

Public Health Act 1997

DIRECTION UNDER SECTION 16

(Mass gatherings – No. 1)

I, MARK VEITCH, the Director of Public Health, in pursuance of section 16 of the *Public Health Act 1997* ("the Act"), in order to manage the threat to public health posed by the notifiable disease known as COVID-19 ("the disease"), direct that –

- (a) on or after 1 December 2020, the following gatherings are permitted to occur at premises other than residential premises, if the gathering complies with paragraph (d):
 - (i) a gathering in an indoor area of more than 250 persons but less than 501 persons, where the persons are required to be seated for the majority of the duration of the gathering;
 - (ii) a gathering in an outdoor area of more than 1 000 persons but less than 2 001 persons, where the persons are required to be seated for the majority of the duration of the gathering;
 - (iii) a gathering, that is held in multiple premises upon or within the same location, of up to 2 000 persons across the premises used for the gathering; and

- (b) on or after 1 December 2020, the following gatherings are permitted to occur at premises other than residential premises, if the gathering complies with paragraphs (d) and (e):
 - (i) a gathering in an indoor area of more than 250 persons but less than 501 persons, where the persons are moving freely within the area;
 - (ii) a gathering in an outdoor area of more than 1 000 persons but less than 2 001 persons, where the persons are moving freely within the area;
 - (iii) a gathering in an indoor area of more than 500 persons but less than 1 001 persons, where the persons are required to be seated for the majority of the duration of the gathering;

- (iv) a gathering in an outdoor area of more than 2 000 persons but less than 5 001 persons, where the persons are required to be seated for the majority of the duration of the gathering;
 - (v) a gathering, that is held in multiple premises upon or within the same location, of more than 2 000 persons but less than 5 001 persons across the premises used for the gathering; and
- (c) on or after 1 December 2020, the following gatherings are permitted to occur at premises other than residential premises, if the gathering complies with paragraphs (d), (e) and (f):
 - (i) a gathering in an indoor area of more than 500 persons but less than 1 001 persons, where the persons are moving freely within the area;
 - (ii) a gathering in an outdoor area of more than 2 000 persons but less than 5 001 persons, where the persons are moving freely within the area;
 - (iii) a gathering in an indoor area of more than 1 000 persons but less than 2 001 persons, where the persons are required to be seated for the majority of the duration of the gathering;
 - (iv) a gathering in an outdoor area of more than 5 000 persons but less than 10 001 persons, where the persons are required to be seated for the majority of the duration of the gathering;
 - (v) a gathering, that is held in multiple premises upon or within the same location, of more than 5 000 persons but less than 10 001 persons across the premises used for the gathering; and
- (d) a gathering complies with this direction if the organiser of the gathering ensures that –
 - (i) despite paragraphs (a), (b) and (c), the total number of persons present at the gathering (at any one time) does not exceed –
 - (A) the number of persons calculated for the space by dividing the total number of square metres of the floor area of the space by 2; and

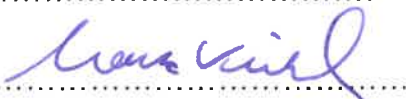
- (B) if the gathering requires the persons at the gathering to be seated for the majority of the duration of the gathering, more than half of the seated capacity of the premises where the gathering is occurring; and
 - (ii) where practicable, each person at the gathering maintains a distance of not less than 1.5 metres between the person and any other person; and
 - (iii) an event COVID safety plan is developed and implemented for the gathering; and
 - (iv) a person is appointed as the person to be contacted in respect of the gathering; and
 - (v) the organiser of, or the person appointed under subparagraph (iv) in respect of, the gathering presents the event COVID safety plan for the gathering if requested to do so by a police officer, an authorised person under the Act, or an inspector under the *Work Health and Safety Act 2012*; and
 - (vi) the gathering, and the premises where the gathering is held, complies with each obligation, requirement, restriction or condition that applies to the gathering or premises under a direction made under the Act other than the density limit for the premises if that density limit is lower than the number of persons permitted at the gathering under this direction; and
- (e) a gathering referred to in paragraph (b) or (c) complies with this direction if, before the gathering occurs and in addition to the requirements of paragraph (d) –
- (i) the gathering has been registered with the Director of Public Health or his or her delegate; and
 - (ii) the event COVID safety plan for the gathering has been assessed as appropriate by the Director of Public Health or his or her delegate; and
- (f) a gathering referred to in paragraph (c) complies with this direction if, before the gathering occurs and in addition to the requirements of

paragraphs (d) and (e), the Director of Public Health, or his or her delegate, has approved the gathering, subject to such conditions, if any, as the Director of Public Health, or his or her delegate, considers appropriate for the gathering; and

- (g) at any time before a gathering referred to in paragraph (b) or (c) occurs, the Director of Public Health may impose such conditions on the gathering, if any, that he or she considers appropriate for the gathering in order to manage a threat, or likely threat, to public health; and
- (h) if appropriate to manage a threat, or likely threat, to public health, the Director of Public Health, or his or her delegate, may –
 - (i) refuse to register a gathering under paragraph (e)(i); or
 - (ii) revoke the registration of a gathering under paragraph (e)(i); and
- (i) if appropriate to manage a threat, or likely threat, to public health, the Director of Public Health may, in addition to paragraph (h) –
 - (i) refuse to approve a gathering under paragraph (f); or
 - (ii) rescind an approval given in respect of a gathering under paragraph (f); and
- (j) for the avoidance of doubt, the total density limit for a premises, as a whole, where a gathering is held in accordance with this direction is taken to be the total number of persons permitted to attend the gathering under this direction; and
- (k) for the avoidance of doubt, the power to impose a condition under this direction includes the power to vary or revoke the condition; and
- (l) in this direction –
 - (i) **event COVID safety plan** means a safety plan that is –
 - (A) in the form approved by the Director of Public Health for a gathering to be held under this direction; and
 - (B) available from, or is published on the website operated by or on behalf of, WorkSafe Tasmania; and

- (ii) **gathering** means a group of persons who occur, whether the group occurs with formal or informal arrangements, at premises; and
- (iii) **indoor area** means an area, room or premises that –
 - (A) is, or are, substantially enclosed by a roof and walls, regardless of whether the roof or walls, or any part of the roof or walls, are permanent or temporary, or open or closed; and
 - (B) is not a lift, elevator or similar space; and
- (iv) **maximum density for the premises** means the density calculated for the premises under a direction under section 16 of the Act, in respect of the disease, that applies in respect of a space on the premises or the premises as a whole; and
- (v) **moving freely**, in respect of a gathering, means that persons at the gathering are not required to sit for the majority of the time and are able to move within the gathering
- (vi) **outdoor area** means an area of a premises that is not –
 - (A) an indoor space; or
 - (B) a lift, elevator or similar space; and
- (vii) **premises** has the same meaning as in the Act; and
- (viii) **residential premises**, in respect of a gathering under this direction, does not include such part of a premises, where people ordinarily reside, if that part of the premises –
 - (A) is primarily used for the sale of goods, or the provision of services; and
 - (B) is, while those goods are being sold or those services are being provided for the gathering, being operated in accordance with its normal operations for the sale of those goods or the provision of those services.

Dated: 27 November 2020

Signed: 

Director of Public Health