



TASMANIAN GOVERNMENT GAZETTE

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Public Health

PUBLIC HEALTH ACT 1997

DIRECTION UNDER SECTION 16

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) each person who owns, controls or operates a premises specified in Schedule 1 in Tasmania must not open or operate the premises, including each outdoor space associated with the premises, commencing from 6pm on 3 April 2020; and
- (b) each person who provides a service specified in Schedule 2 in Tasmania must not provide the service commencing from 6pm on 3 April 2020; and
- (c) subject to paragraphs (a), (b) and (f), each person who owns, controls or operates premises in Tasmania must not allow the following gatherings to occur on the premises commencing from 6pm on 3 April 2020:
 - (i) a gathering of three (3) or more persons in a single outdoor space at the same time;
 - (ii) a gathering of three (3) or more persons in a single indoor space at the same time; and
- (d) subject to paragraph (f), a person must not –
 - (i) organise a gathering, specified in paragraph (c), on premises in Tasmania; or
 - (ii) attend a gathering, specified in paragraph (c), on premises in Tasmania; and
- (e) paragraph (d) applies to all gatherings not specified in paragraph (f), whether the gathering –
 - (i) occurs with formal or informal arrangements; or
 - (ii) occurs on public or private premises; and
- (f) a reference to a gathering in paragraph (c), (d) or (e) does not include the following gatherings:
 - (i) at an airport that is necessary for the normal business of the airport;
 - (ii) for the purposes of, or related to, public transportation, including in vehicles or at public transportation facilities such as stations, platforms and stops;
 - (iii) in a private vehicle;
 - (iv) in a large passenger vehicle operated as a passenger service within the meaning of the *Passenger Transport Services Act 2011*;
 - (v) on a ferry service or vessel service, operated between Australia, Tasmania or one or more islands, and each of the following is complied with in respect of each ferry or vessel operated by the service:
 - (A) the ferry or vessel, and each premises on the ferry or vessel, complies with paragraphs (a) and (b);
 - (B) each person on the ferry or vessel complies with paragraph (g) while the person is on the ferry or vessel;
 - (C) each person on the ferry or vessel complies with paragraph (h) other than in accommodation in a fully enclosed space, such as a cabin, where the person has paid to sleep while on the ferry or vessel;
 - (vi) at a medical or health service facility, including such part of the facility used to provide physical rehabilitation services, that is necessary for the normal business of the facility;
 - (vii) for the purposes of emergency services;
 - (viii) at a disability or aged care facility that is necessary for the normal business of the facility;
 - (ix) at a prison, correctional facility, youth justice centre or other place of custody;
 - (x) at a court or tribunal;
 - (xi) at Parliament for the purpose of its normal operations;
 - (xii) at a supermarket, grocery store or retail store for the purpose of the normal business of those premises;
 - (xiii) at a shopping centre, but only where three (3) or more persons may be present for the purposes of transiting through the centre to another premises;
 - (xiv) at an office building, factory, mining site or construction site that is necessary for the normal operation of those premises;
 - (xv) at a school, university, educational institution or childcare facility that –
 - (A) is necessary for the normal business of the facility; and
 - (B) in relation to a school, university or educational institution, does not involve members of the community other than the staff and students of the school, university or educational institution;
 - (xvi) at an outdoor place where three (3) or more persons may be present for the purposes of transiting through the place;
 - (xvii) at a veterinary establishment, within the meaning of the *Veterinary Surgeons Act 1987*, if –

- (A) the gathering is necessary for the normal business of the establishment; and
- (B) each person on the establishment complies with paragraphs (g) and (h);
- (xviii) at a premises operated for commercial or other purposes, other than premises specified in Schedule 1 or residential premises, if –
- (A) the gathering is necessary for the normal business of the premises; and
- (B) each person on the premises complies with paragraphs (g) and (h);
- (xix) at a premises where services are provided, other than the services specified in Schedule 2, if –
- (A) the gathering is necessary for the normal provision of those services; and
- (B) each person on the premises complies with paragraphs (g) and (h) while on the premises;
- (xx) a gathering specified as exempt from these directions by the Director of Public Health, or the Deputy Director of Public Health, in writing;
- (xxi) a gathering delivered by an operator who has a social distancing policy approved by the Director of Public Health, or the Deputy Director of Public Health, in writing; and
- (g) where safe and practicable, each person must maintain a distance of no less than 1.5 metres between the person and any other person; and
- (h) in any gathering, the total number of persons present in any single undivided space, at the same time, must not exceed the number calculated by dividing the total area of the space used, as measured in square metres, by 4; and
- (i) in this direction –
- (i) **gathering** does not include –
- (A) a gathering of persons if each member of that gathering ordinarily resides at the same private premises; or
- (B) a gathering of persons at a private premises if the gathering consists of persons who ordinarily reside at the premises and no more than 2 other persons who do not ordinarily reside at the premises; or
- (C) a gathering of persons for the purposes of facilitating shared custody arrangements, guardianship or other care arrangements; or
- (D) persons at the premises for the purpose of maintaining, renovating or repairing the premises, or maintaining, renovating, installing, removing or repairing an item located at the premises; or
- (E) persons at the premises for the purpose of delivering an item to, or removing an item from, the premises; or
- (F) persons at the premises for the purpose of delivering medical, health, emergency or urgent legal services, or end of life support, to a person at the premises; and
- (ii) **indoor space** means an area, room or premises that 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
- (iii) **outdoor space** means a space that is not an indoor space; and
- (iv) **premises** has the same meaning as in the Act; and
- (j) if there is a dispute as to whether a service is essential for the purposes of this direction, the Director of Public Health may determine that dispute as the Director considers appropriate; and
- (k) at 6pm on 3 April 2020, the direction given by the Director of Public Health, given under section 16 of the Act on 30 March 2020 in respect of gatherings and premises, is revoked.

Dated this 2nd day of April 2020.

MARK VEITCH
Director of Public Health

Schedule 1

1. All restaurants, cafes, food courts and workplace canteens, unless –
 - (a) the premises are being used to provide food or drink, or both, to be consumed at a location other than the premises; or
 - (b) the premises are being used to provide food or drink, or both, to employees, or contractors, within the premises and the food or drink is to be consumed at another location within the premises and each person at that location complies with paragraphs (g) and (h); or
 - (c) the premises are within a hospital, residential care home, homeless accommodation, school, prison, defence barracks or detention centre and the food or drink is to be consumed by the residents of those organisations.
2. All premises where alcohol is sold for consumption at those premises (including pubs, registered and licensed clubs and hotels) other than such part of those premises lawfully operated to provide alcohol for consumption at a location other than the premises.
3. All hotels, motels, hostels, bed and breakfasts, boarding houses, caravan parks, campsites, camping areas, homeless accommodation and other similar premises, except in relation to –
 - (a) workers, or contractors, employed or engaged in the operation of such premises; and
 - (b) current residents of such premises who predominantly reside at the premises on a permanent basis; and
 - (c) current residents of such premises who predominantly reside at the premises while their principal residence is unavailable, whether it is unavailable on a permanent or temporary basis, including where the residence is unavailable due to a border closure, or travel restriction, preventing the resident from returning to the principal residence; and
 - (d) other current residents of such premises, up until 11.59 pm on 1 April 2020, unless the resident proves that the resident has booked travel on the first available flight or sailing after 11.59 pm on 1 April 2020; and
 - (e) residents of such premises, who are residents –
 - (i) for the purposes of self-isolation or quarantine; or
 - (ii) while another person is using the resident's principal residence for self-isolation or quarantine; and
 - (f) residents of such premises who are residing at the premises due to the person performing duties that make the person a specified person under –
 - (i) the direction given in respect of the disease by the Director of Public Health on 20 March 2020 under section 16 of the Act; or
 - (ii) such other direction, given by the Director of Public Health under section 16 of the Act in

- respect of the disease, that may replace the direction specified in subparagraph (i); and
- (g) residents of such premises who –
- (i) are residing at the premises for the purpose of employment or for compassionate reasons, including where the person requires emergency accommodation due to an emergency, family violence or vulnerability; and
 - (ii) have only travelled within Tasmania to get to the premises.
4. All residential rehabilitation premises that are providing treatment for addiction or mental health, except in relation to –
 - (a) operators, or workers or contractors, employed or engaged in the operation of such premises; and
 - (b) residents of such premises.
 5. All places of worship, religious gatherings, religious premises, and other similar premises, unless those premises are being operated –
 - (a) to perform a wedding, where –
 - (i) the total number of people present at the wedding does not exceed 5 persons; and
 - (ii) each person on the premises at the time the wedding is performed complies with paragraphs (g) and (h); or
 - (b) to perform a funeral, where –
 - (i) the total number of people present at the funeral does not exceed 10 persons; and
 - (ii) each person on the premises at the time the funeral is performed complies with paragraphs (g) and (h).
 6. All cinemas, entertainment venues, casinos, gaming or other gambling venues, dance venues, night clubs, strip clubs, brothels and other similar premises.
 7. All galleries, museums, national institutions, historic sites and other similar premises.
 8. All concert venues, theatres, arenas, auditoriums, stadiums and other similar premises, unless used by performers for the purpose of live streaming and the persons in, or on, those premises during the live stream –
 - (a) do not exceed 5 persons; and
 - (b) comply with the requirements of paragraphs (g) and (h) while in, or on, the premises.
 9. All amusement parks, arcades, play centres, skate parks, playgrounds and other similar premises, regardless of whether the premises are an indoor space or an outdoor space.
 10. All auction houses, other than premises used for the sale of livestock, food or other agricultural purposes.
 11. All premises, other than newsagencies, where racing, gaming or gambling services are provided.
 12. All spas and massage parlours and other similar premises.
 13. All indoor and outdoor swimming pools, gymnasiums, health clubs, fitness centres, wellness centres (including yoga and barre premises), indoor venues used for sport or fitness, saunas, bath houses and other similar premises or venues, other than such part of the premises or venue used to provide physical rehabilitation services if –
 - (a) the rehabilitation services are provided by, or under the direction of –
 - (i) a registered health practitioner within the meaning of the *Health Practitioner Regulation National Law (Tasmania)*; or
 - (ii) a person who holds accreditation, as an accredited exercise physiologist, with Exercise and Sports Science Australia Ltd (ABN 14 053 849 460); and
 - (b) each person in that part of the premises complies with the requirements of paragraphs (g) and (h).
 14. All community centres, neighbourhood houses, recreation centres, youth centres, community facilities, libraries and other similar premises, unless the premises are being used to provide essential voluntary, or public, services such as food banks or homelessness services.
 15. All premises, and all parts of premises, owned or operated by a council of a municipal area if those premises, or parts of premises, do not provide essential voluntary, or public, services.
 16. All zoos, wildlife centres, animal parks, petting zoos, aquariums, marine parks or similar premises, except –
 - (a) in relation to operators, or workers or contractors, employed or engaged in the care or treatment of animals at the facility, performing an animal rescue function or the general operation of such premises; and
 - (b) for the purposes of producing food or stock.
- Schedule 2**
1. Subject to item 2 in this Schedule, the provision of religious gatherings, religious ceremonies, religious instruction, non-denominational ceremonies and other similar services and ceremonies, unless the services are lawfully provided remotely by electronic means.
 2. The provision of wedding and funeral ceremonies and services –
 - (a) unless –
 - (i) in the case of a wedding, the total number of persons present does not exceed 5 persons; and
 - (ii) in the case of a funeral, the total number of persons present does not exceed 10 persons; and
 - (iii) in all cases, each person present complies with paragraphs (g) and (h); or
 - (b) unless the services are lawfully provided remotely by electronic means.
 3. The provision of beauty therapy, tanning, waxing, manicure or other nail treatments, tattoos, ear and body piercing, body modification and other similar services.
 4. The provision of real estate auctions and open home inspections, or other similar services, other than private home inspections of no more than 3 persons per inspection, unless the services are lawfully provided remotely by electronic means.
 5. The provision of markets, whether held in an indoor space or an outdoor space, unless –
 - (a) the market is only for the provision of fresh food, or produce, that is to be consumed at other locations or premises; and
 - (b) the requirements of paragraphs (g) and (h) are complied with while the market is being provided.
 6. The provision of boot camps, personal training and other exercise services, whether provided in an indoor space or an outdoor space –
 - (a) unless –
 - (i) the services are being provided in an outdoor space; and
 - (ii) the requirements of paragraphs (c), (g) and (h) are complied with while the service is being provided; or

- (b) unless the services are lawfully provided remotely by electronic means.
7. The provision of social sports activities, or other exercise or activity-based gatherings, whether provided in an indoor space or an outdoor space, unless the services are lawfully provided remotely by electronic means.
8. The provision of garage sales, or other mass selling of second hand goods, at any premises, other than the selling of second-hand goods by a charitable organisation.
9. The provision of services to a person by a sex worker, within the meaning of the *Sex Industry Offences Act 2005*.

COVID-19 Disease Emergency

TASMANIA

COVID-19 DISEASE EMERGENCY (MISCELLANEOUS PROVISIONS) ACT 2020

NOTICE UNDER SECTION 17

I, PETER GUTWEIN, the Premier, in pursuance of section 17(1) of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*, being of the opinion that the relevant emergency circumstances exist in relation to this notice and with the approval of the emergency manager, declare that, despite any of the provisions specified in the Schedule to this notice, any action required to be taken by means of a physical action such as a signature or personal service, or evidenced in a document that is not an electronic document, under those provisions, may be taken or evidenced by means of an electronic signature or signatures, or an electronic document, respectively.

Dated this 3rd day of April 2020.

PETER GUTWEIN
Premier

SCHEDULE

1. Section 237 of the *Local Government Act 1993*.
2. Section 238(1) of the *Local Government Act 1993*.
3. Regulation 4(7) of the *Local Government (Meeting Procedures) Regulations 2015*.
4. Regulation 34(6) of the *Local Government (Meeting Procedures) Regulations 2015*.
5. Regulation 35(1)(b) of the *Local Government (Meeting Procedures) Regulations 2015*.

TASMANIA

COVID-19 DISEASE EMERGENCY (MISCELLANEOUS PROVISIONS) ACT 2020

NOTICE UNDER SECTIONS 18 AND 19

I, PETER CARL GUTWEIN, the Premier, being of the opinion that the relevant emergency circumstances exist in relation to this notice, and with the approval of the emergency manager –

- (a) in pursuance of section 18 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*, declare that, despite regulations 11(1), 14 and 37(2) of the *Local Government (Meeting Procedures) Regulations 2015* –
- (i) a meeting, of a council or a planning authority, within the meaning of the *Land Use Planning and Approvals Act 1993*, may be held in the approved manner, within the meaning of section 18(2) of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*, on the condition that the quorum for the meeting is constituted by the number of those members of the council, or planning authority, respectively, who are present in accordance with that approved manner during the conduct of the meeting; and
- (ii) despite the requirements of regulations 11(1), 14 and 37(2) of the *Local Government (Meeting Procedures) Regulations 2015*, a meeting, of a council or a planning

authority, that is required by any of those provisions to be open to the public may only be held in accordance with the approved manner referred to in sub-paragraph (i), on the condition that –

- (A) an electronic recording of the meeting is available, for viewing by members of the public, at a website of the relevant local council; and
- (B) the electronic recording so available is, as far as reasonably practicable, made so available for viewing contemporaneously with the meeting; and
- (b) in pursuance of section 19 of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*, declare that, despite any provision specified in the Schedule to this notice, a requirement specified in the provision for public exhibition of documents, or information, at a place or in a manner specified in the provision, is taken to be satisfied if the document, or the information contained in the document, is –
- (i) available, for viewing by members of the public, at a website of the relevant local council; and
- (ii) available in hard copy, on request by telephone and for a fee representing the cost of reproducing the document, for collection from a place nominated by an officer of the relevant council.

Dated this 3rd day of April 2020.

PETER GUTWEIN
Premier

SCHEDULE

1. Section 22(4) of the *Local Government Act 1993*.
2. Section 28T(6) of the *Local Government Act 1993*.
3. Section 31(1)(b) and (4)(a)(ii) of the *Local Government Act 1993*.
4. Section 56B(3) of the *Local Government Act 1993*.
5. Section 64(2) of the *Local Government Act 1993*.
6. Section 66(4) of the *Local Government Act 1993*.
7. Section 69 of the *Local Government Act 1993*.
8. Section 71(3) of the *Local Government Act 1993*.
9. Section 109C(4) of the *Local Government Act 1993*.
10. Section 109E(3) of the *Local Government Act 1993*.
11. Section 157(2) of the *Local Government Act 1993*.
12. Section 206 of the *Local Government Act 1993*.
13. Section 269(4) of the *Local Government Act 1993*.
14. Section 339F(3) of the *Local Government Act 1993*.
15. Regulation 7(3), (4) and (5) of the *Local Government (Meeting Procedures) Regulations 2015*.
16. Regulation 9(2) and (4) of the *Local Government (Meeting Procedures) Regulations 2015*.
17. Regulation 35(2) of the *Local Government (Meeting Procedures) Regulations 2015*.

TASMANIA
COVID-19 DISEASE EMERGENCY (MISCELLANEOUS
PROVISIONS) ACT 2020

NOTICE UNDER SECTION 23

I, PETER CARL GUTWEIN, the Treasurer, in pursuance of section 23(1)(a) of the *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*, being of the opinion that the economic effects of the relevant emergency circumstances are such that it is necessary or desirable to issue this notice, declare that, despite any of the provisions specified in a Schedule to this notice –

- (a) a fee specified in a provision specified in Schedule 1 to this notice is not payable, from 1 January 2020, by the persons specified in that schedule in respect of the fee; and
- (b) a fee specified in a provision specified in Schedule 2 to this notice is not payable, from 15 March 2020, by the persons specified in that schedule in respect of the fee; and
- (c) a fee specified in a provision specified in Schedule 3 to this notice is not payable, from 31 March 2020, by the persons specified in that schedule, in respect of the fee.

Dated this 3rd day of April 2020.

PETER GUTWEIN
Treasurer

SCHEDULE 1

1. An application fee payable, under section 23 of the *Liquor Licensing Act 1990*, by an applicant for any one or more of the following licences:
 - (a) a general licence referred to in section 7 of that Act;
 - (b) an on-licence, within the meaning of that Act;
 - (c) a club licence, within the meaning of that Act;
 - (d) a special licence, within the meaning of that Act.
2. A fee payable, under section 25 of the *Liquor Licensing Act 1990*, by the applicant for any one or more of the following licences, on the grant of that licence:
 - (a) a general licence referred to in section 7 of that Act;
 - (b) an on-licence, within the meaning of that Act;
 - (c) a club licence, within the meaning of that Act;
 - (d) a special licence, within the meaning of that Act.
3. An application fee payable, under section 25D of the *Liquor Licensing Act 1990*, by an applicant for a variation of any one or more of the following licences:
 - (a) a general licence referred to in section 7 of that Act;
 - (b) an on-licence, within the meaning of that Act;
 - (c) a club licence, within the meaning of that Act;
 - (d) a special licence, within the meaning of that Act.
4. An annual liquor licence fee payable, under section 26A of the *Liquor Licensing Act 1990*, by the applicant for, or the holder of, any one or more of the following licences:
 - (a) a general licence referred to in section 7 of that Act;
 - (b) an on-licence, within the meaning of that Act;
 - (c) a club licence, within the meaning of that Act;
 - (d) a special licence, within the meaning of that Act.

5. An application fee payable, under section 28 of the *Liquor Licensing Act 1990*, by an applicant, for the transfer of any one or more of the following licences:
 - (a) a general licence referred to in section 7 of that Act;
 - (b) an on-licence, within the meaning of that Act;
 - (c) a club licence, within the meaning of that Act;
 - (d) a special licence, within the meaning of that Act.
6. An application fee payable, under section 30A of the *Liquor Licensing Act 1990*, by an applicant, for the authority to act as interim licensee for any one or more of the following licences:
 - (a) a general licence referred to in section 7 of that Act;
 - (b) an on-licence, within the meaning of that Act;
 - (c) a club licence, within the meaning of that Act;
 - (d) a special licence, within the meaning of that Act.
7. An application fee payable, under section 32 of the *Liquor Licensing Act 1990*, by an applicant for a special permit within the meaning of that Act.
8. An application fee payable, under section 34C of the *Liquor Licensing Act 1990*, by an applicant for a variation of a condition of a special permit within the meaning of that Act.

SCHEDULE 2

1. An application fee payable, under section 15 of the *Gaming Control Act 1993*, by an applicant for the redefining of the boundaries of a casino, or a gaming operator's premises, under that section.
2. An application fee payable, under section 36 of the *Gaming Control Act 1993*, by an applicant for a licensed premises gaming licence.
3. An application fee payable, under section 43B of the *Gaming Control Act 1993*, by the holder of a licensed premises gaming licence, for the renewal of that licence.
4. A fee payable, under section 44(8) of the *Gaming Control Act 1993*, by the holder of a licensed premises gaming licence, in relation to a proposal to amend the licence.
5. The annual licence fee payable, under section 148 of the *Gaming Control Act 1993*, by the holder of a licensed premises gaming licence.
6. An application fee payable, under section 60 of the *Gaming Control Act 1993*, by a special employee, for the renewal of the special employee's licence of the employee, if that fee is payable in the calendar year starting 1 January 2020.
7. An application fee payable, under section 60 of the *Gaming Control Act 1993*, by a technician, for the renewal of the technician's licence of the technician, if that fee is payable in the calendar year starting 1 January 2020.
8. An application fee payable, under section 76ZZN of the *Gaming Control Act 1993*, by an applicant for a minor gaming permit.

SCHEDULE 3

1. The casino licence fee payable, under section 146 of the *Gaming Control Act 1993*, by the holder of a casino licence.

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