



Department of Environment, Land, Water and Planning

PO Box 500, East Melbourne,
Victoria 8002 Australia
delwp.vic.gov.au

Dear Local Government Chief Executive

I am writing to draw your attention to updated Directions issued by the Department of Health and Human Services in relation to COVID-19, particularly as they relate to workplaces which continue to operate.

This information is provided to assist portfolio stakeholders to comply with the regulatory obligation imposed by these directions – and also to promote social distancing, hygiene and other guidance to mitigate the spread of the virus.

Enforceable Directions with Regulatory Effect

On 30 March 2020, the Deputy Chief Health Officer (Communicable Disease) issued *Stay at Home* Directions in accordance with emergency powers arising from the declared state of emergency under the *Public Health and Wellbeing Act 2008* (Vic) (<https://www.dhhs.vic.gov.au/sites/default/files/documents/202003/Stay%20at%20Home%20Directions%20.pdf>).

The Directions currently apply until midnight on 13 April 2020. They require that people in Victoria must not leave their normal residence except for: necessary goods and services; work and education; care and compassionate reasons; exercise; or other specified reasons.

Some stakeholders in the DELWP portfolio have sought confirmation as to whether or not 'essential services' can continue to operate under DHHS Directions, including in circumstances where social distancing guidelines cannot be fully achieved.

Please note key relevant sections of the *Stay at Home* Directions:

- If it is not reasonably practical to work from home, people may leave their residential premises to attend work (see Clause 8);
- Subject to this condition and the effect of other Directions limiting business activities (eg. the *Restricted Activities* Direction), there is a relatively broad exemption from the *Stay at Home* Direction in relation to work; and
- The limitations on 'indoor gatherings' do not apply if the person enters the space for work (see Clause 11).

Guidance to Promote Social Distancing

As outlined above, the DHHS Directions recognise that there will be service providers which are not restricted from operating and whose employees cannot perform critical roles and functions from home.

In these circumstances, service providers should nevertheless seek to achieve social distancing to the greatest extent possible. See the latest advice on Actions for Organisations, Workplaces or Employers available at: <https://www.dhhs.vic.gov.au/coronavirus-covid-19-transmission-reduction-measures#actions-for-organisations-workplaces-or-employers>

Please note that the guidance to keep 1.5 metres from other people is one of numerous safeguards intended to protect people from person-to-person transmission of COVID-19. Employers should ensure all social distancing requirements are observed wherever possible.

Given this may be difficult in all instances in the workplace while undertaking essential activities, employers should:

- Ensure the requirement to not attend work when ill is reinforced as a critical measure to prevent the spread of the disease in the workplace;
- Ensure employees apply a common-sense approach and undertake their duties in as safe a method as they can, including wearing personal protective equipment when appropriate.
- Ensure pandemic plans require such work practices minimise the likelihood of person-to-person transmission disabling an entire workplace. For example, if social distancing measures are unable to be observed within a specific workgroup, measures should be considered to ensure the workgroup is isolated from the rest of the workforce.

Please also note the Direction and Detention Notice applying to all international arrivals into Victoria from 28 March 11.59pm means that specialists that utilities/essential businesses may usually source internationally for work would be required to reside in a specified hotel for 14 days supervised detention/isolation. Utilities/businesses will need to source alternative approaches to using that expertise or plan ahead to allow for the quarantine period if unique expertise is unavoidably required in Victoria.

We greatly appreciate your ongoing efforts to reduce the spread of coronavirus (COVID-19). For any queries all current information can be found at: <https://www.dhhs.vic.gov.au/coronavirus>

Yours sincerely



John Bradley
Secretary