

*Public Health Act 1997*

**DIRECTION UNDER SECTION 16**

*(Mass gatherings – No. 8)*

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

- (a) this direction applies to the following gatherings:
  - (i) a tier 1 event;
  - (ii) a tier 2 event;
  - (iii) a tier 3 event;
  - (iv) a large scale event; and
  
- (b) a person must not hold a gathering, to which this direction applies, except in accordance with this direction or the direction made under section 16 of the Act and entitled *Mass gatherings – No. 6*; and
  
- (c) subject to paragraph (d), the organiser of a gathering to which this direction applies must ensure that –
  - (i) where practicable, each person at the gathering maintains a distance of not less than 1.5 metres between the person and any other person; and
  - (ii) subject to subparagraph (iii), the number of participants at the gathering does not exceed the number calculated by dividing by 2 the total number of square metres of the floor area of the area for that gathering or that part of the gathering; and
  - (iii) at a seated event, the number of participants in the area where the seats for the event are located do not exceed the number of seats that are provided at the event; and
  - (iv) each obligation, requirement, restriction or condition (other than the density limit for the premises under another direction under section 16 of the Act if that other density limit is lower than the number of

persons permitted at the gathering under this direction) that, under a direction made under the Act, applies to a relevant person, in relation to the gathering or premises, is complied with in relation to the gathering; and

- (d) before a tier 1 event is held, the organiser of an event must –
  - (i) complete a COVID-19 checklist in respect of the event; and
  - (ii) register the event with the Director of Public Health or his or her delegate; and
  
- (e) before a gathering to which this direction applies occurs, other than a tier 1 event, the organiser of the event must –
  - (i) develop and implement an event COVID-19 safety plan for the gathering; and
  - (ii) appoint a person as the person to be contacted in respect of the gathering; and
  - (iii) obtain the approval of the Director of Public Health, or his or her delegate, for the gathering, subject to such conditions, if any, that the Director of Public Health, or his or her delegate, considers appropriate for the gathering; and
  
- (f) if appropriate to manage a threat, or likely threat, to public health, the Director of Public Health or his or her delegate may, at any time –
  - (i) refuse to approve a gathering under paragraph (e)(iii); or
  - (ii) rescind an approval given in respect of a gathering as required under paragraph (e)(iii); or
  - (iii) rescind an approval given or revoke the registration of a gathering under this direction, or another direction given under section 16 of the Act, that relates to a gathering referred to in paragraph (b); or
  - (iv) impose, vary or revoke a condition –
    - (A) of an approval given in respect of a gathering under paragraph (e)(iii); or
    - (B) in respect of a tier 1 event; or
    - (C) in respect of a gathering referred to in paragraph (b); and

- (g) the organiser of a gathering approved under paragraph (e)(iii) or referred to in paragraph (b), or the person appointed under paragraph (e)(ii) or an equivalent paragraph in respect of such a gathering, must present the event COVID-19 safety plan for the gathering if requested to do so by a police officer, an authorised person under the Act or an inspector under the *Work Health and Safety Act 2012*; and
- (h) in this direction –
- (i) **COVID-19 checklist** means a checklist, for a Tier 1 event, that is –
    - (A) approved by the Director of Public Health or his or her delegate; and
    - (B) available from, or is published on the website operated by or on behalf of, WorkSafe Tasmania; and
  - (ii) **entertainment event** means an event held at a cinema, concert venue, theatre, auditorium or similar space; and
  - (iii) **event** means a gathering to which this direction applies; and
  - (iv) **event COVID-19 safety plan** means a safety plan that is –
    - (A) in the form approved by the Director of Public Health for a gathering to be held under this direction; and
    - (B) available from, or is published on the website operated by or on behalf of, WorkSafe Tasmania; and
  - (v) **gathering** means a group of persons who attend, whether in accordance with a formal or informal arrangement, at premises; and
  - (vi) **indoor area** means an area, room or premises that –
    - (A) is, or are, substantially enclosed by a roof and walls, regardless of whether the roof or walls, or any part of the roof or walls, are permanent or temporary, or open or closed; and
    - (B) is not a lift, elevator or similar space; and
  - (vii) **large scale event** means a gathering, at a stadium or arena, where –
    - (A) not more than 5 000 participants are expected to be in an indoor area at the stadium or arena, at any one time; or

- (B) not more than 5 000 participants are expected to be moving freely within the outdoor area at the stadium or arena, at any one time; or
  - (C) if the event is a seated event, the number of participants in that area where seats are provided is not more than the number of seats that are provided in that area; and
- (viii) **organiser**, in relation to a gathering at premises, means the person, who is not the owner or occupier of the premises or a person acting for that owner or occupier, who enters into an arrangement, with the owner or occupier of the premises, for the gathering, or event to which the gathering relates, to be conducted at the premises; and
- (ix) **outdoor area** means an area of a premises that is not –
  - (A) an indoor area; or
  - (B) a lift, elevator or similar space; and
- (x) **participant** means a person attending an event who is not one of the following persons:
  - (A) a person who is employed or engaged to work at the event and is at the event as part of his or her employment or engagement;
  - (B) a person who is employed or engaged by the person who operates the premises where the event occurs, and is at the event as part of his or her employment or engagement;
  - (C) a person providing a service, or to assist a person providing a service, for the purpose of the event, including persons performing or assisting in the provision of religious services or funeral services; and
- (xi) **premises** has the same meaning as in the Act but does not include residential premises; and
- (xii) **residential premises**, in respect of a gathering under this direction, does not include a part, of premises, where people ordinarily reside, if that part of the premises –
  - (A) is primarily used for the sale of goods or the provision of services; and
  - (B) is, while those goods are being sold or those services are being provided for the gathering, being operated in accordance with

its normal operations for the sale of those goods or the provision of those services; and

- (xiii) **seated event** means an event, or such part of an event –
    - (A) that includes a large scale event, an event at a stadium or arena, an entertainment event, a religious service or funeral, whether held in an indoor area or an outdoor area; and
    - (B) where participants at the event are required to be seated for the majority of the event at seats provided at the premises where the event is to be held; and
  - (xiv) **stadium** or **arena** means a premises that is primarily intended for use for sporting and other similar recreational activities; and
  - (xv) **tier 1 event** means a gathering of not more than 2 000 participants where –
    - (A) more than 500 participants are expected to be in an outdoor space at the event, at any one time; or
    - (B) more than 250 participants are expected to be in an indoor area at the event, at any one time; and
  - (xvi) **tier 2 event** means a gathering of at least 2 001 participants but not more than 5 000 participants, regardless of whether –
    - (A) the event is held in an indoor area or an outdoor area; or
    - (B) the participants are primarily seated at the event or moving freely; and
  - (xvii) **tier 3 event** means a gathering of at least 5 001 participants but not more than 10 000 participants –
    - (A) where all participants are required to be seated for the majority of the event; and
    - (B) regardless of whether the event is held in an indoor area or an outdoor area; and
- (i) the *Acts Interpretation Act 1931* applies to the interpretation of this direction as if it were regulations made under the Act; and

- (j) the direction, made by me 2 March 2022 and entitled *Mass Gatherings – No. 7*, is revoked.

Dated:.....*10 March 2022*.....

Signed:.....*Mark Vitch*.....

Director of Public Health