

President

As undertake I would now like to table the requested health advice in relation to the Hon. James Haywards question without notice no. 21 asked yesterday

**LEGISLATIVE COUNCIL**  
**Question Without Notice**

**Tuesday, 15 February 2022**

**C033. Hon James Hayward to the Leader of the House representing the Premier**

1. Is it an offence to purchase alcohol for an unvaccinated person?
2. Does the Premier accept the WA community does not believe the bottle shop vaccination requirement is based on health advice?
3. If “no” to 2), will the Premier release the specific health advice relating to the vaccination requirement in bottle shops?
4. Is the Premier concerned that policies like the vaccination requirement to enter bottle shops undermines trust in health directives?

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**Answer**

(1 – 2) No.

(3) I now tabled the Chief Health Officer’s advice dated 15 January 2022, which has been publically available for the past month.

(4) I reject the premise of the question.





Your Ref:  
Our  
Contact:

Ref:

The Honourable Mark McGowan MLA  
Premier of Western Australia  
13 Floor, Dumas House  
2 Havelock Street  
WEST PERTH WA 6005

Dear Premier

## **PROOF OF VACCINATION REQUIREMENTS**

On 05 November 2021, I provided advice on changes to the controlled border arrangements. Under those proposed measures, which were planned to come into effect on reaching the 90% fully vaccinated target for people 12 years and older, I recommended that Western Australia (WA) should:

- fully open its domestic borders to fully vaccinated travellers, remove all quarantine requirements but continue to require pre-flight and on arrival testing (within 48 hours) for at least a month prior to review;
- allow uncapped inbound international arrivals for all vaccinated persons, without quarantine but subject to pre-flight and on arrival testing (within 48 hours);
- ensure appropriate testing, tracing, isolation and quarantine (TTIQ) arrangements are in place for any subsequent outbreaks;
- implement the minimum baseline Public Health and Social Measures (PHSMs) required to mitigate seeding and community spread, including mask use on public transport and in vulnerable areas, and 'Health pass' full vaccination requirements to attend events with capacity above 1000 people or in high risk venues, such as nightclubs;
- implement the minimum step-up PHSMs required to minimise cases in any subsequent outbreaks without requiring lockdowns; and
- continue hotel quarantine only for high risk unvaccinated overseas travellers.

On 27 November 2021, in my advice on the South Australia (SA) border, I advised of the potential threat of the B.1.1.529 (Omicron) variant, which had been declared by the World Health Organisation as a variant of concern on 26 November 2021. This variant has now rapidly spread around the world, including in Africa, Europe, North America and Australia.

On 10 December 2021, I made further recommendations on changes to transition requirements, noting that, as WA may be the final jurisdiction to transition its border arrangements, these settings will likely need to be further refined closer to the date. In particular, PHSMs and regional requirements may need further clarification. In that advice, I indicated that further PHSMs may be required, particularly in regional areas that had not reached a double dose vaccination rate of greater than 80%.

As part of those measures, I recommended further restrictions on entrance to certain facilities or venues if people are not fully vaccinated. I advised that these restrictions should be expanded to discretionary areas that are known to be at higher risk of transmission, generally due to the inability to use other forms of mitigation, such as mask wearing and physical distancing. It was my advice that the baseline requirements for full vaccination in place at the time of transition should be expanded to include the requirement for proof of full vaccination for entry to pubs, bars, bottle shops and indoor entertainment venues (play centres, indoor cinemas, theatres, adult entertainment, gambling/gaming venues; live music events), all dine-in eating premises and gymnasiums/fitness centres.

Since my advice of 10 December 2021, the Omicron variant has spread rapidly across all other Australian jurisdictions with record number of cases and increased strain on hospital capacity despite high rates of two dose vaccination. Given this rapid spread, I am now recommending that these proof of vaccination requirements should be rolled out statewide as part of the baseline PHSMs in the lead up to the opening of the borders on 05 February 2022. The launch of the ServiceWA app on 11 January 2022 supports the easier implementation of such a requirement.

Entry to pubs, bars, bottle shops and indoor entertainment venues (play centres, indoor cinemas, theatres, adult entertainment, gambling/gaming venues; live music events) is discretionary for the local population, but could represent a higher risk for seeding of the community should a non-vaccinated COVID case be admitted to the venue. Recent outbreaks in NSW and Victoria at bars and other discretionary venues have highlighted this risk, particularly among unvaccinated populations. These venues have the potential to have many non-household people and increased mixing, and other mitigations, such as mask wearing and physical distancing, have variable and limited effectiveness.

With respect to the expansion of vaccination requirements to dining-in venues, such as cafes, restaurants and bars in which food is served, these represent an environment in which people cannot wear masks consistently (as they will be eating and drinking) and people are gathering together for extended periods. For this reason, I advise that dine-in food serving premises should be restricted to patrons who are fully vaccinated. Entering such a premise to collect take-away food, however, represents a lower risk and should be allowed, regardless of vaccination status, although mask wearing should be mandatory where this occurs. Furthermore, because of the non-discretionary nature of a stop required at a roadhouse that serves food, this rule should not apply to dine-in services at a roadhouse or petrol station, where people have limited options, may not be able to get a take-away meal and where rest, food and drinks might be needed for safety reasons.

Another area that represents high risk for transmission of COVID-19 is gyms and fitness centres. Gyms and fitness centres have previously been the centre of COVID outbreaks, including in WA, and mitigation measures, such as mask use, hand hygiene and physical distancing, are difficult to effectively implement. It is my advice that these facilities should be restricted to use by people who are fully vaccinated. Pools, particularly those in outdoor areas and more remote communities, have other public health benefits, and should not be included in these requirements.

Finally, the other baseline PHSMs recommended on 05 November 2021, which require proof for vaccine for nightclubs, major stadiums, music festivals and events involving over 1000 people should continue. These should be modified so that events for over 500 people should be captured, except for community or school-based sport events, and the Crown Perth complex, amusement parks and the Perth Zoo should also be added. Visitors to residential aged care facilities and public and private hospitals should also be required to be fully vaccinated, and this requirement was addressed in my advice of 14 January 2022.

### **RECOMMENDATIONS**

Based on the current evidence available, including observations of other Australian jurisdictions and impacted countries, and the scientific literature, I recommend, as the Chief Health Officer, that WA should implement a range of proof of vaccination requirements, as previously outlined on 10 December 2021 and refined and detailed in this advice, prior to the planned opening on 05 February 2022 to ensure systems and policies are in place and understood. To achieve this, it is recommended that these changes should come into force on or after 31 January 2022.

Yours sincerely



Dr Andy Robertson  
**CHIEF HEALTH OFFICER**

15 January 2022