 2021 at ^{12/6} hours


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GRANTLEY STEVENS
STATE CO-ORDINATOR