



TASMANIAN GOVERNMENT GAZETTE

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CONTENTS

<i>Notice</i>	<i>Page</i>
Notices to Creditors	359
Administration and Probate	360
Land Acquisition	360
Work Health and Safety	361
Emergency Management	361
Public Health	367
Penalty Units and Other Penalties	375
Civil Liability	375
COVID-19 Disease Emergency	375
Mental Health	376
Local Government	377
Staff Movements	398

Tasmanian Government Gazette

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The Tasmanian Government Gazette and State Service Notices are now available online at:—www.gazette.tas.gov.au

Notices to Creditors

LINDA ELIZABETH CHRISTIE late of Unit 6, 2 Alt-Na-Craig Avenue, Mount Stuart in Tasmania, deceased.

Creditors, Next of Kin and others having claims in respect of the property or estate of the abovenamed deceased who died between the 10th and 17th of March 2020 are required by the Administrator, ROBERT ANDREW THOMAS CHRISTIE, to send particulars of their claim to the Registrar of the Supreme Court of Tasmania, GPO Box 167, Hobart 7001 by the 29th day of June 2020 after which date the Administrator may distribute the assets having regard only to the claims of which he has notice.

Dated this twenty-seventh day of May 2020.

E.R. HENRY WHERRETT & BENJAMIN

GREGOR CORNELIUS WOLFGANG LASCH late of Barrington Lodge, New Town in Tasmania, deceased.

Creditors, Next of Kin and others having claims in respect of the property or estate of the abovenamed deceased who died on the 24th day of November 2019 are required by the Executor, Carol Jean Patterson, to send particulars of their claim to the Registrar of the Supreme Court of Tasmania, GPO Box 167, Hobart 7001 by the 29th day of June 2020 after which date the Executor may distribute the assets having regard only to the claims of which she has notice.

Dated this twenty-seventh day of May 2020.

E.R. HENRY WHERRETT & BENJAMIN

JUDITH ANNE BROUGH (Also known as Diana Alexandra Christina Judith Anne Buccleuch-King, Dianne Judith Heather Clara Campbell-King, Judith Anne Alexandra Beclue) late of 1/14 Crosby Road, Rosetta in Tasmania, Jewellery Shop Assistant, Single, Deceased.

Creditors, next of kin and others having claims in respect of the property or estate of the deceased, JUDITH ANNE BROUGH (Also known as Diana Alexandra Christina Judith Anne Buccleuch-King, Dianne Judith Heather Clara Campbell-King, Judith Anne Alexandra Beclue) who died between the 4th day of February 2020 and the 10th day of February 2020, are required by the Executor, TPT WEALTH LTD of Level 2 137 Harrington Street, Hobart in Tasmania, to send particulars to the said Company by the 27th day of June 2020, after which date the Executor may distribute the assets, having regard only to the claims of which it then has notice.

Dated this twenty-seventh day of May 2020.

HAYLEY WILD, Trust Administrator.

ROSS MARTIN RYAN late of The Gardens Nursing Home, 2-4 Mitcham Road, Claremont in Tasmania, Truck Driver/Leading Hand, Widowed, Deceased.

Creditors, next of kin and others having claims in respect of the property or estate of the deceased, ROSS MARTIN RYAN who died on 25th day of December 2019, are required by the Executor, TPT WEALTH LTD of Level 2 137 Harrington Street, Hobart in Tasmania, to send particulars to the said Company by the 27th day of June 2020, after which date the Executor may distribute the assets, having regard only to the claims of which it then has notice.

Dated this twenty-seventh day of May 2020.

NIKKI VALLANCE, Trust Administration Assistant.

Administration and Probate

Administration and Probate Act 1935

Notice for Claims

In the Estate of HEATHER CROSS late of 33 Meadow Place, Quinns Rocks, in Western Australia who died on 18 August 2019 at Glengarry Private Hospital, 53 Arnisdale Road, Duncraig, in Western Australia.

NOTICE is hereby given that all creditors, next of kin and other persons having claims in respect of the property or the Estate of the abovenamed deceased, are required by the Executor the Public Trustee of 553 Hay Street, Perth in Western Australia, to send particulars in writing to The Registrar, Probate Registry, Supreme Court of Tasmania, Salamanca Place, Hobart in Tasmania on or before 29th June 2020, after which date the Executor may distribute the assets having regard only to the claims of which they then have notice.

Dated this twenty-seventh day of May 2020.

ARCHER BUSHBY, Solicitors for the Estate.

Administration and Probate Act 1935

Notice for Claims

MAXWELL EDWARD ELLIOTT late of 15 Maralinga Drive, Berriedale in Tasmania who died on the 26 March 2020.

Creditors, next of kin and others having claims in respect of the property of the abovenamed deceased are required by the Executrix, c/- Murdoch Clarke of 10 Victoria Street, Hobart in Tasmania to send particulars to the said Executrix and to the Registrar of the Supreme Court of Tasmania on or before the 29th day of June, 2020 after which date the Executrix may distribute the assets, having regard only to the claims of which the Executrix then has notice.

Dated this twenty-seventh day of May 2020.

MURDOCH CLARKE, Solicitors to the Estate.

Administration and Probate Act 1935

Notice of Application to Reseal Probate

Notice is hereby given that, after the expiration of 14 days from the publication hereof, LAURA ANDREA DURKIN 31 YOUNG STREET, ANNANDALE, NSW 2038, the executor of the will of the estate of BARRY DURKIN, late of 40 KARINA CRESCENT, BELROSE NSW 2085, deceased, to whom probate of the said will was granted by the Supreme Court of New South Wales on the 03/10/2019, will apply to the Supreme Court of Tasmania in its Ecclesiastical Jurisdiction that the seal of the Said Supreme Court of Tasmania may be affixed to the said probate pursuant to Part VI of the *Administration and Probate Act 1935*.

Dated this twenty-seventh day of May 2020.

T.H. WALKER SOLICITORS
Australian legal practitioner acting on their behalf.

Administration and Probate Act 1935

Notice of Application to Reseal Probate

Notice is hereby given that, after the expiration of 14 days from the publication hereof, KIM MAREE ABDILLA of 1461 Botany Road, Botany in New South Wales, the executor of the will of the estate of MATHEW NATHANIEL MCCURRY, late of 1461 Botany Road, Botany in New South Wales, deceased, to whom probate of the said will was granted by the Supreme Court of New South Wales on the 18 March 2019, will apply to the Supreme Court of Tasmania in its Ecclesiastical Jurisdiction that the seal of the Said Supreme Court of Tasmania may be affixed to the said probate pursuant to Part VI of the *Administration and Probate Act 1935*.

Dated this twenty-seventh day of May 2020.

BUTLER MCINTYRE & BUTLER
Acting on behalf of the Applicant.

Land Acquisition

LAND ACQUISITION ACT 1993

NOTICE OF ACQUISITION

(Section 18)

In pursuance of Section 18 of the *Land Acquisition Act 1993*, I, Timothy William Grant, Valuer-General acting as a delegate of the Minister of the Crown for the time being administering the *Land Acquisition Act 1993* do hereby declare that the land in the Schedule hereto is taken and vested in the Crown absolutely under the said Act for the authorised purpose, being for road purposes.

Given under my hand this 14th day of May 2020.

Tim Grant
Valuer-General
Department of Primary Industries, Parks, Water and Environment
134 Macquarie Street, Hobart

SCHEDULE

All that 90.9m2, 519m2, 200m2 & 103m2 of land situate in the Parish of Apslawn Land District of Glamorgan being Lots 1, 2, 3 and 4 on Plan of Survey 178506 in the Office of the Recorder of Titles being portion of the land comprised in Folio of the Register Volume 166770 Folio 1 and Folio of the Register Volume 164751 Folio 1 of which Brown Brothers Land Holdings No. 1 Pty Ltd is the registered proprietor.

Location: Tasman Highway Great Eastern Drive - Access to Freycinet Winery

Municipal Area: Glamorgan-Spring Bay

(26-13-39)

LAND ACQUISITION ACT 1993

NOTICE OF ACQUISITION

(Section 18)

In pursuance of Section 18 of the *Land Acquisition Act 1993*, I, Cynthea Nicole Street of Clarke & Gee Lawyers, acting as delegate of the Northern Midlands Council for the time being administering the *Land Acquisition Act 1993* do hereby declare that the land in the Schedule hereto is taken and vested in the Northern Midlands Council absolutely under the said Act for the authorised purpose, being for drainage and stormwater retention purposes.

Given under my hand this 22nd day of May 2020.

Cynthea Nicole Street
Solicitor at Clarke & Gee Lawyers
49 Best Street, Devonport

SCHEDULE

All that 830m² of land situate in the Parish of Perth being Lot 1 on Plan of Survey 179011 being portion of the land comprised in Folio of the Register Volume 32733 Folio 1 of which Graeme John Semmens and Julie Anne Semmens are the registered proprietors.

Location: Parish/Town of Perth

Municipal Area: Northern Midlands Council

LAND ACQUISITION ACT 1993

NOTICE OF ACQUISITION

(Section 18)

In pursuance of Section 18 of the *Land Acquisition Act 1993*, I, Cynthea Nicole Street of Clarke & Gee Lawyers, acting as delegate of the Northern Midlands Council for the time being administering the *Land Acquisition Act 1993* do hereby declare that the land in the Schedule hereto is taken and vested in the Northern Midlands Council absolutely under the said Act for the authorised purpose, being for drainage and stormwater retention purposes.

Given under my hand this 22nd day of May 2020.

Cynthea Nicole Street
Solicitor at Clarke & Gee Lawyers
49 Best Street, Devonport

SCHEDULE

All that 7,076m² of land situate in the Parish of Perth being Lot 6 on Plan of Survey 179011 being portion of the land comprised in Folio of the Register Volume 236039 Folio 1 of which Peter Leonard Dennis is the registered proprietor.

Location: Parish/Town of Perth

Municipal Area: Northern Midlands Council

Work Health and Safety

WORK HEALTH AND SAFETY ACT 2012

Revocation and Approval of Code of Practice:
First aid in the workplace

I, Elise Archer, Minister for Building and Construction, in accordance with section 274 of the *Work Health and Safety Act 2012*:

1. REVOKE the Code of Practice - First aid in the workplace (first published by Safe Work Australia on 25 May 2018, and inclusive of subsequent variations)
2. APPROVE the Code of Practice - First aid in the workplace (published by Safe Work Australia on 8 August 2019)

The above revocation and approval will take effect in Tasmania on and from the date of this Notice.

The purpose of the code is to provide practical guidance on achieving the standards of health, safety and welfare required under the *Work Health and Safety Act 2012* and *Work Health and Safety Regulations 2012*.

Copies of the new code are available electronically at www.worksafe.tas.gov.au

Hard copies may be viewed at the offices of WorkSafe Tasmania at:

- 30 Gordons Hill Road, Rosny Park, 7018
- Level 3, Henty House, 1 Civic Square, Launceston, 7250
- 46 Mount Street, Burnie, 7320

HON ELISE ARCHER MP
Minister for Building and Construction

Emergency Management

EMERGENCY MANAGEMENT ACT 2006

RESCISSION OF REQUIREMENT IN RELATION TO
HOTEL GRAND CHANCELLOR

In the exercise of the special emergency powers invested in me under Section 43 of the *Emergency Management Act 2006*, I, Darren Leigh Hine, hereby rescind the instrument issued by me on 1 April 2020 requiring Hotel Grand Chancellor (Launceston) Pty Ltd to surrender the property known as Hotel Grand Chancellor and to place it under my control.

Dated this 22nd day of May 2020 at 8:05am.

D L HINE
State Controller

EMERGENCY MANAGEMENT ACT 2006

DIRECTIONS IN RELATION TO KING ISLAND, FLINDERS ISLAND AND ISLANDS IN THE FURNEAUX GROUP OF ISLANDS

A state of emergency has been declared in Tasmania arising from the presence in this State of the coronavirus disease COVID-19. In the exercise of the powers conferred by me under Section 40 of the *Emergency Management Act 2006* and pursuant to clauses 1 (1)(b) and 1 (1)(q) of Schedule 1 to the Act, I make the following directions:

1. No resident of Tasmania is to travel to King Island unless they are a resident of the island.
2. No resident of Tasmania is to travel to Flinders Island or any island in the Furneaux group of islands unless they are a resident of Flinders Island or one of the islands in the Furneaux group of islands.
3. Any resident of King Island, Flinders Island or any island in the Furneaux group of islands returning to their island of residence from elsewhere in Tasmania is required to isolate himself or herself for 14 days from contact with all persons other than persons with whom he or she ordinarily resides.
4. Every person who arrives on King Island, Flinders Island or any island in the Furneaux group of islands is required to answer any question asked by an authorised officer or to provide any document or other information required by an authorised officer that is in the control of the person.
5. Direction 3 does not apply to a resident of King Island, Flinders Island or any island in the Furneaux group of islands returning to their island of residence directly after having isolated in an accommodation facility following their return to Tasmania from a departure point outside of Tasmania.
6. Direction 3 does not apply to:
 - (i) A resident of Flinders island if they have returned directly from one of the islands in the Furneaux group of islands; or
 - (ii) A resident of an island in the Furneaux group of islands if they have returned directly from Flinders Island.
7. Directions 1, 2 and 3 do not apply to a person who is specified in the attached Schedule if he or she has the prior approval of the State Controller or Deputy State Controller to travel to King Island, Flinders Island or any island in the Furneaux group of islands. (Approval will not be given to a person who is specified in the attached Schedule if that person has arrived in Australia from overseas within the last 14 days.)
8. Any person who has the approval of the State Controller or the Deputy State Controller to travel to King Island, Flinders Island or any island in the Furneaux group of islands, must comply with the directions specified in Annexure A whilst on the island which is the subject of approved travel.

The directions made by me on 12 April 2020 in relation to King Island, Flinders Island and islands in the Furneaux group of islands are revoked with effect from 11.59 pm on 17 May 2020.

These directions take effect from 11.59 pm on 17 May 2020 until further notice.

Dated this 15th day of May 2020 at 5:40pm.

D L HINE
State Controller

SCHEDULE

SPECIFIED PERSONS

1. National and State Security and Governance

- a. Any Government Senior Official who, in the carriage of his or her duties, is responsible for the safety of the Nation or Tasmania against threats such as terrorism, war, or espionage, and is required to be present in Tasmania for such purposes; and
- b. Active Military personnel required to be on duty in Tasmania while in Tasmania; and
- c. A member of the Commonwealth Parliament who is ordinarily resident in Tasmania.

2. Health Services

- a. A clinician in relation to health who is ordinarily resident in Tasmania and who is requested by the Secretary of the Department of Health, or his or her delegate, to return to Tasmania to present for duty in Tasmania; and
- b. A clinician in relation to health who is requested by the Secretary of the Department of Health, or his or her delegate, to present for duty in Tasmania to perform, during the period in which the person will be present in Tasmania, duties unable to be appropriately performed by a person ordinarily resident in Tasmania.

3. Transport, freight and logistics

- a. Any person who, in the carriage of his or her duties, is responsible for the provision of transport or freight and logistics into, within, and out of Tasmania; and
- b. Flight crew and ship crew -
for the purpose of delivery of persons, freight or logistics into, within and out of Tasmania.

4. Specialist skills critical to maintaining key industries or businesses

- a. Any specialists required for industry or business continuity and maintenance of competitive operations where the appropriate skills are not available in Tasmania, where the service is time-critical and where the provision of the service requires that the person be physically present in Tasmania; and
- b. Any person who, in the carriage of his or her duties, is responsible, while in Tasmania, for critical maintenance or repair of infrastructure critical to Tasmania.

5. Paramedics and ambulance officers

- a. A paramedic, or an officer of Ambulance Tasmania, each within the meaning of the *Ambulance Service Act 1982*, who is returning to Tasmania as soon as practicable after providing medical transport to a patient or who is returning to Tasmania while providing medical transport to a person; and
- b. A paramedic, or an officer of Ambulance Tasmania, each within the meaning of the *Ambulance Service Act 1982*, who is ordinarily resident in Tasmania and who is requested by the Commissioner of Ambulance Services, or his or her delegate, to return to Tasmania to present for duty in Tasmania.

6. Police officers

- a. Members of the Tasmania Police Service; and
- b. Members of the Australia Federal Police or a police force or police service of another State or a Territory of the Commonwealth travelling to Tasmania in the course of their duties.

7. Other persons, or classes of persons, approved by the State Controller

ANNEXURE A

- (a) Monitor himself or herself for symptoms of fever, coughing, sore throat, muscular pains, shortness of breath or unexpected tiredness, which may be evidence that he or she is infected by the disease; and
 - (b) If he or she believes that he or she is displaying a symptom referred to in paragraph (a)-
 - (i) cease to attend a place, other than a place referred to in subparagraph (ii), for the purposes of work; and
 - (ii) as far as is reasonably practicable without putting his or her survival at risk, remain in, or return and remain in -
 - (A) the premises that are his or her ordinary place of residence within Tasmania; or
 - (B) other premises within Tasmania that are suitable for the person to reside-
except as necessary to attend at premises, nominated by his or her medical practitioner or the advisor on the Public Health Hotline, for the purposes of being tested for the presence of the disease; and
 - (iii) contact the Public Health Hotline, or a medical practitioner, to determine whether to be tested or assessed for infection by the disease; and
 - (c) Cover his or her mouth when coughing or sneezing; and
 - (d) Use disposable tissues and dispose of such tissues, after use, in a waste receptacle that other people will not touch except if protected from contact with the receptacle or its contents; and
 - (e) Wash his or her hands frequently and thoroughly with soap, or an alcohol-based sanitizing chemical, especially after using a toilet, before and after eating and before and after returning from outdoors; and
 - (f) If the person -
 - (i) is within a category referred to in item 2 or 5 of the Schedule to this direction; or
 - (ii) is otherwise in close contact with a person who, by virtue of the characteristics of the person, ought reasonably be regarded as especially vulnerable to infection or serious illness due to the disease (a "vulnerable person") -
ensure that he or she, at all times when engaged in the provision of health services or health care to persons, or in close proximity to a vulnerable person, wears a surgical mask or wears other personal protective equipment that is normally worn during such contact by persons engaged in the provision of those health services or that health care.
3. Persons subject to Direction 2 are to comply with any lawful directions given to them by an authorised officer during the period they are required to remain in isolation.
 4. Persons subject to Direction 2 are to remain in the room provided to them at the accommodation facility specified to them for the period they are required to remain in isolation unless permitted to leave their room by an authorised officer.
 5. Direction 2 does not apply to any resident of Tasmania who is returning to Tasmania. Such person is required to:
 - a. Transit directly between their point of arrival in Tasmania and their residence; and
 - b. Remain in, or at, that residence for a period of 14 days unless:
 - i. For the purpose of attending premises to obtain medical care and the person -
 - (A) travels directly to those premises, and
 - (B) returns directly to their residence after obtaining that care; or
 - ii. In an emergency situation that requires the person to leave their residence to protect his or her personal safety, or the safety of another, and the person -
 - (A) immediately returns to their residence once the emergency situation has passed, or
 - (B) once the emergency situation has passed, travels directly to other premises that are suitable for the person to reside in until the expiration of the 14 days; or
 - iii. For the purpose of leaving Tasmania, in which case the person is required to travel directly from their residence to the point of departure and observe the hygiene practices described at paragraphs (c), (d) and (e) of Annexure A during transit; and
 - c. Isolate themselves from contact with all persons other than persons with whom they ordinarily reside for the period of 14 days; and
 - d. Comply with the directions specified in paragraphs (a), (b)(iii), (c), (d) and (e) of Annexure A for the period of 14 days.
 6. Direction 5 does not apply to a resident of Tasmania who resides on King Island, Flinders Island or an island in the Furneaux group of islands. Such a person is subject to Direction 2.
 7. Direction 5 does not apply if on arrival in Tasmania, the Tasmanian resident is displaying symptoms of fever, coughing, sore throat, muscular pains, shortness of breath or unexpected tiredness. Such a person is subject to Direction 2.
 8. Direction 5 does not apply if the Tasmanian resident has arrived in Australia from overseas within 14 days of their arrival in Tasmania or disembarked from a cruise ship within 14 days of their arrival in Tasmania. Such a person is subject to Direction 2.
 9. Directions 2 and 5 do not apply to persons who are specified in the attached Schedule unless that person has arrived in Tasmania or disembarked from a cruise ship within 14 days of their arrival in Tasmania. Such persons are subject to Direction 2.
 10. Persons who are not subject to Directions 2 or 5 by virtue of Direction 9 are required to comply with the directions specified in Annexure A for a period of 14 days of their arrival in Tasmania.

EMERGENCY MANAGEMENT ACT 2006
DIRECTIONS IN RELATION TO PERSONS ARRIVING
IN TASMANIA

A state of emergency has been declared in Tasmania arising from the presence in this State of the coronavirus disease COVID-19. In the exercise of the powers conferred on the State Controller under Section 40 of the *Emergency Management Act 2006* and pursuant to clauses 1(1)(b), 1(1)(q) and 1(1)(t) of Schedule 1 to the Act, I make the following directions:

1. Every person who arrives in Tasmania after 11.59pm on 17 May 2020 from a departure point outside of Tasmania is required to answer any question asked by an authorised officer or to provide any document or other information required by an authorised officer that is in the control of the person.
2. Every person who arrives in Tasmania after 11.59pm on 17 May 2020 from a departure point outside of Tasmania is required to isolate himself or herself for 14 days at an accommodation facility specified to them by an authorised

officer under the *Emergency Management Act*.

11. Directions 2 and 5 do not apply to maritime crew members granted an exemption by me under Item 8 of the Schedule. Such persons are required to comply with any conditions imposed on the exemption granted to them.
12. Any resident of Tasmania who is currently isolating himself or herself at an accommodation facility specified to them by an authorised officer under the *Emergency Management Act* pursuant to the Directions made by me on 5 May 2020, may:
 - a. Transit directly from that accommodation facility to their residence and comply with any directions given to them by an authorised officer in relation to their transit;
 - b. Remain in, or at, that residence until the expiration of the 14 day period of isolation unless:
 - i. For the purpose of attending premises to obtain medical care and the person -
 - (C) travels directly to those premises, and
 - (D) returns directly to their residence after obtaining that care; or
 - ii. In an emergency situation that requires the person to leave their residence to protect his or her personal safety, or the safety of another, and the person -
 - (A) immediately returns to their residence once the emergency situation has passed, or
 - (B) once the emergency situation has passed, travels directly to other premises that are suitable for the person to reside in until the expiration of the 14 days; or
 - iii. For the purpose of leaving Tasmania, in which case the person is required to travel directly from their residence to the point of departure and observe the hygiene practices described at paragraphs (c), (d) and (e) of Annexure A during transit; and
 - c. Isolate themselves from contact with all persons other than persons with whom they ordinarily reside until the expiration of the 14 day period of isolation; and
 - d. Comply with the directions specified in paragraphs (a), (b)(iii), (c), (d) and (e) of Annexure A for the period of 14 days.
13. Direction 12 does not apply if the Tasmanian resident is displaying symptoms of fever, coughing, sore throat, muscular pains, shortness of breath or unexpected tiredness. Such a person is required to remain at the accommodation facility until the expiration of the 14 day period of isolation and comply with Direction 3.
14. Direction 12 does not apply if the Tasmanian resident has arrived in Australia from overseas within 14 days of their arrival in Tasmania or disembarked from a cruise ship within 14 days of their arrival in Tasmania. Such a person is required to remain at the accommodation facility until the expiration of the 14 day period of isolation and comply with Direction 3.

These directions take effect from 11 :59pm on 17 May 2020 until further notice. The directions in relation to persons arriving in Tasmania which were made by me on 5 May 2020 are revoked from 11.59pm on 17 May 2020.

Dated this 15th day of May 2020 at 5:41pm.

D L HINE
State Controller

SCHEDULE SPECIFIED PERSONS

1. National and State Security and Governance

- a. Any person who, in the carriage of his or her duties, is responsible for the safety of the Nation or Tasmania against threats such as terrorism, war, or espionage or acts of foreign interference and is required to be present in Tasmania for such purposes, and any persons assisting such persons; and
- b. Active Military personnel required to be on duty in Tasmania while in Tasmania; and
- c. A member of the Commonwealth Parliament who is ordinarily resident in Tasmania.

2. Health Services

- a. A clinician in relation to health who is ordinarily resident in Tasmania and who is requested by the Secretary of the Department of Health, or his or her delegate, to return to Tasmania to present for duty in Tasmania; and
- b. A clinician in relation to health who is requested by the Secretary of the Department of Health, or his or her delegate, to present for duty in Tasmania to perform, during the period in which the person will be present in Tasmania, duties unable to be appropriately performed by a person ordinarily resident in Tasmania.

3. Transport, freight and logistics

- a. Any person who, in the carriage of his or her duties, is involved in the provision of transport of persons or freight by air into, within, and out of Tasmania; and
- b. Any person who, in the carriage of his or her duties, is involved in the provision of transport of persons or freight by sea within Tasmania.

4. Specialist skills critical to maintaining key industries or businesses

- a. Any specialists required for industry or business continuity and maintenance of competitive operations where the appropriate skills are not available in Tasmania, where the service is time-critical and where the provision of the service requires that the person be physically present in Tasmania; and
- b. Any person who, in the carriage of his or her duties, is responsible, while in Tasmania, for critical maintenance or repair of infrastructure critical to Tasmania.

5. Paramedics and ambulance officers

- a. A paramedic, or an officer of Ambulance Tasmania, each within the meaning of the *Ambulance Service Act 1982*, who is returning to Tasmania as soon as practicable after providing medical transport to a patient or who is returning to Tasmania while providing medical transport to a person; and
- b. A paramedic, or an officer of Ambulance Tasmania, each within the meaning of the *Ambulance Service Act 1982*, who is ordinarily resident in Tasmania and who is requested by the Commissioner of Ambulance Services, or his or her delegate, to return to Tasmania to present for duty in Tasmania.

6. Police officers

- a. Members of the Tasmania Police Service; and
- b. Members of the Australia Federal Police or a police force or police service of another State or a Territory of the Commonwealth travelling to Tasmania in the course of their duties.

7. Other persons, or classes of persons, previously determined to be Specified Persons

- a. Any other person or class of persons who, before 2 April 2020, was granted an exemption from a requirement to self-isolate by the Secretary of the Department of Primary Industries, Parks, Water and Environment.

8. Other persons, or classes of persons, approved by the State Controller

ANNEXURE A

- (a) Monitor himself or herself for symptoms of fever, coughing, sore throat, muscular pains, shortness of breath or unexpected tiredness, which may be evidence that he or she is infected by the disease; and
- (b) If he or she believes that he or she is displaying a symptom referred to in paragraph (a) -
 - (i) cease to attend a place, other than a place referred to in subparagraph (ii), for the purposes of work; and
 - (ii) as far as is reasonably practicable without putting his or her survival at risk, remain in, or return and remain in -
 - (A) the premises that are his or her ordinary place of residence within Tasmania; or
 - (B) other premises within Tasmania that are suitable for the person to reside-
except as necessary to attend at premises, nominated by his or her medical practitioner or the advisor on the Public Health Hotline, for the purposes of being tested for the presence of the disease; and
 - (iii) contact the Public Health Hotline, or a medical practitioner, to determine whether to be tested or assessed for infection by the disease; and
- (c) Cover his or her mouth when coughing or sneezing; and
- (d) Use disposable tissues and dispose of such tissues, after use, in a waste receptacle that other people will not touch except if protected from contact with the receptacle or its contents; and
- (e) Wash his or her hands frequently and thoroughly with soap, or an alcohol-based sanitizing chemical, especially after using a toilet, before and after eating and before and after returning from outdoors; and
- (f) If the person -
 - (i) is within a category referred to in item 2 or 5 of the Schedule to this direction; or
 - (ii) is otherwise in close contact with a person who, by virtue of the characteristics of the person, ought reasonably be regarded as especially vulnerable to infection or serious illness due to the disease (a "vulnerable person") -
ensure that he or she, at all times when engaged in the provision of health services or health care to persons, or in close proximity to a vulnerable person, wears a surgical mask or wears other personal protective equipment that is normally worn during such contact by persons engaged in the provision of those health services or that health care.

EMERGENCY MANAGEMENT ACT 2006

DIRECTIONS IN RELATION TO PERSONS ARRIVING IN TASMANIA

A state of emergency has been declared in Tasmania arising from the presence in this State of the coronavirus disease COVID-19. In the exercise of the powers conferred on the State Controller under Section 40 of the *Emergency Management Act 2006* and pursuant to clauses 1 (1)(b), 1 (1)(q) and 1 (1)(t) of Schedule 1 to the Act, I make the following directions:

1. Every person who arrives in Tasmania after 11.59pm on 21 May 2020 from a departure point outside of Tasmania is required to answer any question asked by an authorised officer or to provide any document or other information required by an authorised officer that is in the control of the person.
2. Every person who arrives in Tasmania after 11.59pm on 21 May 2020 from a departure point outside of Tasmania is required to isolate himself or herself for 14 days at an accommodation facility specified to them by an authorised officer under the *Emergency Management Act*.
3. Persons subject to Direction 2 are to comply with any lawful directions given to them by an authorised officer during the period they are required to remain in isolation.
4. Persons subject to Direction 2 are to remain in the room provided to them at the accommodation facility specified to them for the period they are required to remain in isolation unless permitted to leave their room by an authorised officer.
5. Direction 2 does not apply to any resident of Tasmania who is returning to Tasmania. Such person is required to:
 - a. Transit directly between their point of arrival in Tasmania and their residence and comply with any directions given to them by an authorised officer in relation to their transit; and
 - b. Remain in, or at, that residence for a period of 14 days unless:
 - i. For the purpose of attending premises to obtain medical care and the person -
 - (A) travels directly to those premises, and
 - (B) returns directly to their residence after obtaining that care; or
 - ii. In an emergency situation that requires the person to leave their residence to protect his or her personal safety, or the safety of another, and the person -
 - (A) immediately returns to their residence once the emergency situation has passed, or
 - (B) once the emergency situation has passed, travels directly to other premises that are suitable for the person to reside in until the expiration of the 14 days; or
 - iii. For the purpose of leaving Tasmania, in which case the person is required to travel directly from their residence to the point of departure and observe the hygiene practices described at paragraphs (c), (d) and (e) of Annexure A during transit; and
 - c. Isolate themselves from contact with all persons other than persons with whom they ordinarily reside for the period of 14 days; and
 - d. Comply with the directions specified in paragraphs (a), (b)(iii), (c), (d) and (e) of Annexure A for the period of 14 days.
6. Direction 5 does not apply to a resident of Tasmania who resides on King Island, Flinders Island or an island in the Furneaux group of islands unless he or she falls within the following classes of persons:
 - a. Families who arrive with children 17 years of age or younger; and
 - b. Persons 17 years of age and under who have travelled to Tasmania unaccompanied by an adult.
7. Direction 5 does not apply if on arrival in Tasmania, the Tasmanian resident is displaying symptoms of fever, coughing, sore throat, muscular pains, shortness of breath or unexpected tiredness. Such a person is subject to Direction 2.

8. Direction 5 does not apply if the Tasmanian resident has arrived in Australia from overseas within 14 days of their arrival in Tasmania or disembarked from a cruise ship within 14 days of their arrival in Tasmania. Such a person is subject to Direction 2.
9. Directions 2 and 5 do not apply to persons who are specified in the attached Schedule unless that person has arrived in Australia from overseas within 14 days of their arrival in Tasmania or disembarked from a cruise ship within 14 days of their arrival in Tasmania. Such persons are subject to Direction 2.
10. Persons who are not subject to Directions 2 or 5 by virtue of Direction 9 are required to comply with the directions specified in Annexure A for a period of 14 days of their arrival in Tasmania.
11. Directions 2 and 5 do not apply to maritime crew members granted an exemption by me under Item 8 of the Schedule. Such persons are required to comply with any conditions imposed on the exemption granted to them.
12. Any resident of Tasmania who is currently isolating himself or herself at an accommodation facility specified to them by an authorised officer under the *Emergency Management Act* pursuant to the Directions made by me on 5 May 2020, may:
 - a. Transit directly from that accommodation facility to their residence and comply with any directions given to them by an authorised officer in relation to their transit;
 - b. Remain in, or at, that residence until the expiration of the 14 day period of isolation unless:
 - i. For the purpose of attending premises to obtain medical care and the person -
 - (C) travels directly to those premises, and
 - (D) returns directly to their residence after obtaining that care; or
 - ii. In an emergency situation that requires the person to leave their residence to protect his or her personal safety, or the safety of another, and the person -
 - (A) immediately returns to their residence once the emergency situation has passed, or
 - (B) once the emergency situation has passed, travels directly to other premises that are suitable for the person to reside in until the expiration of the 14 days; or
 - iii. For the purpose of leaving Tasmania, in which case the person is required to travel directly from their residence to the point of departure and observe the hygiene practices described at paragraphs (c), (d) and (e) of Annexure A during transit; and
 - c. Isolate themselves from contact with all persons other than persons with whom they ordinarily reside until the expiration of the 14 day period of isolation; and
 - d. Comply with the directions specified in paragraphs (a), (b)(iii), (c), (d) and (e) of Annexure A for the period of 14 days.
13. Direction 12 does not apply if the Tasmanian resident is displaying symptoms of fever, coughing, sore throat, muscular pains, shortness of breath or unexpected tiredness. Such a person is required to remain at the accommodation facility until the expiration of the 14 day period of isolation and comply with Direction 3.
14. Direction 12 does not apply if the Tasmanian resident has arrived in Australia from overseas within 14 days of their arrival in Tasmania or disembarked from a cruise ship within 14 days of their arrival in Tasmania. Such a person is required to remain at the accommodation facility until the expiration of the 14 day period of isolation and comply with Direction 3.

These directions take effect from 11 :59pm on 21 May 2020 until further notice. The directions in relation to persons arriving in Tasmania which were made by me on 15 May 2020 are revoked from 11.59pm on 21 May 2020.

Dated this 21st day of May 2020 at 3:35pm.

D L HINE
State Controller

SCHEDULE SPECIFIED PERSONS

1. National and State Security and Governance

- a. Any person who, in the carriage of his or her duties, is responsible for the safety of the Nation or Tasmania against threats such as terrorism, war, or espionage or acts of foreign interference and is required to be present in Tasmania for such purposes, and any persons assisting such persons; and
- b. Active Military personnel required to be on duty in Tasmania while in Tasmania; and
- c. A member of the Commonwealth Parliament who is ordinarily resident in Tasmania.

2. Health Services

- a. A clinician in relation to health who is ordinarily resident in Tasmania and who is requested by the Secretary of the Department of Health, or his or her delegate, to return to Tasmania to present for duty in Tasmania; and
- b. A clinician in relation to health who is requested by the Secretary of the Department of Health, or his or her delegate, to present for duty in Tasmania to perform, during the period in which the person will be present in Tasmania, duties unable to be appropriately performed by a person ordinarily resident in Tasmania.

3. Transport, freight and logistics

- a. Any person who, in the carriage of his or her duties, is responsible for the provision of transport or freight and logistics into, within, and out of Tasmania; and
- b. Flight crew and ship crew -
for the purpose of delivery of persons, freight or logistics into, within and out of Tasmania.

4. Specialist skills critical to maintaining key industries or businesses

- a. Any specialists required for industry or business continuity and maintenance of competitive operations where the appropriate skills are not available in Tasmania, where the service is time-critical and where the provision of the service requires that the person be physically present in Tasmania; and
- b. Any person who, in the carriage of his or her duties, is responsible, while in Tasmania, for critical maintenance or repair of infrastructure critical to Tasmania.

5. Paramedics and ambulance officers

- a. A paramedic, or an officer of Ambulance Tasmania, each within the meaning of the *Ambulance Service Act 1982*, who is returning to Tasmania as soon as practicable after providing medical transport to a patient or who is returning to Tasmania while providing medical transport to a person; and
- b. A paramedic, or an officer of Ambulance Tasmania, each within the meaning of the *Ambulance Service Act 1982*, who is ordinarily resident in Tasmania and who is requested by the Commissioner of Ambulance Services, or his or her delegate, to return to Tasmania to present for duty in Tasmania.

6. Police officers

- a. Members of the Tasmania Police Service; and
- b. Members of the Australia Federal Police or a police force or police service of another State or a Territory of the Commonwealth travelling to Tasmania in the course of their duties.

7. Other persons, or classes of persons, previously determined to be Specified Persons

- a. Any other person or class of persons who, before 2 April 2020, was granted an exemption from a requirement to self-isolate by the Secretary of the Department of Primary Industries, Parks, Water and Environment.

8. Other persons, or classes of persons, approved by the State Controller**ANNEXURE A**

- (a) Monitor himself or herself for symptoms of fever, coughing, sore throat, muscular pains, shortness of breath or unexpected tiredness, which may be evidence that he or she is infected by the disease; and
- (b) If he or she believes that he or she is displaying a symptom referred to in paragraph (a) -
 - (i) cease to attend a place, other than a place referred to in subparagraph (ii), for the purposes of work; and
 - (ii) as far as is reasonably practicable without putting his or her survival at risk, remain in, or return and remain in -
 - (A) the premises that are his or her ordinary place of residence within Tasmania; or
 - (B) other premises within Tasmania that are suitable for the person to reside -

except as necessary to attend at premises, nominated by his or her medical practitioner or the advisor on the Public Health Hotline, for the purposes of being tested for the presence of the disease; and
 - (iii) contact the Public Health Hotline, or a medical practitioner, to determine whether to be tested or assessed for infection by the disease; and
- (c) Cover his or her mouth when coughing or sneezing; and
- (d) Use disposable tissues and dispose of such tissues, after use, in a waste receptacle that other people will not touch except if protected from contact with the receptacle or its contents; and
- (e) Wash his or her hands frequently and thoroughly with soap, or an alcohol-based sanitizing chemical, especially after using a toilet, before and after eating and before and after returning from outdoors; and
- (f) If the person -
 - (i) is within a category referred to in item 2 or 5 of the Schedule to this direction; or
 - (ii) is otherwise in close contact with a person who, by virtue of the characteristics of the person, ought reasonably be regarded as especially vulnerable to infection or serious illness due to the disease (a "vulnerable person") -

ensure that he or she, at all times when engaged in the provision of health services or health care to persons, or in close proximity to a vulnerable person, wears a surgical mask or wears other personal protective equipment that is normally worn during such contact by persons engaged in the provision of those health services or that health care.

Public Health**PUBLIC HEALTH ACT 1997****DIRECTION UNDER SECTION 16***(Gatherings – No. 9)*

I, SCOTT McKEOWN, the Acting 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, commencing on 18 May 2020 –

- (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, except as specified in this direction and in accordance with that schedule; and
- (b) each person who provides a service specified in Schedule 2 in Tasmania must not provide the service except as specified in this direction and in accordance with that schedule; and
- (c) subject to paragraphs (a), (b) and (f), each person who owns, controls or operates premises in Tasmania, must not allow the following to occur on the premises:
 - (i) in relation to a residential premises, more than five (5) persons at the premises who do not ordinarily reside at the premises;
 - (ii) in relation to premises other than residential premises –
 - (A) a gathering of more than ten persons (10) in a single indoor space at the premises, at the same time; or
 - (B) a gathering of more than ten persons (10) in a single outdoor space at the premises, 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, commercial, retail or residential 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 (h)(i) while the person is on the ferry or vessel;
- (C) each person on the ferry or vessel complies with paragraph (h)(ii) 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 providing assistance or support to a person with a disability, if more than one person, who does not ordinarily reside with the person with a disability, is required to provide that assistance or that support to the person with a disability;
- (viii) for the purposes of emergency services;
- (ix) at a disability or aged care facility that is necessary for the normal business of the facility;
- (x) at a prison, correctional facility, youth justice centre or other place of custody;
- (xi) at a court or tribunal;
- (xii) at Parliament for the purpose of its normal operations;
- (xiii) at a supermarket, grocery store or retail store for the purpose of the normal business of those premises;
- (xiv) at a shopping centre, but only where more than ten persons (10) may be present for the purposes of transiting through the centre to another premises;
- (xv) at an office building, factory, mining site or construction site that is necessary for the normal operation of those premises;
- (xvi) at a school, university, educational institution or childcare facility –
 - (A) that is necessary for the normal business of the facility; and
 - (B) in relation to a school, university or educational institution, that does not involve members of the community other than –
 - (I) the staff and students of the school, university or educational institution; or
 - (II) in the case of an educational program run at a school for young children who are not yet enrolled in school, the staff of the school and no more than ten (10) such children and one (1) responsible adult for each such child;
- (xvii) at a child and family centre operated by the government, or a not-for-profit organisation, for the purposes of running an educational program for young children who are not yet enrolled in school but only where the total number of persons present at the centre does not exceed the staff of the centre, necessary to run the program, and no more than ten (10) such children and one (1) responsible adult for each such child;
- (xviii) at an outdoor place where more than ten persons (10) may be present for the purposes of transiting through the place;
- (xix) 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) the person who owns, controls or operates the establishment complies with paragraph (h) in respect of the premises;
- (xx) 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) the person who owns, controls or operates the premises complies with paragraph (h) in respect of the premises;
- (xxi) 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) the person who owns, controls or operates the premises complies with paragraph (h) in respect of the premises;
- (xxii) a gathering specified as exempt from these directions by the Director of Public Health, or the Deputy Director of Public Health, in writing;
- (xxiii) 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) a person may enter, and remain on, premises that are not allowed to open, or operate, under this direction if –
 - (i) the person is –
 - (A) the owner or the operator of the premises; or
 - (B) an employee, or contractor, who is employed or engaged to work at the premises; or
 - (C) the owner, operator, employee or contractor in relation to another premises that is not allowed to open, or operate, under this direction; and
 - (ii) the person is entering, and remaining on, the premises for the purposes of undertaking one or more the following activities:
 - (A) undertaking necessary tasks, including education and training, that will enable the premises to open and operate when it is lawful for the premises to do so;
 - (B) performing necessary maintenance to the premises or items within the premises;
 - (C) performing a task, or action, specified in sub-subparagraph (A) or (B) in respect of another premises that is not allowed to open, or operate, under this direction; and
 - (iii) the person only enters, and remains on, the premises for as long as is necessary to complete the activity referred to in subparagraph (ii) for which the person has entered the premises; and
 - (iv) the person is necessary for the performance of an activity referred to in subparagraph (ii) and only enters, and remains on, the premises while the activity is being performed; and
- (h) if a premises is permitted to open and operate, a service is provided on a premises or persons enter premises in accordance with paragraph (g), each person who owns, controls or operates those premises, other than residential premises, must ensure the following in respect of the premises:
 - (A) the gathering is necessary for the normal business of the establishment; and
 - (B) the person who owns, controls or operates the establishment complies with paragraph (h) in respect of the premises;

- (i) where practicable, each person on or at the premises must maintain a distance of no less than 1.5 metres between the person and any other person;
 - (ii) subject to Schedule 1, the total number of persons present in any single undivided space of the premises, at the same time, must not exceed the number calculated by dividing the total floor area of the space used, as measured in square metres, by 4;
 - (iii) all relevant COVID-19 control measures must be implemented in respect of the operation of the premises;
 - (iv) each record that is kept by the premises, in any format, of persons who have entered those premises must be kept for at least 21 days if –
 - (A) the record may be lawfully kept for that period; and
 - (B) the information would assist in contact tracing if there were a diagnosed case of the disease in connection with those premises;
 - (v) each person who provides services on and from the premises must comply with this paragraph as it applies to the provision of those services and the premises; and
- (i) in this direction –
- (i) **attendee**, in relation to a premises or service, does not include each of the following persons:
 - (A) a person employed, or engaged, to work at the premises or provide the service;
 - (B) a volunteer who is assisting in the operation of the premises, or the provision of the service, with the approval or knowledge of the owner, or operator, of the premises;
 - (C) in the case of a wedding service, the persons getting married at the service; and
 - (ii) **COVID-19 control measure** means a control measure, to eliminate or minimise the risk to health and safety posed by the disease, that is implemented under the *Work Health and Safety Act 2012* after taking into account all relevant information, recommendations or guidance materials, in relation to the disease, published or specified by SafeWork Australia, or a public authority, within the meaning of that Act; and
 - (iii) **gathering** does not include –
 - (A) a gathering of persons if each member of that gathering ordinarily resides at the same residential premises; or
 - (B) a gathering of persons at a residential premises if the gathering consists of persons who ordinarily reside at the premises and no more than 5 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
 - (iv) **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
 - (v) **outdoor space** means a space that is not an indoor space; and
 - (vi) **premises** has the same meaning as in the Act; and
 - (vii) a reference in the Schedule to a paragraph in bold and italics is a reference to that paragraph in the body of this direction; 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) on 18 May 2020, the direction given by the Director of Public Health, given under section 16 of the Act on 9 May 2020 and entitled *Gatherings – No. 8*, is revoked.
- Dated this 17th day of May 2020.
- SCOTT McKEOWN
Acting Director of Public Health

Schedule 1

1. Food premises

- (1) A restaurant, café, food court, dining room, canteen or similar premises must not open, or operate, under this direction unless authorised under this clause.
- (2) A restaurant, café, dining room or canteen may only open, or operate, under this direction if the restaurant, café, dining room or canteen is being used to provide –
 - (a) food or drink, or both, to be consumed at a location other than the premises; or
 - (b) in the case of a workplace canteen, food or drink, or both, to be consumed –
 - (i) by an employee, or contractor, of the premises where the workplace canteen is located; and
 - (ii) at another location within those premises that complies with *paragraph (h)*; or
- (c) food and drink to be consumed at the premises if –
 - (i) the total number of areas open on the premises, for food and drink to be consumed, does not exceed two; and
 - (ii) each area of the premises that is open under subparagraph (i) must –
 - (A) where practicable, have a separate means of entry to the area that does not require an attendee at the area to interact with an attendee at another area of the premises that is also open for food and drink to be consumed; and
 - (B) be –
 - (I) separated, by permanent structures, from any other area of the premises that is also open for food and drink to be consumed; or
 - (II) a discrete area of the premises that is separated from, and a reasonable distance from, any other area of the premises that is also open for food and drink to be consumed; and

- (C) ensure that wait staff, or attendants, that are working in that area of the premises are not also working in another area of the premises that is open for food and drink to be consumed; and
- (iii) the total number of attendees, at any one time, present at an area of the premises that is open for food and drink to be consumed, does not exceed the lesser of the following:
 - (A) 10 attendees;
 - (B) the total number of persons calculated, under *paragraph (h)(ii)*, for that area.
- (3) A restaurant, café, dining room or canteen at a hospital, residential care home, homeless accommodation, school, prison, defence barracks or detention centre may only open, or operate, under this direction if the restaurant, café, dining room or canteen is being used to provide food or drink, or both, to be consumed by residents or students of, or workers at, the premises where the café, dining room or canteen is located.

2. Premises selling alcohol

- (1) A premises where alcohol is sold for consumption at those premises (including restaurants, pubs, registered and licensed clubs and hotels) must not open, or operate, unless authorised under this clause.
- (2) Subclause (1) does not apply to such part of a premises that –
 - (a) on 1 March 2020, was lawfully operated, in relation to the sale of alcohol, wholly or predominantly to provide alcohol for consumption at a location other than the premises; and
 - (b) after 1 March 2020, continues to operate wholly or predominantly to provide alcohol for consumption at a location other than the premises.
- (3) A premises where alcohol is sold for consumption at those premises may only open, or operate, under this direction if the alcohol is lawfully provided with food for consumption –
 - (a) at another location; or
 - (b) at the premises and is ordered from, and delivered to, to the table at which the food is to be consumed.

3. Accommodation premises

- (1) A hotel, motel, hostel, bed and breakfast, boarding house, caravan park, campsite, camping area, homeless accommodation or similar premises must not open, or operate, unless authorised under this clause.
- (2) A hotel, motel, hostel, bed and breakfast, boarding house, caravan park, campsite, camping area, homeless accommodation or similar premises may only open, or operate, under this direction if the premises is only open, and operating, in respect of the following persons:
 - (a) workers, or contractors, employed or engaged in the operation of the premises;
 - (b) current residents of the premises, if those residents –
 - (i) predominantly reside at the premises on a permanent basis; or
 - (ii) predominantly reside at the premises while their principal residence is unavailable, whether it is unavailable on a permanent or temporary basis; or
 - (iii) are unable to return to their principal residence due to a border closure, or travel restriction; or

- (iv) have booked travel on the first available flight or sailing to return to their principal residence or another place; or
- (v) are residents of such premises –
 - (A) for the purposes of isolation or quarantine; or
 - (B) while another person is in isolation or quarantine at the resident's principal residence; or
- (vi) are residing at the premises to enable person to perform duties or functions that make the person a specified person under the direction of the State Controller, made on 18 April 2020 in relation to persons arriving in Tasmania, under the *Emergency Management Act 2006*; or
- (vii) are residing at the premises for the purposes of –
 - (A) employment, education or training; or
 - (B) respite due to illness, disability or as recommended by a medical practitioner; or
 - (C) compassionate reasons including, but not limited to, domestic violence and end of life visitation and care.

4. Rehabilitation premises

- (1) A residential rehabilitation premises must not open, or operate, unless authorised under this clause.
- (2) A residential rehabilitation premises may only open, or operate, under this direction if –
 - (a) the premises is providing treatment for addiction or mental health; and
 - (b) the only persons present on the premises are –
 - (i) the operators, or workers or contractors, employed or engaged in the operation of such premises; and
 - (ii) residents of such premises.

5. Religious and ceremonial premises

- (1) A place of worship, religious premises, ceremonial premises or similar premises must not open, or operate, unless authorised under this clause.
- (2) A place of worship, religious premises, ceremonial premises or similar premises may only open, or operate, under this direction if those premises are open to –
 - (a) perform a wedding if the total number of persons present at the wedding does not exceed the lesser of the following:
 - (i) 10 attendees plus each person reasonably necessary to perform the wedding;
 - (ii) the total number of persons calculated for the premises under *paragraph (h)(ii)*; or
 - (b) perform a funeral if the total number of persons at the funeral does not exceed the lesser of the following:
 - (i) if the funeral is being performed in an outdoor space, 30 attendees plus each person reasonably necessary to perform the funeral;
 - (ii) if the funeral is being performed in an indoor space, 20 attendees plus each person reasonably necessary to perform the funeral;
 - (iii) the total number of persons calculated for the premises under *paragraph (h)(ii)*; or

- (c) provide religious instruction, support or services, where the total number of persons does not exceed the lesser of the following:
 - (i) 10 attendees plus each person reasonably necessary to perform the provide the instruction, support or service;
 - (ii) the total number of persons calculated for the premises under *paragraph (h)(ii)*.

6. Entertainment premises

- (1) The following premises must not open, or operate, unless authorised under this clause:
 - (a) cinemas and entertainment venues;
 - (b) museums, national institutions and historic sites;
 - (c) galleries that are primarily for the display of art that is not for sale;
 - (d) concert venues, theatres, arenas, auditoriums and stadiums;
 - (e) casinos, gaming and other gambling venues;
 - (f) amusement parks, arcades and play centres;
 - (g) dance venues and night clubs;
 - (h) strip clubs and brothels;
 - (i) other similar premises.
- (2) A concert venue, theatre, arena or auditorium may only open, or operate, under this direction if –
 - (a) the premises is being used for the purpose of live streaming a performance or event; and
 - (b) the total number of persons present on the premises at the time of the live stream does not exceed the lesser of the following:
 - (i) 10 persons;
 - (ii) the total number of persons calculated for the premises under *paragraph (h)(ii)*.

7. Sports, recreation and wellness premises

- (1) The following premises must not open, or operate, unless authorised under this clause:
 - (a) gymnasiums, health clubs, fitness centres, wellness centres (including yoga and barre premises), indoor venues used predominantly for sport, fitness or recreation (including dance, gymnastics, cheerleading and other similar activities);
 - (b) pools, regardless of whether the premises are an indoor space or an outdoor space;
 - (c) skate parks and playgrounds, regardless of whether the premises are an indoor space or an outdoor space;
 - (d) day spas and massage parlours;
 - (e) spas, saunas and bath houses;
 - (f) other similar premises.
- (2) A premises referred to in subclause (1)(a) may only open, or operate, under this direction if –
 - (a) the portion of the premises that is open is operated for the purpose of providing physical rehabilitation services; and
 - (b) the rehabilitation services are only provided to a person on the referral, or recommendation, 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).
- (3) A swimming pool, or therapy pool, may only open, or operate, under this direction if –
 - (a) the changing areas and other communal areas of the premises, other than the pool, are only open –
 - (i) for the purposes of transiting to, or from, the pool; and
 - (ii) to enable a person on the premises to access a toilet on the premises; and
 - (iii) for spectators permitted on the premises in accordance with paragraph (d); and
 - (b) if the pool is divided into lanes, only one person is in each lane of the pool at any one time; and
 - (c) the total number of persons present in each pool within the premises does not exceed 10 attendees; and
 - (d) spectators are not permitted in the premises, except for the following spectators:
 - (i) if an attendee using the pool requires a guardian to be present, one spectator may enter, and remain on, the premises while the attendee is using the pool;
 - (ii) if an attendee using the pool requires assistance or support to use the pool as a result of a disability, whether temporary or permanent, one or more spectators may enter, and remain on, the premises if the spectator's presence on the premises is necessary to assist the attendee while he or she is on the premises.
- (4) A skate park, playground or similar premises may only open, or operate, under this direction if –
 - (a) the premises is primarily an outdoor space; and
 - (b) the total number of persons present on the premises does not exceed the lesser of the following:
 - (i) 10 persons;
 - (ii) the total number of persons calculated for the premises under *paragraph (h)(ii)*.

8. Community premises

- (1) The following premises must not open, or operate, unless authorised under this clause:
 - (a) community centres, neighbourhood houses, recreation centres, youth centres and community facilities;
 - (b) libraries;
 - (c) premises, and parts of premises, owned or operated by a council of a municipal area;
 - (d) other similar premises.
- (2) A premises referred to in subclause (1) may only open, or operate, under this direction if –
 - (a) the premises is operating to provide –
 - (i) essential voluntary, or public, services such as food banks or homelessness services; or
 - (ii) other services or activities that may be lawfully provided, or undertaken under this direction; or
 - (b) the premises, other than a library, is operating to provide services and the total number of persons present at the premises when those services are provided does not exceed the lesser of the following:

- (i) 10 attendees;
 - (ii) the total number of persons calculated for the premises under *paragraph (h)(ii)*.
- (3) In addition to subclause (2)(a), a library may only open, or operate, under this direction to provide library services if –
- (a) the total number of persons present at the library does not exceed the lesser of the following:
 - (i) 10 attendees;
 - (ii) the total number of persons calculated for the premises under *paragraph (h)(ii)*; and
 - (iii) all interactive displays and toys within the library are removed or decommissioned.
 - (4) Despite subclauses (2) and (3), a premises referred to in subclause (1) may not open, or operate, under this direction for the purposes of providing sports, fitness or other wellness activities including, but not limited to, yoga, meditation, dance, gymnastics, cheerleading or boot camp.

9. Auction premises

- (1) An auction house, including premises where auction items are available for inspection, must not open, or operate, unless authorised under this clause.
- (2) An auction house, or similar premises, may only open, or operate, under this direction if the premises is being operated in respect of the sale of livestock, food or other agricultural purposes.
- (3) An auction house or similar premises, other than premises to which subclause (2) applies, may only open, or operate, under this direction if the total number of persons present at the premises does not exceed the lesser of the following:
 - (a) 10 attendees;
 - (b) the total number of persons calculated for the premises under *paragraph (h)(ii)*.

10. Zoological premises

- (1) A zoo, wildlife centre, animal park, petting zoo, aquarium, marine park or similar premises must not open, or operate, unless authorised under this clause.
- (2) A zoo, wildlife centre, animal park, petting zoo, aquarium, marine park or similar premises may only open, or operate, under this direction to enable operators, or workers, or contractors, employed or engaged by the owner or operator of the premises –
 - (a) to care or treat the animals at the premises, to perform an animal rescue function or to ensure the general operation of such premises; or
 - (b) to produce food or stock.

11. Racing and gaming premises

- (1) A premises, other than newsagency, where racing, gaming or gambling services are provided must not open, or operate, unless authorised under this clause.
- (2) A premises referred to in subclause (1) may only open, or operate, under this direction for the purposes of one or more of the following:
 - (a) to care for, or provide treatment to, animals at the premises;
 - (b) in the case of premises where racing services are provided, to train animals if the only persons present on the premises at the time the training occurs are –
 - (i) necessary to assist in the training of the animal; or

- (ii) otherwise lawfully permitted to be on the premises.

Schedule 2

1. Ceremonies, worship and other similar services

- (1) Subject to subclause (2), the provision of religious gatherings, religious ceremonies, religious instruction, non-denominational ceremonies and other similar services and ceremonies, unless –
 - (a) the total number of persons at the gathering, ceremony, instruction or service does not exceed the lesser of the following:
 - (i) 10 attendees plus each person reasonably necessary to provide the ceremony, instruction or service;
 - (ii) the total number of persons calculated, under *paragraph (h)(ii)*, for the area where the service is being provided; or
 - (b) the gathering, ceremony, instruction or service is 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 the lesser of the following:
 - (A) 10 attendees plus each person reasonably necessary to perform the wedding;
 - (B) the total number of persons calculated, under *paragraph (h)(ii)*, for the area where the wedding is being performed; or
 - (ii) in the case of a funeral, the total number of persons present does not exceed the lesser of the following:
 - (A) if the funeral is being performed in an outdoor space, 30 attendees plus each person reasonably necessary to perform the funeral;
 - (B) if the funeral is being performed in an indoor space, 20 attendees plus each person reasonably necessary to perform the funeral;
 - (C) the total number of persons calculated, under *paragraph (h)(ii)*, for the area where the funeral is being performed; or
 - (b) unless the services are lawfully provided remotely by electronic means.

2. Beauty services

- (1) The provision of beauty therapy and treatment, tanning, waxing, manicure or other nail treatments, tattoos, ear and body piercing, body modification and other similar services.
- (2) For the avoidance of doubt, subclause (1) does not apply to a treatment, or procedure, performed by a registered health practitioner, within the meaning of the *Health Practitioner Regulation National Law (Tasmania)*, that is within the scope of the practitioner's registration under that Law.

3. Real estate services

The provision of real estate auctions and open home inspections, or other similar services, unless –

- (a) if the service is provided personally –
 - (i) the total number of persons present on the premises does not exceed the lesser of the following:
 - (A) 10 persons;
 - (B) the total number of persons calculated for the premises under *paragraph (h)(ii)*; and
 - (ii) the premises where the auction, or inspection, occurs complies with *paragraph (h)*; or
- (b) the services are lawfully provided remotely by electronic means.

4. Sales services

- (1) The provision of markets, whether held in an indoor space or an outdoor space, unless the market is only for the provision of fresh food, or produce, that is to be consumed at other locations or premises.
- (2) The provision of garage sales, car boot sales or similar means of selling of second hand goods, other than the selling of second-hand goods by a charitable organisation.

5. Sports and fitness services

- (1) The provision of boot camps, personal training and other sports or exercise services –
 - (a) unless –
 - (i) the services are being provided in an outdoor space; and
 - (ii) the total number of persons present in that outdoor space does not exceed the lesser of the following:
 - (A) 10 attendees;
 - (B) the total number of persons calculated for the space under *paragraph (h)(ii)*; or
 - (b) unless the services are lawfully provided remotely by electronic means.
- (2) The provision of social sports activities, or other exercise or activity-based gatherings –
 - (a) unless –
 - (i) the services are provided in an outdoor space; and
 - (ii) the services are a Level B activity as specified within the *Framework for Rebooting Sport in a COVID-19 Environment*, as published by the Australian Institute of Sport and in force on 15 May 2020; and
 - (iii) the services do not require access to premises that are closed in accordance with this direction; and
 - (iv) the total number of persons present does not exceed the lesser of the following:
 - (A) 10 attendees;
 - (B) the total number of persons calculated for the space under *paragraph (h)(ii)*; and
 - (v) the services do not involve close contact, or direct contact, with another person; or
 - (b) unless the services are lawfully provided remotely by electronic means.

6. Services provided under the *Sex Industry Offences Act 2005*

The provision of services to a person by a sex worker, within the meaning of the *Sex Industry Offences Act 2005*.

PUBLIC HEALTH ACT 1997

DIRECTION UNDER SECTION 16

(Hospitals – No. 4)

I, SCOTT McKEOWN, the Acting 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) subject to paragraph (b), a person must not enter, or remain on, the premises of a hospital in Tasmania between 19 May 2020 and midnight 1 June 2020 (inclusive) unless –
 - (i) the person is seeking, or receiving, medical care or treatment at the hospital; or
 - (ii) the person is an employee or contractor of the hospital; or
 - (iii) the person’s presence at the premises is for the purposes of providing goods or services that are necessary for the effective operation of the hospital, whether the goods or services are provided for consideration or on a voluntary basis; or
 - (iv) the person’s presence at the premises is for the purposes of providing health, medical or pharmaceutical goods or services to a patient at the hospital, whether the goods or services are provided for consideration or on a voluntary basis; or
 - (v) the person is a parent, or guardian, of a dependent child who is a patient at the hospital; or
 - (vi) the person is a guardian, within the meaning of the *Guardianship and Administration Act 1995*, of a patient at the hospital; or
 - (vii) the person is entering, or remaining on, the premises to lawfully provide one or more of the following types of assistance to a patient, if the assistance is necessary while the patient is entering, or on, the premises:
 - (A) physical assistance;
 - (B) assistance with communication or comprehension;
 - (C) assistance with any legal or administrative requirements; or
 - (viii) the person is the support person for a patient at the hospital who is a patient due to the birth of, or the likely birth of, a child; or
 - (ix) the person’s presence at the premises is for the purposes of end of life support for a patient at the hospital; or
 - (x) the person’s presence at the premises is required for the purposes of emergency management or law enforcement; and
- (b) despite paragraph (a), a person referred to in paragraph (a) (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix) or (x) must not enter, or remain on, the premises of a hospital in Tasmania between 19 May 2020 and midnight 1 June 2020 (inclusive) if –
 - (i) during the 14-day period immediately preceding the entry, the person arrived in Tasmania from a place outside Tasmania; or
 - (ii) during the 14-day period immediately preceding the entry, the person had known contact with a person who –
 - (A) has been diagnosed with the disease; or
 - (B) is reasonably suspected of having the disease; or
 - (iii) the person has –
 - (A) a temperature higher than 37.5 degrees; or

- (B) one or more symptoms of acute respiratory infection; or
- (iv) the person has not attained the age of 16 years, unless his or her presence is required on the premises for end of life support; and
- (c) paragraph (b)(i) or (ii) does not apply in respect of a person if the person –
 - (i) is a person specified in the Schedule to the direction given under the *Emergency Management Act 2006* on 18 April 2020 in relation to persons arriving in Tasmania (a “specified person”); and
 - (ii) is entering, or remaining on, the premises of a hospital in his or her capacity as a specified person and for the purposes of providing services that are necessary for the effective operation of the hospital; and
 - (iii) complies with all relevant directions under the Act and the *Emergency Management Act 2006*; and
- (d) paragraph (b)(i) or (ii) does not apply in respect of a person if –
 - (i) the person is a significant person in respect of a patient at the hospital; and
 - (ii) the Director of Public Health, or his or her delegate, is satisfied that the person is entering in, or remaining on, the premises of the hospital for the purpose of end of life support for the patient; and
 - (iii) the Director of Public Health, or his or her delegate, has authorised the person to enter, or remain on, those premises for those purposes; and
 - (iv) in addition to any other legal requirements under the Act, the person complies with any additional requirements imposed on the person by the Director of Public Health, or his or her delegate, to ensure the safety of the person, the staff of the hospital and the patients of the hospital; and
- (e) for the purposes of paragraph (a)(v), (vi) or (vii), only one (1) person is allowed on the premises per patient at any one time; and
- (f) the operator of a hospital in Tasmania must take all reasonable steps to ensure that a person does not enter, or remain on, the premises of the hospital if the person is prohibited from doing so under paragraph (a) or (b); and
- (g) the operator of a hospital in Tasmania must ensure that all persons who enter, or remain, on the premises of the hospital have been screened, as directed by the Director of Public Health or his or her delegate, before the persons so enter, or remain, on the premises; and
- (h) in this direction –
 - (i) **hospital** includes the following, within the meaning of the *Health Service Establishments Act 2006*:
 - (A) public hospitals;
 - (B) private hospitals;
 - (C) day-procedure centres; and
 - (ii) **operator**, of a hospital, means a person who owns, controls or operates the hospital; and
 - (iii) **patient**, at a hospital, includes a person seeking medical care or treatment at the hospital whether or not the person is admitted to the hospital for that care or treatment; and
 - (iv) **significant person**, in relation to a patient, includes –
 - (A) the spouse of the patient, including the other party to a significant relationship with the

patient, within the meaning of the *Relationships Act 2003*; and

- (B) a child of the patient, within the meaning of the *Evidence Act 2001*; and
- (C) a parent of the patient; and
- (v) **support person**, in relation to a patient, means one (1) person who is nominated by the patient as the support person for that patient; and
- (vi) **symptoms of acute respiratory infection** include fever, coughing, sore throat, muscular pains, shortness of breath or unexpected tiredness; and
- (i) on 19 May 2020, the direction given by the Acting Director of Public Health, given under section 16 of the Act on 4 May 2020 and entitled *Hospitals – No. 3*, is revoked.

Dated this 17th day of May 2020.

SCOTT McKEOWN
Acting Director of Public Health

PUBLIC HEALTH ACT 1997

DIRECTION UNDER SECTION 16

(*Stay at home requirements – No. 5*)

I, SCOTT McKEOWN, the Acting 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, commencing from 18 May 2020 –

- (a) subject to any other law or legal instrument, and unless directed to self-isolate or quarantine under another direction under the Act, each person in Tasmania must remain in, or on, the person’s primary residence unless the person leaves the primary residence for the purposes of –
 - (i) purchasing supplies or services that are lawfully operating while this direction is in force; or
 - (ii) attending a gathering, or a group of persons, that is lawfully permitted to occur while this direction is in force; or
 - (iii) undertaking personal exercise; or
 - (iv) attending medical, or health care, appointments or for medical treatment; or
 - (v) seeking veterinary services, within the meaning of the *Veterinary Surgeons Act 1987*, for an animal; or
 - (vi) providing reasonable measures, within the meaning of section 6 of the *Animal Welfare Act 1993*, required to ensure the welfare of an animal that the person has in his or her care or charge, within the meaning of that Act; or
 - (vii) attending school or study; or
 - (viii) attending work, or volunteering, if unable to be performed at the person’s primary residence; or
 - (ix) performing essential maintenance, or security inspections, of another premises owned, or occupied, by the person; or
 - (x) launching a boat, if the boat is launched within the municipal area in which the primary residence of the person is located; or
 - (xi) attending another location if the person has a reasonable excuse, in the opinion of the Director of Public Health or his or her delegate, to attend the other location; and
- (b) a person may only undertake personal exercise under paragraph (a)(ii) within a relevant reserve if –

- (i) the relevant reserve is open to the person or to members of the public generally; and
 - (ii) the relevant reserve is within 30 kilometres, by road, of the person's primary residence; and
 - (iii) the period of personal exercise is commenced and completed between sunrise and sunset of the same day; and
 - (iv) the person complies with all other lawful restrictions and requirements in respect of the relevant reserve; and
- (c) if a person leaves the primary residence of the person for a purpose referred to in paragraph (a)(ii), (iv), (v), (vi), (vii) or (viii) and is required to reside in a place other than that primary residence –
- (i) the person must not stay in the other place for longer than is necessary to carry out that purpose; and
 - (ii) paragraph (a) applies to the other place as if it were the primary residence of the person; and
- (d) in this direction –
- (i) **primary residence**, of a person, means –
 - (A) if the person is not a permanent resident in Tasmania, or resides in Tasmania for a fixed period, the location in Tasmania where the person intends to lawfully reside while in Tasmania; or
 - (B) in any other case, the location in Tasmania where the person intends to reside until the declaration of the public health emergency in respect of the disease is revoked under the Act; and
 - (ii) **relevant reserve** means the following areas of land:
 - (A) an area of reserved land in respect of which the Director of National Parks and Wildlife is the managing authority under section 29 of the *National Parks and Reserves Management Act 2002*;
 - (B) the Wellington Park within the meaning of the *Wellington Park Act 1993*; and
- (e) on 18 May 2020, the direction given by the Director of Public Health, given under section 16 of the Act on 9 May 2020 and entitled *Stay at home requirements – No. 4*, is revoked.
- Dated this 17th day of May 2020.

SCOTT McKEOWN
Acting Director of Public Health

Penalty Units and Other Penalties

PENALTY UNITS AND OTHER PENALTIES ACT 1987

NOTICE UNDER SECTION 4A OF THE PENALTY UNITS AND OTHER PENALTIES ACT 1987

For the purposes of section 4A of the *Penalty Units and Other Penalties Act 1987*, the value of a penalty unit for the financial year commencing 1 July 2020 is specified to be \$172.

Dated this fifteenth day of May 2020.

THE HON ELISE ARCHER
Attorney-General and Minister for Justice

Civil Liability

CIVIL LIABILITY ACT 2002

NOTICE UNDER SECTION 27 OF THE CIVIL LIABILITY ACT 2002

For the financial year commencing 1 July 2020, the values of Amount A and Amount B for the purposes of section 27 of the *Civil Liability Act 2002* are specified to be:

Amount A = \$6 000

Amount B = \$30 000

Dated this seventeenth day of May 2020.

THE HON ELISE ARCHER
Attorney-General and Minister for Justice

COVID-19 Disease Emergency

TASMANIA

COVID-19 DISEASE EMERGENCY (MISCELLANEOUS PROVISIONS) ACT 2020

NOTICE UNDER SECTION 16

I, PETER CARL GUTWEIN, the Premier, in pursuance of section 16(1)(b) 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 –

- (a) despite section 90 of the *Food Act 2003*, the period that the registration of a food business is to remain in force, under that section, is extended by a further period of 6 months if the registration –
 - (i) was in force immediately before the day on which notice of the making of this notice is published in the *Gazette*; and
 - (ii) is due to expire within the 6 month period immediately after the day on which notice of the making of this notice is published in the *Gazette*; and
- (b) despite sections 100 and 101(9) of the *Public Health Act 1997*, the periods that the registration of premises where a public health risk activity may be carried out is to remain in force, under those sections, are extended by a further period of 6 months if the registration –
 - (i) was in force immediately before the day on which notice of the making of this notice is published in the *Gazette*; and
 - (ii) is due to expire within the 6 month period immediately after the day on which notice of the making of this notice is published in the *Gazette*; and
- (c) despite sections 108 and 110(9) of the *Public Health Act 1997*, the periods that a licence to carry out a public health risk activity is to remain in force, under those sections, are extended by a further period of 6 months if the licence –
 - (i) was in force immediately before the day on which notice of the making of this notice is published in the *Gazette*; and
 - (ii) is due to expire within the 6 month period immediately after the day on which notice of the making of this notice is published in the *Gazette*.

Dated this twenty-first day of May 2020.

PETER GUTWEIN
Premier

Mental Health

MENTAL HEALTH ACT 2013

Notice is hereby given that in accordance with section 138 of the *Mental Health Act 2013*, the undermentioned person has been approved as a medical practitioner for provisions of the *Mental Health Act 2013* within the Chief Civil Psychiatrist and Chief Forensic Psychiatrist's jurisdictions for a period of five years commencing on 21st May 2020.

DR ANNA ESME NORRIS

Dated this twenty-first day of May 2020.

DR AARON ROBERT GROVES
Chief Civil Psychiatrist/Chief Forensic Psychiatrist

MENTAL HEALTH ACT 2013

Notice is hereby given that in accordance with section 139 of the *Mental Health Act 2013*, the undermentioned person has been approved as a mental health officer for provisions of the *Mental Health Act 2013* within the Chief Civil Psychiatrist and Chief Forensic Psychiatrist's jurisdictions for a period of five years commencing on the 1st day of May 2020.

ANDREW NORMAN

Dated this first day of May 2020.

DOCTOR AARON ROBERT GROVES
Chief Civil Psychiatrist/Chief Forensic Psychiatrist

MENTAL HEALTH ACT 2013

Notice is hereby given that in accordance with section 139 of the *Mental Health Act 2013*, the undermentioned person has been approved as a mental health officer for provisions of the *Mental Health Act 2013* within the Chief Civil Psychiatrist and Chief Forensic Psychiatrist's jurisdictions for a period of five years commencing on the 1st day of May 2020.

CAITLIN LITTLE

Dated this first day of May 2020.

DOCTOR AARON ROBERT GROVES
Chief Civil Psychiatrist/Chief Forensic Psychiatrist

MENTAL HEALTH ACT 2013

Notice is hereby given that in accordance with section 139 of the *Mental Health Act 2013*, the undermentioned person has been approved as a mental health officer for provisions of the *Mental Health Act 2013* within the Chief Civil Psychiatrist and Chief Forensic Psychiatrist's jurisdictions for a period of five years commencing on the 1st day of May 2020.

ANDREW ROBERTS

Dated this first day of May 2020.

DOCTOR AARON ROBERT GROVES
Chief Civil Psychiatrist/Chief Forensic Psychiatrist

MENTAL HEALTH ACT 2013

Notice is hereby given that in accordance with section 139 of the *Mental Health Act 2013*, the undermentioned person has been approved as a mental health officer for provisions of the *Mental Health Act 2013* within the Chief Civil Psychiatrist and Chief Forensic Psychiatrist's jurisdictions for a period of five years commencing on the 1st day of May 2020.

TEGAN SPENCER

Dated this first day of May 2020.

DOCTOR AARON ROBERT GROVES
Chief Civil Psychiatrist/Chief Forensic Psychiatrist

MENTAL HEALTH ACT 2013

Notice is hereby given that in accordance with section 139 of the *Mental Health Act 2013*, the undermentioned person has been approved as a mental health officer for provisions of the *Mental Health Act 2013* within the Chief Civil Psychiatrist and Chief Forensic Psychiatrist's jurisdictions for a period of five years commencing on the 1st day of May 2020.

EMMA ARCHER

Dated this first day of May 2020.

DOCTOR AARON ROBERT GROVES
Chief Civil Psychiatrist/Chief Forensic Psychiatrist

MENTAL HEALTH ACT 2013

Notice is hereby given that in accordance with section 139 of the *Mental Health Act 2013*, the undermentioned person has been approved as a mental health officer for provisions of the *Mental Health Act 2013* within the Chief Civil Psychiatrist and Chief Forensic Psychiatrist's jurisdictions for a period of five years commencing on the 1st day of May 2020.

SIOBHAN GRAHAM

Dated this first day of May 2020.

DOCTOR AARON ROBERT GROVES
Chief Civil Psychiatrist/Chief Forensic Psychiatrist

Local Government

GLAMORGAN SPRING BAY COUNCIL ENVIRONMENTAL HEALTH BY-LAW

By-Law No. 1 of 2019

A BY-LAW of the Glamorgan Spring Bay Council made under Section 145 of the *Local Government Act 1993* (Tas) for the purposes of regulating and controlling matters of environmental health.

PART 1 – PRELIMINARY

1. Short Title

This By-Law may be cited as the Environmental Health By-Law No 1 of 2019.

2. Repeal

Clause not used.

3. Interpretation

- (1) In this By-law, unless the contrary intention appears –

Act means the *Local Government Act 1993* (Tas);

Authorised Officer means:

- (a) an employee of the Council appointed by the General Manager as an authorised officer for the purpose of this By-Law; or
- (b) an Environmental Health Officer;

By-Law is a reference to this Environmental Health By-Law No. 1 of 2019;

Council means the Glamorgan Spring Bay Council (ABN 95 641 533 778) constituted pursuant to the Act;

Environmental Health Officer means a person employed by Council from time to time holding the position of Environmental Health Officer;

General Manager means the person appointed by Council from time to time to the position of general manager in accordance with section 61 of the Act;

Infringement Notice means a notice complying with section 149 of the Act;

local highway has the meaning given to that term in section 4 of the *Local Government (Highways) Act 1982* (Tas);

Municipal Area means the municipal area of the Glamorgan Spring Bay Council defined in accordance with section 16 of the Act.

Glamorgan Spring Bay Council – Environmental Health By-Law No. 1 of 2019

person includes a body corporate;

proprietor includes the owner, occupier or any person having the control or management of land;

public land means land within the Municipal Area which is owned, vested in or managed by Council and includes any public place and any local highway;

public place has the meaning given to that term in section 3(1) of the *Police Offences Act 1935* (Tas);

Refuse means rubbish, waste and other similar articles or things including recyclable materials but does not include Trade Waste;

Refuse Disposal Attendant means a person who is employed by Council to work at one or more Refuse Disposal Sites;

Refuse Disposal Site means any land designated by Council for the disposal of Refuse and includes:

- (a) refuse disposal areas (i.e. tips),
- (b) waste transfer stations;
- (c) resource recovery facilities; and
- (d) recycling centers; and

Trade Waste means liquid or solid waste produced or generated on commercial premises or as a result of commercial activities.

PART 2 – REFUSE DISPOSAL SITES

4. Depositing Refuse

A person must not deposit, or caused to be deposited, any Refuse at a Refuse Disposal Site other than in accordance with the directions set out in any signage or notice located at the Refuse Disposal Site or given by a Refuse Disposal Attendant.

Penalty: Fine not exceeding 5 penalty units.

5. Hours of operation

A person must not, without the written permission of a Refuse Disposal Attendant or the General Manager, deposit or cause to be deposited any Refuse at a Refuse Disposal Site other than during the operating hours of that Refuse Disposal Site as designated either by signage displayed at the entrance to the Refuse Disposal Site or on Council's website.

Glamorgan Spring Bay Council – Environmental Health By-Law No. 1 of 2019

Penalty: Fine not exceeding 5 penalty units.

6. Fire safety

A person must not:

- (a) deposit any hot or incendiary materials including ashes, embers, or coals; or
- (b) light any fire; or
- (c) provide fuel for any existing fire,

at a Refuse Disposal Site without first obtaining the permission of a Refuse Disposal Attendant.

Penalty: Fine not exceeding 5 penalty units.

7. Scavenging

A person must not, without the written permission of an Authorised Officer, remove any article or thing deposited at a Refuse Disposal Site or interfere with any material, plant or equipment located at a Refuse Disposal Site.

Penalty: Fine not exceeding 5 penalty units.

8. Disposal of loose materials

A person must not deposit any loose paper, cardboard, plastic or similar materials at a Refuse Disposal Site other than by depositing such materials in disposal bins designated for that purpose.

Penalty: Fine not exceeding 5 penalty units.

9. Direction of Authorised Officer

- (1) Where a person (or persons) seeks to dispose of any item or material at a Refuse Disposal Site and a Refuse Disposal Attendant or an Authorised Officer form the opinion that the relevant item or material:
 - (a) may pose a risk to the safety of Council employees, members of the public, or the environment if it were deposited at a Refuse Disposal Site; or
 - (b) is prohibited from being deposited at a Refuse Disposal Site by the regulatory conditions under which the Refuse Disposal Site is permitted to operate,

the Refuse Disposal Attendant or Authorised Officer (as applicable) may direct that person (or persons):

Glamorgan Spring Bay Council – Environmental Health By-Law No. 1 of 2019

- (c) not to deposit the relevant item or material at the Refuse Disposal Site;
or
 - (d) to deposit the relevant item or material in a specific manner.
- (2) A person (or persons) must not fail to comply with a direction given by a Refuse Disposal Attendant or an Authorised Officer under clause 9(1) of this By-Law.

Penalty: Fine not exceeding 5 penalty units.

PART 3 – HOUSEHOLD REFUSE DISPOSAL

10. Interpretation

In this Part 3 -

Kerbside Collection Service means a service provided by Council consisting of:

- (a) the provision of mobile garbage bins for the separate disposal of recyclable and non-recyclable domestic Refuse; and
- (b) the periodic collection of Refuse from those mobile garbage bins; and

Notice means a public Council notice displayed in a daily newspaper circulated in the Municipal Area and provided by Council to persons to whom Council supplies domestic kerbside collection services.

11. Kerbside Collection Service

- (1) The General Manager may determine by Notice the classes of materials deemed to be recyclable for the purpose of the Kerbside Collection Service.
- (2) A person must not collect Refuse stored in mobile garbage bins that form part of the Kerbside Collection Service unless they are authorised to do so by Council.

Penalty: Fine not exceeding 2 penalty units.

12. Use of mobile garbage bins

The proprietor (or proprietors) of land serviced by the Kerbside Collection Service must:

- (a) store the mobile garbage bins wholly within the boundaries of their land unless authorised by an Authorised Officer, excepting when placed on the kerbside for collection;

Glamorgan Spring Bay Council – Environmental Health By-Law No. 1 of 2019

- (b) only deposit in the recyclable mobile garbage bin recyclable Refuse as determined by Council;
- (c) only deposit in the non-recyclable mobile garbage bin non-recyclable Refuse as determined by Council;
- (d) only place in the mobile garbage bins Refuse produced on their land;
- (e) maintain the mobile garbage bins in a state of good repair (excepting fair wear and tear);
- (f) clean and disinfect the mobile garbage bins if directed to do so by an Authorised Officer;
- (g) keep the lid of their mobile garbage bins closed except when matter is being deposited in them;
- (h) put the mobile garbage bins out for collection at the times and in the manner and location notified by Council or as directed by an Authorised Officer;
- (i) ensure that the contents of any mobile garbage bin do not exceed fifty (50) kilograms;
- (j) remove the mobile garbage bins from the kerbside as soon as practicable following each collection;
- (k) not deposit Trade Waste in any mobile garbage bins; and
- (l) not deposit in any mobile garbage bins and material, item or substance which:
 - i. is hot, or is likely to become hot;
 - ii. may, or is likely to explode;
 - iii. may interact with other substances in the bin and generate toxic or poisonous gases or fumes;
 - iv. is corrosive or may otherwise damage the bin; or
 - v. contains sharps, hazardous waste or potentially infectious waste.

13. Penalties

- (1) A person must not fail to comply with any of sub-clauses 12(a), (b), (c), (d), (f), (g), (h) or (i) of this By-Law.

Penalty: in each case, a fine not exceeding 2 penalty units.

- (2) A person must not fail to comply with a direction given by an Authorised Officer under clause 12(e) of this By-Law.

Glamorgan Spring Bay Council – Environmental Health By-Law No. 1 of 2019

Penalty: Fine not exceeding 2 penalty units.

- (3) A person must not fail to comply with any of sub-clauses 12(j) or (k) of this By-Law.

Penalty: in each case, a fine not exceeding 5 penalty units.

PART 4 – ANIMAL CONTROL

14. Interpretation

In this Part 4 -

animal includes any live companion animal, domestic animal, farm animal, fowl or native animal;

companion animal means an animal kept by a person as a companion pet;

domestic animal includes an animal or bird that is:

- (a) kept by an owner or some other person who has charge of the animal; and
- (b) reliant upon human contact to satisfy its welfare requirements;

farm animal means a horse, stock or any other animal that is commonly being farmed or grazed but excludes poultry;

poultry includes chickens (including hens and roosters) and any other commonly farmed avian species;

native animal means any animal native to Australia;

pest animal means a feral animal, vermin or vectors;

prepared food includes:

- (a) a product manufactured altered or modified for the purpose of consumption by animals; or
- (b) commercial products or household scraps used for the purpose of animal consumption,

but does not include hay or straw of any type;

stock includes cattle, goats, deer, sheep, pigs, or a combination of two or more of them; and

vermin means rats, mice, flies, fleas, lice, or any other animal or insect pest.

Glamorgan Spring Bay Council – Environmental Health By-Law No. 1 of 2019

15. Effective control of animals

- (1) Subject to clause 15(2) of this By-Law, the owner of any animal must ensure that their animal does not:
- (a) enter or remain on any private property without the consent of the owner or occupier of such property; or
 - (b) enter any public land unless there is a sign displayed on that land authorising the entry of that kind of animal.

Penalty: Fine not exceeding 5 penalty units.

- (2) Clause 15(1) of this By-Law does not apply to:
- (a) domestic cats or domestic dogs; or
 - (b) a situation where farm animals or stock are on a public road and are under the supervision and effective control of a competent person.

16. Maintenance of premises used by animals

- (1) The proprietor of any land must:
- (a) keep any structures, buildings, enclosures or areas to which animals have access in a clean and sanitary condition;
 - (b) keep any bedding or floor coverings used by animals, or to which animals have access, in a clean and sanitary condition;
 - (c) regularly empty any container used for the keeping of animal waste, animal food or manure and keep such container in a clean and sanitary condition; and
 - (d) not use or include any part of an adjoining property fence as part of an animal enclosure.

Penalty: Fine not exceeding 2 penalty units.

- (2) A person must not discharge, deposit, or allow or permit to be discharged or deposited, any animal waste including but not limited to faeces:
- (a) on to any property excepting the property on which the relevant waste is produced; or
 - (b) into any water course or drain,

Penalty: Fine not exceeding 5 penalty units.

Glamorgan Spring Bay Council – Environmental Health By-Law No. 1 of 2019

17. Pest animals

- (1) An Authorised Officer may direct a proprietor of land where pest animals are present to take steps to remove or eradicate the relevant pest animals.
- (2) A person must not fail to comply with a direction given by an Authorised Officer pursuant to clause 17(1).

Penalty: Fine not exceeding 5 penalty units.

18. Storage of animal food

A person must not keep, store or allow to be kept or stored on any land, prepared food unless it is stored in a sealed receptacle constructed of a material that is resistant to access by pest animals.

Penalty: Fine not exceeding 2 penalty units.

19. Keeping of poultry

- (1) A person must not keep any poultry within 5 metres of any dwelling house or 2 metres of a property boundary.

Penalty: Fine not exceeding 5 penalty units.

- (2) A person must not keep more than 6 poultry on a property within or partly within a residential zone as defined in a planning scheme applying to the area.

Penalty: Fine not exceeding 5 penalty units.

- (3) The occupier of any premises where an animal or poultry is kept must:-

- (a) Maintain any structures, buildings, enclosures or areas which the animal or poultry has access to, so they are clean and sanitary;

- (b) Not allow the animal or poultry to cause any nuisance through smell, noise, rodents, flies or drainage.

Penalty: Fine not exceeding 5 penalty units.

- (4) A person must not keep one or more roosters on any land less than 1000m² situated within the General Residential Zone as prescribed by the maps that form part of the planning scheme applying to the area without the written authorisation of the General Manager and without complying with any direction given in writing by the General Manager.

Penalty: Fine not exceeding 5 penalty units.

Glamorgan Spring Bay Council – Environmental Health By-Law No. 1 of 2019

20. Prohibition on farm animals in General Residential Zone

A person must not keep, or allow to be kept, any farm animal on any land less than 1000m² situated within the General Residential Zone as prescribed by the maps that form part of the planning scheme applying to the area without the written authorisation of the General Manager and without complying with any direction given in writing by the General Manager.

Penalty: Fine not exceeding 5 penalty units.

21. Keeping of racing pigeons in the General Residential Zone

A person must not keep, or allow to be kept, racing pigeons on any land situated within the General Residential Zone as prescribed by the maps that form part of the planning scheme applying to the area without the written authorisation of the General Manager and without complying with any direction given in writing by the General Manager.

Penalty: Fine not exceeding 5 penalty units.

PART 5 – CARAVANS**22. Interpretation****(1) In this Part 5 -****Caravan:**

- (a) means any object which has the general characteristics of a caravan, house on wheels, a covered van or trailer and any vehicle used or adapted for occupation which may or may not have the wheels or axles attached and may or may not be resting directly on the ground or placed on blocks or some other form of supports; and

Caravan Licence means a valid and current licence to occupy a caravan issued by an Authorised Officer in accordance with Form 2 in Schedule 2 to this By-Law;

development has the meaning given to that term in section 3(1) of the *Land Use Planning and Approvals Act 1993* (Tas);

occupy includes to reside or live in for the purposes of shelter, entertainment, sleeping, resting, cooking, eating, or for any other similar use whether on a temporary or permanent basis;

permit has the meaning given to that term in section 3(1) of the *Land Use Planning and Approvals Act 1993* (Tas);

planning scheme has the meaning given to that term in section 3(1) of the *Land Use Planning and Approvals Act 1993* (Tas); and

Glamorgan Spring Bay Council – Environmental Health By-Law No. 1 of 2019

use has the meaning given to that term in section 3(1) of the *Land Use Planning and Approvals Act 1993* (Tas).

- (2) This Part 5 does not apply to any Caravan (or Caravans):
- (a) involved with, or forming part of, any use or development (or both) of land for which:
 - i. a permit has been issued under the *Land Use Planning and Approvals Act 1993* (Tas), including without limitation a permit issued for the operation of a caravan park; or
 - ii. a permit under the *Land Use Planning and Approvals Act 1993* (Tas) is required in order to secure compliance with any planning scheme applicable in the Municipal Area;
 - (b) used on a temporary basis by persons engaged in a travelling show, including but not limited to a circus or some other form of public performance; or
 - (c) used by work gangs or contractors involved in construction work authorised by Council.

23. Caravan Licence

- (1) A person must not have a caravan situated on land within the Municipal Area for a period exceeding thirty (30) days (consecutive or otherwise) in each calendar year without a current Caravan Licence issued by Council unless the caravan is situated at the person's principal place of residence solely for the purpose of storage.
- (2) A person may apply for a Caravan Licence by submitting to Council:
 - (a) an application made in accordance with Form 1 in Schedule 2 of this By-Law; and
 - (b) the application fee determined by Council.
- (3) Upon receipt of an application made in accordance with clause 23(2), an Authorised Officer may request that the applicant supply additional information for the purpose of assessing the application. If an applicant fails to comply with a request made pursuant to this clause 23(2) the relevant application will be refused.
- (4) Subject to sub-clauses 23(5) of this By-Law, an Authorised Officer may grant or refuse an application made in accordance with sub-clause 23(2) and if an application is granted the Authorised Officer may impose reasonable terms and conditions upon a Caravan Licence, including but not limited to the siting of the Caravan on the relevant site.

Glamorgan Spring Bay Council – Environmental Health By-Law No. 1 of 2019

- (5) A Caravan Licence will not to be granted unless an Environmental Health Officer has approved of the proposed method (or methods) for the disposal of refuse and on-site wastewater during the period of occupancy.
- (6) When considering whether to grant an application made in accordance with sub-clause 23(2), the Authorised Officer must take into consideration the following matters:
 - (a) the current and future appearance of the site where the Caravan is to be located as viewed from adjoining land, public roads and any other public place;
 - (b) whether the Caravan will have a negative visual impact on the relevant streetscape;
 - (c) whether the proposed occupancy of the Caravan will negatively impact upon the amenity of the users of land in the vicinity of the site where the Caravan is to be located;
 - (d) whether there is sufficient vehicular access to the site where the Caravan is to be located;
 - (e) whether the site where the Caravan is to be located is subject to natural hazards including but not limited to flooding and bushfire;
 - (f) the number of existing caravans on the site where the Caravan is to be located;
 - (g) the need for the provision of smoke alarms and fire extinguishers;
 - (h) restricted to a maximum of 2 caravan licences per lot under 1000m² in the General Residential zone; and
 - (i) any policy adopted by Council for the purposes of this By-Law.

24. Term of Caravan Licence

Once granted, a Caravan Licence will remain current up to and including the day falling on 30 June next occurring following the date on which the Caravan Licence was issued.

25. Non-compliance with Caravan Licence

The person to whom a Caravan Licence is granted must comply with the terms and conditions of that Caravan Licence.

Penalty: Fine not exceeding 5 penalty units.

26. No occupancy without Caravan Licence

- (1) A person (or persons) must not occupy a Caravan for a period exceeding thirty (30) days (consecutive or otherwise) in each calendar year without a Caravan Licence.

Penalty: Fine not exceeding 5 penalty units.

Glamorgan Spring Bay Council – Environmental Health By-Law No. 1 of 2019

- (2) The proprietor of any land within the Municipal Area must not authorise, allow or otherwise permit any person to occupy a Caravan upon their land for a period exceeding thirty (30) days (consecutive or otherwise) in each calendar year unless such occupancy is authorised by a Caravan Licence.

Penalty: Fine not exceeding 5 penalty units.

27. No occupancy on public land

A person must not occupy a Caravan situated on any public land unless such land is authorised for that purpose.

Penalty: Fine not exceeding 5 penalty units.

28. Storage of caravans

A caravan being stored at a “principle place of residence” within the Municipal Area must not be occupied without a current licence.

Penalty: Fine not exceeding 5 penalty units.

PART 6 – CONTROL OF BURNING

29. Control of burning

- (1) An Authorised Officer may direct an owner or occupier of land, or any other person, to extinguish a fire which has been lit for the burning of waste or fuel or for any other purpose.
- (2) A person who receives a direction from an Authorised Officer to extinguish a fire pursuant to sub-clause 29(1) must not fail to comply with that direction.

Penalty: Fine not exceeding 10 penalty units.

- (3) If an owner or occupier of land or a person who has lit a fire does not comply with a direction to extinguish a fire pursuant to sub-clause 29(1), an Authorised Officer may extinguish the fire or instruct the Tasmanian Fire Service to extinguish a fire.
- (4) Council may recover all costs incurred by it as a result of any action taken pursuant to sub-clause 29(3) from the person who failed to comply with the direction given pursuant to sub-clause 29(1).

PART 7 – AUTHORISED OFFICERS

30. Obstruction, threats and intimidation

- (1) A person must not obstruct or hinder an Authorised Officer or a Refuse Disposal Attendant engaged in the exercise of any of the powers conferred by this By-Law.

Glamorgan Spring Bay Council – Environmental Health By-Law No. 1 of 2019

Penalty: Fine not exceeding 5 penalty units.

- (2) A person must not intimidate, threaten or abuse an Authorised Officer or a Refuse Disposal Attendant engaged in the exercise of any of the powers conferred by this By-Law.

Penalty: Fine not exceeding 5 penalty units.

31. Power to remove

- (1) Pursuant to s.152(1) of the Act, Authorised Officers are hereby authorised to:
- (a) remove any person from land owned by, or under the control of the Council whom they reasonably believe is offending against this By-Law; and
 - (b) remove anything which is on such land without the approval of the Council.
- (2) Pursuant to s.152(2) of the Act, police officers are hereby authorised to:
- (a) carry out any of the actions under clauses 31(1)(a) and (b) of this By-Law; and
 - (b) arrest a person who is on land owned by, or under the control of, the Council and whom the police officer reasonably believes is offending against this By-Law.

32. Power of entry

For the purposes of this By-Law, an Authorised Officer may enter and remain on land after giving the proprietor of the land notice of their intention to do so in accordance with s.20A of the Act other than where such notice is not required pursuant to s.20A(3) of the Act.

PART 8 – INFRINGEMENT NOTICES & ENFORCEMENT

33. Interpretation of Part 8

In this Part 8, ‘**specified offence**’ means an offence against the clause of this By-Law specified in Column 1 of Schedule 1 to this By-Law.

34. Infringement notices – breach of By-Law

- (1) An Infringement Notice may be issued in respect of a specified offence and the monetary penalty set out adjacent to the offence in Column 3 of Schedule 1 to this By-Law is the penalty payable under the Infringement Notice issued in respect of that offence.

Glamorgan Spring Bay Council – Environmental Health By-Law No. 1 of 2019

- (2) An Authorised Officer may:
- (a) issue an Infringement Notice to a person that the Authorised Officer has reason to believe is guilty of a specified offence; and
 - (b) issue one Infringement Notice in respect of more than one specified offence; and
 - (c) issue a monetary penalty for the specified offence in respect of which the Infringement Notice is issued.
- (3) In addition to any other method of service, an Infringement Notice alleging that a vehicle has been used in relation to a specified offence may be served by affixing it to that vehicle.
- (4) Payment of an Infringement Notice issued under this By-Law must be made to the General Manager within 28 days of the issue of the Infringement Notice to avoid the Infringement Notice being referred to the Director, Monetary Penalties Enforcement Service.
- (5) The *Monetary Penalties Enforcement Act 2005* (Tas) applies to an Infringement Notice issued under this By-Law.

35. Recovery of expenses

In addition to a penalty imposed in relation to a failure to comply with or a contravention of this By-Laws, an expense incurred by Council in consequence of that failure or contravention is recoverable by Council as a debt payable by the person so failing to comply or contravening.

Glamorgan Spring Bay Council – Environmental Health By-Law No. 1 of 2019

Environmental Health By-law No. 1 of 2019**SCHEDULE 1****INFRINGEMENT NOTICES – PENALTIES**

Column 1 CLAUSE	Column 2 OFFENCE	Column 3 PENALTY (Penalty Units)
4	Depositing Refuse	2
5	Hours of operation	2
6	Fire safety	2
7	Scavenging	2
8	Disposal of loose materials	2
9(2)	Failure to comply with direction	2
11(2)	Collection of refuse from mobile bins without authority	0.5
13(1)	Failure to comply with sub-clause 12(a), (b), (c), (d), (f), (g), (h), or (i) of By Law	0.5
13(2)	Failure to comply with sub-clause 12 (e) of By-Law	0.5
13(3)	Failure to comply with sub-clause 12(j) or (k) of By-Law	1.25
15(1)	Effective control of animals	2
16(1)	Maintenance of premises used by animals	0.5
16(2)	Maintenance of premises used by animals – discharge of waste	2

Glamorgan Spring Bay Council – Environmental Health By-Law No. 1 of 2019

17(2)	Failure to comply with direction re pest animals	2
18	Storage of animal food	0.5
19(1)	Keeping of poultry	0.5
19(2)	Keeping of poultry	2
19(3)	Keeping of poultry	2
19(4)	Keeping of roosters	2
20	Farm animals in General Residential Zone	2
21	Keeping of racing pigeons	2
25	Non-compliance with Caravan Licence	2
26(1)	No occupancy without Caravan Licence	2
26(2)	No occupancy without Caravan Licence – proprietor	2
27	No occupancy on public land	2
28	Storage of Caravans	2
29(2)	Control of burning	2
30(1)	Obstruct or hinder Authorised Officer or Refuse Disposal Attendant	2
30(2)	Intimidate, threaten or abuse Authorised Officer or Refuse Disposal Attendant	2

Glamorgan Spring Bay Council – Environmental Health By-Law No. 1 of 2019

Environmental Health By-law No. 1 of 2019**SCHEDULE 2****CARAVAN LICENCE FORMS**Form 1 – Application Form**Application for a Caravan Licence****Applicant**

Name:

Residential Address:

Postal Address:

Email:

Phone number:

About the Caravan

Registration number:

Period of registration:

Manufacture:

Model:

Size:

Colour:

Address where caravan will be placed:

If the applicant does not own this property:

Name of owner:

Address of owner:

Use of caravan

Purpose:

Number of people to occupy:

How regular will occupancy of the caravan be?"

Method of water supply:

Method of wastewater disposal:

Method of greywater disposal:

Method of solid waste / rubbish disposal:

Signature of applicant:

Date of application:

All application must include a site plan showing:

- The outline of the property, the siting of the caravan (including distances to all boundaries) and all existing buildings:
- The location of screening vegetation or fences:

All applications must include a photo of the caravan (external) and photos of all internal amenities and fixtures.

Glamorgan Spring Bay Council – Environmental Health By-Law No. 1 of 2019

Occupation of a caravan – information and advice

Glamorgan Spring Bay Council recognises that many ratepayers utilise caravans on private lots for weekenders or on more permanent occupation over a short-period of time, such as whilst completing a permanent shack or dwelling. This is part and parcel of the culture and community on the East Coast and something which is encouraged where appropriate.

Council is also aware that occasionally caravans cause issues for neighbours. Common concerns raised are that caravans devalue properties, detract from the appearance of tourist roads, noise particularly from multiple caravans or extra guests and the environment through poor management of wastewater and greywater.

To minimise potential impacts, Council expects that:

- Your caravan and your lot will be maintained in good order and all times. There will be no waste or items stored externally that are visible from the street.
- Your caravan will be positioned away from the street and partially screened by 1.5m high boundary fencing, landscaping or garden walls. As a solid front boundary fence above 1.2m high requires a planning application, some form of screening will generally be required between the caravan and street.
- Any external bbq or main outdoor areas should be to the rear of the caravan.
- If you occupy on a regular basis and are located in a urban environment, you will construct an annex with toilet, kitchen and shower facilities so that all toilet and greywater is disposed of via TasWater services.
- You will limit the number of guests at any one time and allow no more than two

A maximum of two caravan licences per lot will be approved.

Glamorgan Spring Bay Council – Environmental Health By-Law No. 1 of 2019

Form 2 – Form of Caravan Licence

Licence to Occupy a Caravan

A licence to occupy a caravan with the registration located at for a period of months is hereby granted subject to the following:

Standard condition list:

Condition	When to apply
General Amenity	
Rubbish and solid waste must be appropriately contained on site and removed to a waste transfer station on a regular basis.	For all
External storage of goods, sports equipment, and the like and amenities like washing lines must be located behind the caravan as viewed from the street.	For all
The caravan must be sited in the rear half of the lot and must be no less than 4m from a side or rear boundary unless adjacent to a neighbouring outbuilding [or must be (insert description)]	To specify precisely where caravan is to be located
The caravan must be partially screened by solid side and rear boundary fencing at least 1.5m high.	If the lot is in an urban environment and is not fenced.
The caravan must be partially screened by other buildings, plantings, garden walls or fencing between the street and caravan.	If the lot abuts a major road and the caravan may detract from the streetscape if not screened.
The site must be maintained at all times in good order to not detract from the amenity or appearance of the street.	For all
At any time, no more than two tents, campers, RVs or the like are to be on the lot in addition to the licensed caravan.	If lot is on a major public road
Vehicles accessing and using the site must to so in a manner than avoids dust, mud or sedimentation. If this occurs, a gravel driveway must be constructed.	
A working smoke alarm must be installed in the caravan.	
Greywater / Wastewater	
Greywater may be disposed of on-site but must not cause a nuisance either by its volume or quality. Kitchen scraps and similar material are to be separated and	

Glamorgan Spring Bay Council – Environmental Health By-Law No. 1 of 2019

composted or remove to a waste transfer station.	
Wastewater must be disposed of off-site to an authorised dump point.	
An annex must be constructed within three months of the date of approval of this licence and this annex must contain a plumbed in toilet connected to TasWater water and sewer mains.	If caravan is to be occupied on a regular basis
Bushfire Note: Further consultation with TFS required. TFS have no standard rules or prescriptions.	If located in a bushfire prone area, you must maintain all vegetation within 20m in a low fuel state and have adequate measures in place for safe evacuation in case of bushfire including vacating the site when a high fire danger day is forecasted.
Occupation of the caravan must not cause excessive or unreasonable levels of noise either by use of generators or the actions of licensee or their guest.	

General Manager
Glamorgan Spring Bay Council

Date / /

Glamorgan Spring Bay Council – Environmental Health By-Law No. 1 of 2019

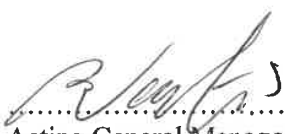
Certified as being in accordance with the law by:



.....
Marc Edwards – Page Seager
Legal Practitioner

Dated this 20th day of May 2020 at Hobart in Tasmania

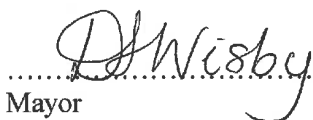
Certified as being in accordance with the *Local Government Act* 1993 (Tas) by:



.....
Acting General Manager

Dated this 21 day of May 20 at Triabunna

The Common Seal of the Glamorgan Spring Bay Council has been placed on this document pursuant to a resolution of Council passed on the 16th day of October, 2019 in the presence of:



.....
Mayor



.....
Acting General Manager



Staff Movements

Permanent Appointments

Agency	Duties Assigned	Employee	Probation Period	Date of Effect
Education	Teacher Assistant	K Harvey	6 Months	14/05/2020
Department of Health	Registered Nurse	S Kennedy	6 Months	17/05/2020
Department of Health	Registered Nurse	S Maninin	6 Months	17/05/2020
Department of Health	Business Support Officer	L Barbour	6 Months	01/06/2020
Department of Health	Paramedic Educator	M Potter	6 Months	25/05/2020
State Growth	Transport Safety and Investigation Officer	B Hunt	6 Months	18/05/2020
Department of Health	Administrative Support Officer - Statewide Volunteer Services	M Jordan	6 Months	19/05/2020
Department of Health	Cleaner	J Hurd	6 Months	18/05/2020
Department of Health	Speech Pathologist	F Banszki	6 Months	25/05/2020
Department of Health	Registered Nurse	P Etheridge	6 Months	25/05/2020
Department of Health	Occupational Therapist	A Mack	6 Months	25/05/2020
Department of Health	Occupational Therapist	A Walker	6 Months	01/06/2020
Department of Health	Registered Nurse	O Coyne	6 Months	17/05/2020
Department of Health	Registered Nurse	N Mathew	6 Months	17/05/2020
Department of Health	Registered Nurse	K Watson	6 Months	31/05/2020
Department of Health	Registered Nurse - Anaesthesia Nursing	G Schofield	6 Months	31/05/2020
Justice	Senior Audit and Compliance Officer	S Collins	Nil	02/06/2020
Education	School Administration Clerk	B Henderson	6 Months	19/05/2020
Education	Teacher Assistant	C White	6 Months	27/04/2020
Department of Health	Registered Nurse	K Carey	6 Months	01/06/2020
Department of Health	Registered Nurse	K Harriss	6 Months	01/06/2020
Department of Health	Registered Nurse	M Panickaparambil Vinoy	6 Months	08/06/2020
Department of Health	Staff Specialist - General Medicine	E Tan	6 Months	18/05/2020
TasTAFE	Technical Employee	R McLennan	6 Months	01/06/2020
Department of Health	Enrolled Nurse (Medication Endorsed)	D Wright	6 Months	19/05/2020
Department of Health	Registered Nurse	E Byard	6 Months	19/05/2020
Department of Health	Registered Nurse	A McAvaney	6 Months	19/05/2020
Department of Health	Associate Nurse Unit Manager	S McFadyen	6 Months	28/06/2020
Department of Health	Food Services Officer	J Vanisova	6 Months	20/05/2020
Department of Health	Food Services Assistant	K Page	6 Months	19/05/2020
Department of Health	Food Services Assistant	E Checker	6 Months	19/05/2020
Department of Health	Cleaner	M Stacey	6 Months	07/06/2020
Department of Health	Physiotherapist	A Love	6 Months	25/05/2020
Department of Health	Physiotherapist	D Baglow	6 Months	25/05/2020
Department of Health	Administrative Assistant	S Doherty	6 Months	25/05/2020
Department of Health	Screening Services Officer	A Chan	6 Months	25/05/2020
Education	Education Facility Attendant	M Horton	6 Months	14/05/2020
Education	Teacher Assistant	K Bransden	6 Months	14/05/2020
Education	Teacher Assistant	J Horton	6 Months	14/05/2020
Education	Teacher Assistant	M Gillie	6 Months	14/05/2020
Education	School Business Manager	A Harvey	6 Months	01/06/2020
Department of Health	Registered Nurse	N Maharjan	6 Months	08/06/2020

Police, Fire and Emergency Management	Finance Officer	M Gunn	Nil	30/04/2020
Primary Industries, Parks, Water and Environment	Visitor Reception Officer	N Cugliari	Nil	18/05/2020
Primary Industries, Parks, Water and Environment	Visitor Reception Officer	H Dodd	Nil	18/05/2020
Department of Health	Registered Nurse	Y Parsons	6 Months	31/05/2020
Education	Teacher Assistant	C Jones	6 Months	05/05/2020
Education	Teacher Assistant	A Cameron	6 Months	05/05/2020
Education	Teacher Assistant	G Lambert	6 Months	05/05/2020
Education	School Business Manager	S Burn	Nil	27/04/2020
Department of Health	Cleaner	D Bista	6 Months	01/06/2020
Department of Health	Nurse Unit Manager	P Jarvis	6 Months	01/06/2020
Department of Health	Enrolled Nurse	G McConnon	6 Months	20/04/2020
Justice	Crown Counsel	A Chisholm	6 Months	06/07/2020
Primary Industries, Parks, Water and Environment	Field Officer	D Fraser	6 Months	27/07/2020
Department of Health	Registered Nurse	C Vincent	6 Months	22/06/2020

Appointment of Officers

Agency	Duties Assigned	Employee	Probation Period	Date of Effect
Department of Health	Director - Monitoring, Reporting and Analysis	M Searle	5 Years	18/05/2020

Extension or Renewal of Fixed-Term Appointments beyond 12 months

Agency	Duties Assigned	Employee	Term	Date of Effect
Premier and Cabinet	Customer Service Consultant	N Richardson	12 Months	10/05/2020
Police, Fire and Emergency Management	Records Officer	A Nandan	6 Months	16/05/2020
Police, Fire and Emergency Management	Records Officer	E Townsend	6 Months	18/05/2020

Fixed-Term Appointments of greater than 12 Months

Agency	Duties Assigned	Employee	Term	Date of Effect
Justice	Legal Practitioner	B Kurdistan	36 Months	18/05/2020
Police, Fire and Emergency Management	Finance Officer	C Gunn	20 Months	01/05/2020

Promotion of Permanent Employees

Agency	Duties Assigned	Employee	Date of Effect
Department of Health	Paramedic Educator (ICP)	D Brown	25/05/2020
Justice	Correctional Supervisor	F Brown	18/05/2020
Justice	Correctional Supervisor	J Cumberland	18/05/2020
Justice	Correctional Supervisor	S Pappini	18/05/2020
Justice	Correctional Supervisor	D Smith	18/05/2020
Department of Health	Volunteer Support and Training Coordinator	S Taylor	25/05/2020
Education	School Business Manager	D Upton	05/05/2020
Education	Senior IT Consultant	G Mannix	19/05/2020
Education	Senior IT Consultant	R Trdin	19/05/2020
Education	Senior IT Consultant	B Hicks	20/05/2020
Justice	Correctional Supervisor	N Johnson	22/06/2020
Department of Health	Registered Nurse	G Stocks	24/05/2020
Department of Health	Associate Nurse Unit Manager	R Baker	31/05/2020
Department of Health	Associate Nurse Unit Manager	H Lawson	31/05/2020

Resignation of Permanent Employees

Agency	Duties Assigned	Employee	Date of Effect
Premier and Cabinet	Recovery Funding Coordinator	C Noye	22/05/2020
Department of Health	Occupational Therapist	S Austins	12/05/2020
Department of Health	Registered Nurse	A McCoy	01/04/2020
Department of Health	Consultant - Workforce Development and HR Policy	M Bendor	18/05/2020
Primary Industries, Parks, Water and Environment	Veterinarian	E Wronski	09/04/2020
Primary Industries, Parks, Water and Environment	Visitor Services Officer	M Pfeiffer	26/05/2020
Department of Health	Intensive Care Paramedic	N Rivers	13/05/2020
Department of Health	Nurse Unit Manager	M Van Est	07/05/2020
Department of Health	Registered Nurse	D Pierce	15/05/2020
Department of Health	Genetic Counsellor	R Pope-Couston	22/05/2020
Department of Health	Senior Program Coordinator	L Doyle	24/05/2020
Education	Teacher	A Kibbey	27/04/2020
Education	School Psychologist	A McCarthy	01/02/2020
Education	Teacher	F Massey	10/03/2020

Retirement of Permanent Employees

Agency	Duties Assigned	Employee	Date of Effect
Department of Health	Cleaner	C Hadfield	16/05/2020
Department of Health	Hospital Aide	L Little	17/05/2020
TasTAFE	Teacher	A Pennington	09/04/2020
TasTAFE	Teacher	J Meehan	28/04/2020
Education	Senior Librarian	G Nieuwenhuizen	30/04/2020
Education	Education Facility Attendant	A Lawless	07/05/2020
Education	Teacher	C Haas	09/04/2020
Education	Teacher	J Forbes	24/04/2020
Education	Library Services Officer	B Larter	08/05/2020
Education	Senior Asset Data and Systems Consultant	L Grundy	07/05/2020
Education	Teacher	M Taylor	15/04/2020
Education	Teacher	R Cover	07/05/2020
Education	Teacher	E Mills	08/05/2020
Education	Teacher	B Bell	13/05/2020

Transfer of Permanent Employees

Agency	Duties Assigned	Employee	Transferred Agency	Date of Effect
Department of Health	Project Analyst and Manager	J Jones	Justice	15/05/2020



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