

# Public Health (Restricted Activities – Gatherings, Business or Undertakings) Emergency Direction 2021 (No 3)

## Notifiable Instrument NI2021–216

made under the

**Public Health Act 1997, s 120 (Emergency actions and directions)**

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### 1. Name of instrument

This instrument is the *Public Health (Restricted Activities – Gatherings, Business or Undertakings) Emergency Direction 2021 (No 3)*.

### 2. Commencement

This instrument commences at 9:00am on 14 April 2021.

### 3. Public Health Emergency Direction

I, Dr Kerry Coleman, Chief Health Officer, consider it necessary or desirable to alleviate the emergency declared under the *Public Health (Emergency) Declaration 2020 (No 1)* [NI2020-153] (the **declared emergency**) on 16 March 2020, to give the directions as set out in this instrument.

### 4. Duration

This Direction is in force for the period ending on the day the declared emergency (as extended or further extended) ends, unless it is earlier revoked.

### 5. Revocation

This instrument revokes the *Public Health (Restricted Activities – Gatherings, Business or Undertakings) Emergency Direction 2021 (No 2)* [NI2021-115].

Dr Kerry Coleman  
Chief Health Officer  
9 April 2021



# Public Health Emergency Direction

## *Public Health Act 1997*

*Made under the Public Health Act 1997,  
section 120 (Emergency actions and directions)*

I, Dr Kerryn Coleman, Chief Health Officer, consider it necessary or desirable to alleviate the emergency declared under the *Public Health (Emergency) Declaration 2020 (No 1)* [NI2020-153] (the **declared emergency**) on 16 March 2020, to give the directions as set out below. The purpose of these directions is to restrict non-essential gatherings and the operation of non-essential businesses and undertakings in order to limit the spread of coronavirus disease 2019 (**COVID-19**), caused by the novel coronavirus SARS-CoV-2.

In making this Direction, I have had regard to relevant human rights and I am satisfied that the limitations imposed as a result of this Direction are both demonstrably justifiable in a free and democratic society and necessary to protect the ACT community from the serious public health risk posed by COVID-19.

## PART 1 — NON-ESSENTIAL GATHERING, BUSINESS OR UNDERTAKING

### *Directions*

#### **A. Outdoor areas**

1. A person must not organise or attend a **gathering** that exceeds 1 person per 2 square metres or 1000 people per **usable outdoor space** (whichever is the lesser).
2. This part does not apply to a **gathering** to which Part 1B of this Direction applies or to a **non-essential business or undertaking**.

#### **B. Non-residential premises**

3. A person who is the occupier of **non-residential premises** in the Australian Capital Territory must take reasonable steps to not allow or organise a **gathering** that exceeds the greater of:
  - a. 25 people across the whole premises; or
  - b. the sum of:
    - i. 1 person per 2 square metres per **usable outdoor space**; and
    - ii. 1 person per 2 square metres per **usable indoor space**.



4. A person must take all reasonable steps to not attend a **gathering** in **non-residential premises** that exceeds the greater of:
  - a. 25 people across the whole premises; or
  - b. the sum of:
    - i. 1 person per 2 square metres per **usable outdoor space**; and
    - ii. 1 person per 2 square metres per **usable indoor space**.
5. This part does not apply to a **non-essential business or undertaking**.

### C. Non-essential business or undertaking

6. A person who owns, controls or operates a **non-essential business or undertaking** described in **Column 1** of an item in **Attachment A** must:
  - a. comply with the requirements in **Column 2** of the item; and
  - b. subject to existing occupancy and licensing requirements under other laws, not allow a **gathering** in the premises that exceeds the occupancy limits listed in **Column 3** of the item, where:
    - i. a **worker** does not count towards the occupancy limit; and
    - ii. if the occupancy limit is expressed in terms of a maximum amount of tickets, each ticketed attendee counts towards the occupancy limit and the performers or participants in the event do not require tickets and do not count towards the occupancy limit; and
  - c. develop and adhere to a **COVID-19 Safety Plan**, and produce the plan when requested by an **authorised person**; and
  - d. display a **sign** at the entrance to the premises, specifying the occupancy limit of the premises under this Direction; and
  - e. for contact tracing purposes:
    - i. register to use the **Check In CBR app**; and
    - ii. display a QR code for the **Check In CBR app** for people to record their attendance at the premises; and
    - iii. take all reasonable steps to ensure that people aged 16 years or older, who attend the premises for 15 minutes or more, record their attendance at the premises using the **Check In CBR app**.
7. However, if the **Check In CBR app** is unavailable for use at the premises, the occupier of the premises must:
  - a. keep a written record of:
    - i. the first name and contact phone number of the person; and
    - ii. the date and time at which the person attended the premises; and



- iii. retain the record for 28 days; and
- iv. produce the record if requested by an **authorised person**; and
- b. not use the written record for any purpose other than for production to an **authorised person**.

*Example: Circumstances where the **Check In CBR app** may be unavailable includes where there is an internet service disruption, or a disruption to the app itself.*

- 8. A person aged 16 years or older who attends the premises of a **non-essential business or undertaking** for 15 minutes or more must record their attendance using the **Check In CBR app**.
- 9. However, if the **Check In CBR app** is unavailable, a person aged 16 years or older must provide their first name and contact phone number to the occupier of the premises, together with the date and time at which the person attended the premises.
- 10. Paragraphs 6(e)(iii), 7, 8 and 9 apply to a **worker** who attends a **non-essential business or undertaking** for the purpose of carrying out work, except where specified otherwise in **Column 2** of an item in **Attachment A**.

#### D. Organised events

- 11. A person who organises a **gathering** of more than 500 people for a planned event or function must develop and adhere to a **COVID-19 Safety Plan** and adhere to the requirements for the gathering in the **COVID Safe Event Protocol**.

#### E. Exemption

- 12. The Chief Health Officer may, in writing and subject to any conditions that the Chief Health Officer considers necessary, exempt a person from this Direction, or a stated requirement under this Direction, on compassionate or other grounds that the Chief Health Officer considers reasonable and appropriate.
- 13. If the Chief Health Officer exempts a person from this Direction, or a stated requirement under this Direction that person must comply with the conditions of the exemption.

*Note: For considerations about what is reasonable and appropriate in relation to the delivery of events, see the **COVID Safe Event Protocol**, set out in **Attachment D**.*

## PART 2 — MATTERS RELEVANT TO THESE DIRECTIONS

#### A. Enforcement

- 14. If a person fails to comply with any requirement under this Direction, an **authorised person** may direct the person to do such things as are reasonably necessary to comply with this Direction including, upon request, to produce proof of identification to the **authorised person**.
- 15. If a person fails to comply with any requirement under this Direction, the **authorised person** may take all reasonable steps to enforce compliance with this Direction pursuant to section 121 of the *Public Health Act 1997*.



## B. Guidance

16. Risk mitigation guidance is provided at **Attachment B** to this Direction. This guidance relates to all situations in which people are gathered together, whether included or excluded from the definition of **gathering**. It also relates to all businesses and undertakings, whether included or excluded from the definition of **non-essential business or undertaking**.

## C. Gatherings

17. The definition of **gathering** in paragraph 25 sets out the kinds of **gatherings** that are not subject to restriction under this Direction.

## D. Definitions

For the purposes of this Direction:

18. **Authorised person** means an authorised person under section 121 of the *Public Health Act 1997*.
19. **Betting agency** means a TAB or KENO agency either in a stand-alone venue or within a licensed venue.
20. **Casino** has the same meaning as in the *Casino Control Act 2006*.
21. **Check In CBR app** means the app developed by ACT Health for contact tracing purposes which, when used by a person, provides ACT Health with details of their attendance at a **non-essential businesses or undertaking**.

*Note: The information provided is stored for 28 days before being deleted, and is only used in accordance with ACT Health's privacy policy.*

22. **COVID-19 Safety Plan** means a plan:
- a. in writing that addresses how a business or undertaking will manage its operations to minimise the risks posed to any person by **COVID-19** because of the operation of the business or undertaking; and
  - b. developed with regard to guidance material set out in **Attachment C**.
23. **COVID Safe Event Protocol** means the protocol set out in **Attachment D**.
24. **End of year event** means a school graduation, formal, or end of year ceremony, concert or assembly.
25. **Gathering**, except where otherwise provided in this Direction, means a group of 2 or more people occupying a single **usable indoor space** or **usable outdoor space** at the same time, but does not include a **gathering**:
- a. at an airport that is necessary for the normal business of the airport; or
  - b. in relation to public transportation, including in public transport vehicles or at public transportation facilities such as stations, platforms and stops; or



- c. for the purposes of or related to private transportation; or
  - d. at a medical or health service facility that is necessary for the normal business of the facility; or
  - e. in relation to providing support or care to a person with a disability; or
  - f. for emergency services purposes; or
  - g. for law enforcement purposes; or
  - h. at a disability or aged care facility that is necessary for the normal business of the facility; or
  - i. at a correctional centre, place of detention under the *Children and Young People Act 2008* or other place of custody; or
  - j. at a court or tribunal; or
  - k. at the Australian Capital Territory Legislative Assembly or Commonwealth Parliament for the purpose of its normal operations; or
  - l. at a food market, supermarket, grocery store, retail store, or shopping centre that is necessary for the normal business of those premises; or
  - m. to attend at a restaurant or café to collect or deliver takeaway meals and beverages; or
  - n. at an office building, workplace factory or construction site, that is necessary for the normal operation of those premises; or
  - o. at a school, university, educational institution or childcare facility that is necessary for the normal business of the facility; or
  - p. at a hotel or motel that is necessary for the normal operation of accommodation services.
26. For paragraph 25(o), a school event that involves members of the community in addition to staff and students is not necessary for the normal business of the facility unless:
- a. the event is an **end of year event**; or
  - b. the event is operated in accordance with the **COVID Safe Event Protocol** set out in **Attachment D**.
27. **Hydrotherapy pool** means a heated swimming pool (heated to 33 to 36 degrees Celsius) for use by people receiving hydrotherapy, who use the pool to undergo that therapy either on their own or with assistance from another person.
28. **Indoor space** means an area, room or premises that is, or are, substantially enclosed by a roof and walls (of permanent solid construction and stretching from floor to ceiling), regardless of whether the roof or walls or any part of them are open or closed.
29. **Nightclub** means a nightclub under a *nightclub licence* within the meaning of the *Liquor Act 2010*.



30. **Non-essential business or undertaking** means a business or undertaking in the Australian Capital Territory described in **Column 1** of an item in **Attachment A**, whether operated on a for-profit or not-for-profit basis or purely as a private social activity.
31. **Non-residential premises** has the same meaning as premises in the *Public Health Act 1997* but does not include residential premises.
32. **On licence premises** means premises in relation to which any of the following licences is held under the *Liquor Act 2010*:
- a. an *on licence* subclass (other than a *nightclub licence*);
  - b. a *general licence*;
  - c. a *club licence*;
  - d. a *special licence*.
33. **Organised sporting activity** means sporting activities arranged through peak sporting organisations, community clubs, commercial providers or individual activities, and includes dance classes and training, but does not include dance performance or professional sport.
34. **Outdoor space** means a space that is not an **indoor space** or a part of residential premises.
35. **Place of worship** means a building or place used for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, social events, instruction or religious training.
36. **Sign**, displayed at an entrance to a place, means information displayed adjacent to or in close proximity to the entrance that is clearly visible to a member of the public entering the place.
37. **Usable** for an **indoor space** or **outdoor space** means the space that people can freely move around in, but not including the following areas:
- a. stages and similar areas;
  - b. restrooms, changerooms and similar areas;
  - c. areas occupied by fixtures, fittings, and displays; and
  - d. staff only areas and areas that are closed off or not being used.
38. **Worker** means an individual who carries out work in relation to a business or undertaking, whether for reward or otherwise, under an arrangement with the person conducting the business or undertaking, and includes an employee, independent contractor, outworker, person doing a work experience placement, volunteer, and an official for an organised sporting activity.



## **E. Other**

39. If there is any inconsistency between this Direction and any of the directions specified below, this Direction is inoperative to the extent of any inconsistency:
- a. the *Public Health (Self-Isolation) Emergency Direction 2020 (No 4)* [NI2020-662]; and
  - b. the *Public Health (Returned Travellers) Emergency Direction 2020 (No 9)* [NI2020-837].

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**Dr Kerry Coleman**

Chief Health Officer

9 April 2021

## **Penalties**

Section 120 (4) of the *Public Health Act 1997* provides:

A person must not, without reasonable excuse, fail to comply with a direction under this section.

## **Maximum Penalty:**

In the case of a natural person, \$8,000 (50 penalty units).

In the case of a body corporate, \$40,500 (50 penalty units).

In the case of a utility that is a body corporate, \$1,620,000 (2000 penalty units).





## ATTACHMENT A – Requirements, Including Occupancy Limits, for Non-Essential Businesses or Undertakings

(see paragraphs 6(a) and 6(b) of this Direction)

Note 1: Part 1 paragraph 6 imposes requirements for all **non-essential businesses or undertakings** for safety plans, signs, and contact tracing measures, which apply unless otherwise noted.

Note 2: Part 1 paragraph 6(b) governs when workers or other participants count towards the limits in **Column 3** of this attachment.

	Column 1 Business or undertaking	Column 2 Other requirements	Column 3 Occupancy limit
1	<ul style="list-style-type: none"><li>a. a business that supplies liquor for consumption on <b>on licence premises</b>, whether or not it also supplies food; or</li><li>b. a hotel to the extent it supplies food or beverages for consumption on its premises, whether or not the premises are <b>on licence premises</b>, but not including any part of the hotel constituted by a bottle shop, accommodation provision, function facilities, takeaway meals or a meal delivery service; or</li><li>c. a <b>nightclub</b>; or</li><li>d. a restaurant, café or canteen, whether or not its premises are <b>on licence premises</b>, but not including:<ul style="list-style-type: none"><li>i. the extent to which it provides takeaway meals or a meal delivery service; or</li><li>ii. a café or canteen at a hospital; or</li></ul></li></ul>	<ul style="list-style-type: none"><li>a. the venue displays a <b>sign</b> at the entrance to each <b>usable space</b>, specifying the occupancy limit for the space under this Direction.</li><li>b. for a business or undertaking that has a dedicated dancing area, 1 person per 2 square metres may be in each dedicated dancing area at one time.</li></ul>	<p>the greater of:</p> <ul style="list-style-type: none"><li>a. 25 people across the whole premises; or</li><li>b. the sum of 1 person per 2 square metres per <b>usable outdoor space</b> and <b>usable indoor space</b></li></ul>



	<b>Column 1 Business or undertaking</b>	<b>Column 2 Other requirements</b>	<b>Column 3 Occupancy limit</b>
	<ul style="list-style-type: none"><li>iii. a café or canteen at a residential aged care facility; or</li><li>iv. a café or canteen at a school; or</li><li>v. a café or canteen at a correctional centre; or</li><li>vi. a café or canteen at a community sporting facility; or</li><li>vii. a military café or canteen; or</li><li>viii. a café or canteen that provides food or drink to those experiencing homelessness</li></ul>		
<b>2</b>	a food court	<ul style="list-style-type: none"><li>a. the business that provides the tables and chairs in the food court is responsible for the actions outlined under Part 1 paragraphs 6(c) and 6(e).</li><li>b. the venue displays a <b>sign</b> at the entrance to each <b>usable space</b>, specifying the occupancy limit for the space under this Direction.</li></ul>	<p>the greater of:</p> <ul style="list-style-type: none"><li>a. 25 people across the whole premises; or</li><li>b. the sum of 1 person per 2 square metres per <b>usable outdoor space</b> and <b>usable indoor space</b></li></ul>



	<b>Column 1 Business or undertaking</b>	<b>Column 2 Other requirements</b>	<b>Column 3 Occupancy limit</b>
<b>3</b>	<ul style="list-style-type: none"><li>a. a gym, health club, fitness centre, wellness centre; or</li><li>b. a centre providing yoga, pilates, barre or spin classes (except where the centre is a medical or health service facility outlined in paragraph 25(d)); or</li><li>c. a bootcamp or personal trainer</li></ul>	<ul style="list-style-type: none"><li>a. the venue displays a <b>sign</b> at the entrance to each <b>usable space</b>, specifying the occupancy limit for the space under this Direction.</li></ul>	the greater of: <ul style="list-style-type: none"><li>a. 25 people across the whole premises; or</li><li>b. the sum of 1 person per 2 square metres per <b>usable outdoor space</b> and <b>usable indoor space</b></li></ul>
<b>4</b>	<ul style="list-style-type: none"><li>a. an <b>organised sporting activity</b>, except where the activity is described in <b>Item 13(b)</b> or <b>Item 14</b>; or</li><li>b. a swimming pool, but not to the extent that it is being used as a <b>hydrotherapy pool</b></li></ul>	<ul style="list-style-type: none"><li>a. the venue displays a <b>sign</b> at the entrance to each <b>usable space</b>, specifying the occupancy limit for the space under this Direction.</li></ul>	the greater of: <ul style="list-style-type: none"><li>a. 25 people across the whole premises; or</li><li>b. the sum of 1 person per 2 square metres per <b>usable outdoor space</b> and <b>usable indoor space</b>, up to 1000 people across the whole premises.</li></ul>
<b>5</b>	<ul style="list-style-type: none"><li>a. a community centre or facility, or a youth centre or facility; or</li><li>b. an indoor or outdoor play centre, or an indoor arcade or amusement centre; or</li><li>c. musical rehearsals, including for choirs, bands and orchestras, except where the rehearsal is</li></ul>	<i>Note: If the venue is being used for the supply of liquor, service of a meal, an <b>organised sporting activity</b>, or another function/activity addressed separately in this Direction, the provisions relevant to those activities also need to be complied with.</i>	the greater of <ul style="list-style-type: none"><li>a. 25 people across the whole premises; or</li><li>b. the sum of 1 person per 2 square metres per <b>usable outdoor space</b> and <b>usable indoor space</b>.</li></ul>



	<b>Column 1 Business or undertaking</b>	<b>Column 2 Other requirements</b>	<b>Column 3 Occupancy limit</b>
	<p>taking place in a venue described in another item; or</p> <p>d. a gaming or gambling venue, a <b>casino</b> or a <b>betting agency</b>; or</p> <p>e. a hairdresser or barber; or</p> <p>f. a nail salon; or</p> <p>g. a tattoo or body modification studio; or</p> <p>h. a place that provides beauty therapy, tanning or waxing services; or</p> <p>i. a day spa or place that provides massage services, steam-based services (including saunas, steam rooms, steam cabinets and bathhouses); or</p> <p>j. a strip club, brothel or escort agency; or</p> <p>k. an auction house; or</p> <p>l. a real estate auction, display home or open home</p>		



	<b>Column 1 Business or undertaking</b>	<b>Column 2 Other requirements</b>	<b>Column 3 Occupancy limit</b>
<b>6</b>	except where the activity is described in <b>Item 7</b> an event at a conference or convention venue	<ul style="list-style-type: none"><li>a. it is ticketed or requires a formal registration for attendance;</li><li>b. the venue displays a <b>sign</b> at the entrance to each <b>usable space</b>, specifying the occupancy limit for the space under this Direction.</li><li>c. Part 1 paragraph 10 only applies when an event is being held at the venue.</li></ul> <p><i>Note: If the venue is being used for the supply of liquor, service of a meal, an <b>organised sporting activity</b>, or another function/activity addressed separately in this Direction, the provisions relevant to those activities also need to be complied with.</i></p>	the greater of: <ul style="list-style-type: none"><li>a. 25 people across the whole premises; or</li><li>b. the sum of 1 person per 2 square metres per <b>usable outdoor space</b> and <b>usable indoor space</b></li></ul>
<b>7</b>	an event at the National Convention Centre Canberra	<ul style="list-style-type: none"><li>a. it is ticketed or requires a formal registration for attendance;</li><li>b. the venue displays a <b>sign</b> at the entrance to each <b>usable space</b>, specifying the occupancy limit for the space under this Direction.</li><li>c. the venue's <b>Covid-19 Safety Plan</b> must be updated to reflect the changes in Occupancy Limit in <b>Column 3</b>, but does</li></ul>	<ul style="list-style-type: none"><li>a. For the Royal Theatre within the National Convention Centre Canberra, 100% of seating capacity where an event is ticketed and seated (excluding workers and performers);</li><li>b. For all other <b>usable spaces</b>, 75% of capacity</li></ul>



	Column 1 Business or undertaking	Column 2 Other requirements	Column 3 Occupancy limit
		<p>not require re-approval in writing by the Chief Health Officer.</p> <p>d. Part 1 paragraph 10 only applies when an event is being held at the venue.</p> <p><i>Note: If the venue is being used for the supply of liquor, service of a meal, an <b>organised sporting activity</b>, or another function/activity addressed separately in this Direction, the provisions relevant to those activities also need to be complied with.</i></p>	
8	a <b>place of worship</b> , including for a religious ceremony, but not including for a wedding or a funeral	<p>the requirements under Part 1 paragraph 6 are subject to the following modifications:</p> <p>a. Part 1 paragraph 6(c) only applies to <b>gatherings</b> of more than 25 people; and</p>	<p>the greater of:</p> <p>a. 25 people across the whole premises; or</p> <p>b. the sum of 1 person per 2 square metres per <b>usable outdoor space</b> and <b>usable indoor space</b>.</p>



	Column 1 Business or undertaking	Column 2 Other requirements	Column 3 Occupancy limit
9	<ul style="list-style-type: none"><li>a. a wedding; or</li><li>b. a funeral; or</li><li>c. a <b>gathering</b> following a wedding or funeral, such as a reception or a wake (however described)</li></ul>	<i>Note: If the <b>gathering</b> takes place at a venue being used for the supply of liquor, service of a meal, or another function/activity addressed separately in the Direction, the provisions relevant to those activities also need to be complied with.</i>	the greater of: <ul style="list-style-type: none"><li>a. 25 people across the whole premises; or</li><li>b. the sum of 1 person per 2 square metres per <b>usable outdoor space</b> and <b>usable indoor space</b>.</li></ul>
10	<ul style="list-style-type: none"><li>a. a gallery, museum, national institution or historic site; or</li><li>b. an outdoor amusement park or attraction; or</li><li>c. a library</li></ul>	<ul style="list-style-type: none"><li>a. the venue displays a <b>sign</b> at the entrance to each <b>usable space</b>, specifying the occupancy limit for the space under this Direction.</li></ul> <i>Note: If the venue is being used for the supply of liquor, service of a meal, an <b>organised sporting activity</b>, or another function/activity addressed separately in this Direction, the provisions relevant to those activities also need to be complied with.</i>	<ul style="list-style-type: none"><li>a. the sum of 1 person per 2 square metres per <b>usable outdoor space</b> and <b>usable indoor space</b>.</li></ul>
11	a cinema or movie theatre	<ul style="list-style-type: none"><li>a. it is ticketed and attendees remain seated</li><li>b. the venue displays a <b>sign</b> in each <b>usable space</b> that is a theatre, specifying the occupancy limit under this Direction</li></ul>	<ul style="list-style-type: none"><li>a. If there is a COVID-19 Safety Plan approved in writing by the Chief Health Officer, 100% of seating capacity for each individual cinema or movie theatre (excluding any <b>workers</b> on the premises).</li></ul>



	<b>Column 1 Business or undertaking</b>	<b>Column 2 Other requirements</b>	<b>Column 3 Occupancy limit</b>
			Otherwise:  b. 75% of capacity within each individual theatre.
<b>12</b>	an indoor event performance in any location with forward facing, fixed and tiered seating, such as a concert venue, theatre, arena or auditorium	<p>a. it is ticketed and attendees remain seated as far as practicable;</p> <p>b. for an event that has a dedicated dancing area, 1 person per 2 square metres may be in each dedicated dancing area at one time.</p> <p>c. Part 1 paragraph 10 only applies when an event is being held at the venue.</p> <p><i>Note: If the venue does not have fixed and/or tiered seating, it must comply with the requirements in Item 1.</i></p>	<p>a. If there is a <b>COVID-19 Safety Plan</b> approved in writing by the Chief Health Officer, 100% of seating capacity (excluding <b>workers</b> and performers);</p> <p>Otherwise:</p> <p>b. 75% of seating capacity</p>
<b>13</b>	<p>except where the activity is described in <b>Item 14</b>:</p> <p>a. an outdoor event performance in any location with forward facing and tiered seating, such as a concert venue, theatre, arena or auditorium; or</p> <p>b. an <b>organised sporting activity</b> in an outdoor stadium that is enclosed and has permanent tiered seating.</p>	<p>a. it is ticketed and attendees remain seated as far as practicable;</p> <p>b. Part 1 paragraph 10 only applies when an event is being held at the venue.</p>	<p>a. 100% of seating capacity for fixed seating areas; and</p> <p>b. 1 person per 2 square metres for any unfixed seating areas, up to 1000 people.</p>





	<b>Column 1 Business or undertaking</b>	<b>Column 2 Other requirements</b>	<b>Column 3 Occupancy limit</b>
<b>14</b>	an event at GIO Stadium or Manuka Oval	<ul style="list-style-type: none"><li>a. it is ticketed and attendees remain seated as far as practicable;</li><li>b. Part 1 paragraph 10 only applies when an event is being held at the venue.</li><li>c. Part 1 paragraph 6(e) does not apply if:<ul style="list-style-type: none"><li>i. the venue occupier collects the name, contact number and allocated seating area for all ticket purchasers or registering attendees through the ticketing or registration process; and</li><li>ii. the venue occupier produces the record to an <b>authorised person</b> within 4 hours of being requested by an <b>authorised person</b> to produce the record; and</li><li>iii. the venue occupier complies with a requirement or direction made by an <b>authorised person</b>.</li></ul></li></ul>	<ul style="list-style-type: none"><li>a. 100% of seating capacity for fixed seating areas; and</li><li>b. 1 person per 2 square metres for any unfixed seating areas.</li></ul>



	<b>Column 1 Business or undertaking</b>	<b>Column 2 Other requirements</b>	<b>Column 3 Occupancy limit</b>
<b>15</b>	an event at Exhibition Park in Canberra (EPIC)	a. Part 1 paragraph 10 only applies when an event is being held at the venue.	<p>a. If the event is attended by fewer than 2000 people, and has a <b>COVID-19 Safety Plan</b> approved in writing by the Chief Health Officer, 75% of capacity across each indoor and outdoor space, or;</p> <p>b. If the event is attended by fewer than 2000 people but does not have a <b>COVID-19 Safety Plan</b> approved in writing by the Chief Health Officer, the sum of 1 person per 2 square metres per usable outdoor space and usable indoor space.</p>



## **ATTACHMENT B – Risk Mitigation Guidance**

This Direction should be read in conjunction with the guidance material prepared by the Chief Health Officer, including the COVID Safe Event Protocol and guidance material about how to prepare a **COVID-19 Safety Plan**, which are available at [www.covid19.act.gov.au](http://www.covid19.act.gov.au).

It is suggested that, as far as reasonably practicable, the following risk mitigation measures be applied to gatherings of 2 people or more:

- Hand hygiene products and suitable waste receptacles should be available, to allow for frequent cleaning and waste disposal;
- Wherever possible promote physical distancing of at least 1.5 metres between groups of people not known to each other, and physical contact should be avoided wherever possible, taking reasonable steps to require this when patrons are queuing outside a venue;
- The occupancy allowance should be displayed at the entrance of each venue or space;
- The recommendations for unwell individuals to isolate at home and not attend gatherings should be promoted and displayed prominently so that they can be seen and read easily by a person at or near an entrance to the **indoor space**;
- For settings where there is ongoing movement and an increased number of interactions between people (for example food markets) and an individual's attendance is not in the course of their employment at the place, an individual's attendance should be less than 2 hours duration;
- If businesses choose to have self-serve buffets, they must implement additional risk mitigation measures, and ensure that they are documented in the COVID-19 Safety Plan for the business. Some important considerations will include:
  - Ensure that self-serve buffets are appropriately supervised by staff, particularly during busy periods;
  - Ensure that hand sanitiser is available and used by patrons prior to using the self-serve buffet;
  - Regularly replace any shared utensils with clean ones. This could be done at least every hour and more regularly during busy periods;
- Businesses should continue to avoid offering communal snacks;
- Any communal condiments should be wiped down on a regular basis, and more so during busy periods;
- Where activities involve the use of equipment, that equipment should be regularly cleaned and, where practicable, not be shared by people other than members of the same household.



- Where required to take reasonable steps to ensure patrons record their attendance using the **Check In CBR App**, the following measures are taken:
  - Actively monitoring points of entry;
  - Requesting to see confirmation from a patron that they have recorded their attendance using the **Check In CBR App**; and
  - Clear signage or messaging to customers of the need to record their attendance using the **Check In CBR App**.

### Accessibility

If you have difficulty reading a standard printed document and would like an alternative format, please phone 13 22 81.



If English is not your first language and you need the Translating and Interpreting Service (TIS), please call 13 14 50.

For further accessibility information, visit: [www.health.act.gov.au/accessibility](http://www.health.act.gov.au/accessibility)

[www.health.act.gov.au](http://www.health.act.gov.au) | Phone: 132281

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# FACTSHEET

Effective 14 April 2021

## Guidelines for your COVID Safety Plan



Thank you for working with us to reduce  
the impact of COVID-19 in the ACT

**Attention!** It is now mandatory for all restricted businesses, venues and facilities to register and use the Check In CBR app. All patrons and staff aged 16 years or more must check in to restricted venues using the Check In CBR app if they are planning to be on site for 15 minutes or more. This will assist with rapid contact tracing if required.

This document provides guidance for the following restricted businesses and undertakings that are required to develop a COVID Safety Plan:

- Restaurants and cafés offering dine-in services (includes casino and hotel-based restaurants, bars and food courts)
- Gyms, health clubs and fitness or wellness centres
- Yoga, barre, pilates and spin facilities
- Swimming pools
- Boot camps and personal trainers
- Personal services (e.g. hairdressers, barbers, nail salons, tattoo or body modification studios, day spas and non-therapeutic massage services)
- Steam-based services including saunas, steam rooms, steam cabinets and bathhouses
- Organisers of weddings and funerals
- Auction houses
- Real estate agencies conducting open home inspections or auctions
- Libraries
- Galleries, museums, national institutions and historic sites
- Clubs, and licensed venues
- Cinemas, movie theatres and open air or drive-in cinemas
- Choirs, bands and orchestras
- Dance classes
- Concert venues, theatres, arenas, auditoriums or outdoor venues

- Conference and convention venues
- Indoor amusement centres, arcades, and outdoor or indoor play centres
- Hotels
- Organised sport
- Betting agencies and gaming venues
- Places of worship and religious ceremonies where gatherings exceed 25 people.

## What is a COVID Safety Plan?

A COVID Safety Plan is a plan that sets out how you will keep your employees and patrons safe during the COVID-19 pandemic. It will also help you ensure your business or undertaking is complying with relevant laws and regulations.

## Templates

The ACT does not require the use of a standard template for ACT businesses when developing their COVID Safety Plan. This is to help maintain a level of flexibility for businesses.

Your COVID Safety Plan should consist of a document in a written or electronic form that can be produced during a compliance check. When developing your COVID Safety Plan you should take into consideration the requirements of the public health directions and any other requirements for your sector/industry specific to the ACT, along with the information and advice provided in these guidelines.

It should include your policies in relation to matters outlined in these guidelines, including:

- Ensuring physical distancing
- Cleaning, sanitising and hygiene activities
- Managing staff or patrons presenting with illness
- Additional requirements for restricted businesses and organisations to ensure staff and patrons aged 16 years or older check in using the Check In CBR app
- Compliance and enforcement

Some jurisdictions and industry peak bodies have developed templates.

For businesses seeking a template the NSW and Commonwealth Government websites may have some useful information. Alternatively get in touch with your industry peak body.

## NSW COVID-safe business plans

Can be found on the [NSW Government Safe Businesses web page](#).

## Return to Play in a COVID Safe Environment Plan

The ACT Government has developed specific guidelines for sporting clubs and venues to follow. If your sporting organisation or club has a 'Return to Play in a COVID Safe Environment Plan', this will meet the requirements of the COVID Safety Plan.

Therefore, there is no requirement to produce an additional COVID Safety Plan.

Visit the [Sports ACT website](#) to download the guidelines for developing a Return to Play in COVID Safe Environment plan.

## AIS Return to Sport Toolkit

Can be found on the [Sports Australia website](#).

## COVID Safety Plan for Adult Venues

The ACT Government has developed a specific plan for strip clubs, brothels and escort agencies to follow that offers specific advice for the industry and employees.

For more information about developing a COVID Safety Plan for an adult venue go to [business and work section of the COVID-19 website](#).

## Your obligations

The ACT Public Health Direction requires all restricted venues, facilities and businesses to develop and follow a COVID Safety Plan.

The development of a COVID Safety Plan is an important step in ensuring that you keep your staff and the broader community safe. You should consult with your staff as you develop your COVID Safety Plan to ensure they are aware of their responsibilities and are able to carry them out.

The COVID Safety Plan should identify the risks posed by COVID-19 to your staff (including contractors and volunteers), business and patrons, and should be guided by these guidelines.

Your COVID Safety Plan should be revisited and updated following further updates to public health advice, and any changes to the public health directions. The most recent public health directions can be found on the ACT Government's COVID-19 website.

Not all the points in this checklist will apply to every business, and this checklist is not intended to be exhaustive.

Completing a COVID Safety Plan does not replace your responsibilities under the *Work Health Safety Act 2011* (ACT).

**Note:** Your COVID Safety Plan does not need to be submitted for approval but must be available to be produced on request by compliance and enforcement officers.

## Venue capacity and calculating usable space

All businesses and undertakings should restrict their capacity as outlined in the public health directions.

- Each venue can have 25 people across the entire venue

- If businesses wish to have more than 25 people across the venue, they can have one person per two square metres of usable space in both indoor and outdoor spaces.

Unless otherwise provided for in the Public Health Emergency Direction, gatherings and events over 1,000. Refer to the COVID Safe Event Protocol for further advice.

Further information on capacity provisions can be found in the Public Health Direction which is available on the ACT Government's COVID-19 website

You should refer to the fact sheet that assists you to calculate the usable space of your business or venue which can be found on the [signs and factsheets section of the COVID-19 website](#). You should only factor in usable space when calculating how many people you can have in your premises.

Usable space means the space that people can freely move around in, but does not include:

- stages and similar areas
- restrooms, changerooms and similar areas
- areas occupied by fixtures, fittings, and displays
- staff only areas and areas that are closed off or not being used.

## Physical distancing

- All businesses and undertakings should implement physical distancing as outlined in the public health directions.
- Ensure appropriate physical distancing measures are in place, including maintaining a distance of 1.5 metres between people who do not know each other, wherever possible.
- For more information about how to implement physical distancing measures in your premises go to the business and work section of the [COVID-19 website](#).

## Cleaning, sanitising and hygiene activities

- All businesses and undertakings are required to demonstrate appropriate hand and general hygiene.
- Businesses should also ensure they maintain appropriate cleaning and sanitising practices and supplies.
- It is strongly recommended that all people working within a business, whether they be owners, employees or contractors, undertake relevant training.
- A range of training options are available, some of which are nationally recognised and free to complete.
- For more information on COVID-19 Infection Control training go to the [Skills ACT website](#).
- Checklists about keeping your workplace COVID Safe can be found on the [Safework Australia website](#).
- For practical resources go the signs and factsheets page on the [COVID-19 website](#).

## Managing staff or patrons/visitors presenting with illness

- The Government is urging everyone to stay home if they are unwell. This applies to staff and the broader community.
- Businesses and undertakings should be prepared to turn patrons or visitors away if they have clear symptoms of illness.
- A Hardship Isolation Payment is available for eligible workers who are unable to temporarily work under a COVID-19 direction or health guidance. For more information go to the [Families and household support page](#).
- Ensure your staff are aware of any workplace policies on paid pandemic leave, if available.
- If a direction is issued requiring your workplace to close due to a confirmed case of COVID-19, you must notify WorkSafe ACT.

## Collecting contact details with Check In CBR

All restricted businesses, venues and facilities are required to register and use the Check In CBR app. Fast access to accurate and complete records is critical for ACT Health to quickly alert people who may have been in contact with COVID-19 if required.

The Check In CBR app is a free, contactless, secure and convenient way for staff and patrons to sign into a Canberra venue. The app enables individuals to check-in to venues and have their data stored securely with ACT Health in the event contact tracking is needed.

When you register your business or venue for Check In CBR, you will be provided a business starter kit, which includes unique QR Code posters to display clearly near the entrance to the venue.

Staff and patrons with the Check In CBR app can simply scan the QR code. Patrons can show your staff that they have successfully checked in. A business profile function for the app has also been developed to make it easy for venues and businesses to check in patrons who do not have a smart phone, or are unable to do so themselves.

**Note:** Devices should not be handed to patrons to enter their personal details as this creates a hygiene risk. Instead, have your staff operate the device.

Businesses and venues need to take reasonable steps to ensure staff and patrons have checked-in to their premises. Reasonable steps may include, but are not limited to:

- Actively monitoring points of entry
- Requesting that patrons show staff the 'green tick' demonstrating they have checked in on the app
- Signage or messaging in clear view advising patrons they need to check in using the app.



To find out more and to register your business visit the Check In CBR page on the [COVID-19 website](#).

## Compliance and enforcement

Developing and following a COVID Safety Plan is an important step in keeping your staff, patrons, and the broader community safe as we continue to manage the impacts of the pandemic.

Compliance efforts will be focused on education and support. However, penalties could apply and may be issued for those who put the community at risk through serious or repeated breaches of the legal requirements and obligations.

## Signage

All venues, facilities and businesses must clearly display venue capacity and Check In CBR app signage at entrance to each venue or space.

Consider also displaying information to your patrons and staff about your COVID Safety Plan.

- Templates for posters and signage are available on the signs and factsheets page of the COVID-19 website.
- Consider placing your COVID Safety Plan on your website or Facebook page.

## Review and monitor

- This document provides an overview of the risks that are likely to apply to most or all businesses. You should consider and address risks that may be specific to your business.
- Regularly review your policies and procedures to ensure they are consistent with current directions and advice provided by ACT Health.
- Ensure there is an accessible copy of your COVID Safety Plan available on your premises as it must be produced if requested from a relevant compliance and enforcement officer. This may include producing an electronic copy.

### **Failure to comply with directions may result in significant penalties.**

Have a question? Looking for advice about operating in a COVID safe environment? Call the Access Canberra Business Liaison Line on **(02) 6205 0900**.

# COVID Safe Event Protocol

## A safe return to events in the ACT

April 2021 • Version 6

### Disclaimer

This protocol is intended to provide supportive guidance to event organisers and is not intended to be a complete or comprehensive guide to the coordination and delivery of events in the ACT.

Event organisers are advised that approval of exemption requests are not guaranteed. ACT Health strongly recommends that event organisers do not commence the sale of tickets for the event, or enter into other contractual arrangements prior to obtaining a decision in relation to their exemption application.

### Purpose

This Protocol provides guidance to event organisers planning an 'event' within the ACT which goes beyond those permitted by the Public Health Directions by applying for an exemption.

### Background

Large events, including mass gatherings, present a high risk for COVID-19 transmission due to crowd density, the number of participants involved, difficulties in maintaining safe physical distancing, contact tracing complexities, and the potential for widespread infection dispersion with the return of participants to their home locations.

This Protocol provides high level public health principles that should be considered during event planning, to reduce the risk of transmission of COVID-19 at events, and to help organisers plan a safe event.

This Protocol does not replace or alter existing approvals and safety requirements for events in the ACT.

It is also noted that each event will come with its own unique set of circumstances and risks, all of which may not be covered within this guidance document.

**For updates, visit [covid19.act.gov.au](https://covid19.act.gov.au)**

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## Public Health Emergency Directions

All Australian jurisdictions have introduced a range of public health control measures restricting movement and association to reduce the transmission of COVID-19. These measures have been successful in slowing and reversing the growth of COVID-19 cases in the ACT and across other jurisdictions.

The Public Health (Restricted Activities – Gatherings, Business or Undertakings) Emergency Direction 2021 currently provides:

- All restricted businesses, venues, facilities and gatherings under the Public Health Direction must register for and use the Check In CBR app to collect contact details of anyone aged 16 years or older who will be on site for more than 15 minutes. It is mandatory for patrons to check-in, and event organisers must use their best endeavours to ensure that patrons do so.
- Event organisers that don't register for Check In CBR will no longer be compliant with the Public Health Direction and penalties may apply.
- Children under the age of 16 who are attending an event with their family will not be required to check in, but parents will be encouraged to do so on their behalf.
- All event organisers must apply the one person per two square metres of usable space rule for both indoor and outdoor spaces, if they wish to have more than 25 people within each space.
- Events and gatherings over 1,000 people will require an exemption. Events between 501 and 1,000 people must notify ACT Health of their event and submit a COVID Safety Plan for review.
- Large indoor performance venues (with forward-facing and tiered seating, such as theatres and arenas) can have events up to 100% venue capacity, provided the events are ticketed and seated, and a venue COVID Safety Plan has been endorsed by the Chief Health Officer. Venues must continue to operate at 75% capacity if they do not have an endorsed Plan.
- Enclosed outdoor stadiums with permanent tiered seating and grandstands can have 100% capacity for fixed seating, provided events are ticketed and seated and a COVID Safety Plan is in place for each event. Density for any unfixed seating areas should be calculated using the one person per two square metre rule (capped at 1,000 patrons).
- Cinemas and movie theatres can sell up to 100% capacity of each individual cinema or movie theatre, provided that their COVID Safety Plan has been endorsed by the Chief Health Officer.
- Patrons are permitted to stand while eating and drinking in indoor and outdoor areas.

The Public Health Direction also provides specific density restrictions for major venues across the ACT, including for GIO Stadium, Manuka Oval, National Convention Centre and the Exhibition Park in Canberra.

The Chief Health Officer may, in writing and subject to any conditions that the Chief Health Officer considers necessary, exempt a person from the Public Health Direction on compassionate or other grounds that the Chief Health Officer considers reasonable or appropriate. Should an exemption be granted, event organisers will need to comply with any terms and conditions contained in the exemption documentation.

## Very High Risk Environments

The Australian Health Protection Principal Committee (AHPPC) has issued a Definition of Very High Risk Social Environments for COVID-19 transmission<sup>1</sup>. Very high risk environments include:

- Night clubs
- Dance venues and events
- Multi-Day events
- Large unstructured outdoor events, such as:
  - Holiday celebrations where crowds gather
  - Music festivals
  - Food festivals
  - School graduation festivals
  - Carnivals
  - Some community sporting events
  - Other unticketed spectator events.

These types of events will continue to be restricted due to the significant opportunity for increased interactions between individuals not known to each other.

Very high risk environments carry risk of COVID-19 transmission due to:

- Their large numbers
- Crowding and queuing
- People are in close proximity
- Mixing between people who do not know each other
- Loud volume speech, cheering, singing
- Activities such as dancing and singing
- Intimate physical contact such as hugging and kissing
- Service of alcohol and use of illicit drugs
- Ventilation can be poor in indoor venues
- Increased risk of the virus being present on surfaces that lots of people touch
- Multiple venues operating at the same time
- People visiting multiple venues on any given day or night
- People attending from, and returning to, regional and interstate areas.

<sup>1</sup> AHPPC Statement of Very High Risk Environments, published 4 November 2020 – <https://www.health.gov.au/news/australian-health-protection-principal-committee-ahppcstatement-on-very-high-risk-environments>

## Planning Your Event – COVID Safety Plan

Event organisers have primary responsibility for hosting a COVID Safe Event. It is a requirement that all event organisers in the ACT have in place a **COVID Safety Plan** which identifies and seeks to minimise the risks posed by COVID-19 to your staff (including contractors and volunteers), business and customers/participants, and should be guided by this Protocol.

The COVID Safety Plan must be in writing and available to be produced on request by compliance and enforcement officers.

The ACT Government does not require the use of a standard template for event organisers to use when developing their COVID Safety Plan.

The development of a COVID Safety Plan is an important step in ensuring that event planners keep staff and the broader community safe.

Event organisers should consult early with staff as they develop their COVID Safety Plan to ensure they are aware of their responsibilities and are able to carry them out.

The development of the COVID Safety Plan is the responsibility of the event organiser, not of the operator of the event venue, noting that event venues will have a COVID Safety Plan for the operation of their own business. Event organisers should also consult with venue owners and operators to ensure that their COVID Safety Plans are consistent with public health measures in place at the venue.

Events which are being conducted for research purposes must first seek approval from ACT Health's Centre for Health and Medical Research (CHMR) prior to submission of an event exemption, by emailing a proposal to [ResearchExecutive@act.gov.au](mailto:ResearchExecutive@act.gov.au). The CHMR approval must be included as part of your supporting documentation when submitting an event exemption request.

Remember that completing a COVID Safety Plan does not replace your responsibilities under the *Work Health and Safety Act 2011* (ACT).

Events of over 500 people are required to submit their COVID Safety Plan to the Office of the Chief Health Officer, even if they do not require an exemption. Please see page 10 for details on how to submit your Plan.

### COVID Safety Plan - Checklist

Attachment A provides a detailed checklist that seeks to outline the minimum considerations required for the COVID Safety Plan.

### Core considerations

As an absolute minimum event organisers should consider the following public health measures in their planning:

- Ensure density limits (one person per two square metres indoors or outdoors) can be maintained across the event site at all times, and that physical distancing requirements (1.5 metres) can be maintained where possible and as much as possible.

- Organisers must register for and use the Check In CBR app to collect contact details for anyone aged 16 years or older who will be on site for 15 minutes or more, and take reasonable steps to require people (including staff) to check in. The Public Health Direction outlines what 'reasonable steps' might include.
- Ensure measures are in place to mitigate areas of potential congestion, for example ingress and egress, food/beverage outlets, and toilet facilities.
- Ensure measures are in place to enable staff, volunteers, businesses and participants to maintain good hand and respiratory hygiene.
- Clear messaging to stay home if unwell and get tested if experiencing symptoms of COVID-19, no matter how mild. This should apply to both staff and participants.
- Clear messaging for people not to attend if they have been in a COVID affected area or identified as a close contact of a positive case.
- Regular venue cleaning and disinfecting, particularly for high touch areas.
- Carefully consider crowd numbers, taking into consideration restrictions posed by the Public Health Emergency Directions.
- Consider transport arrangements to, and from, the event to reduce crowding on public transport (stagger ingress and egress, or consider hire of transport charter services to reduce transport risks).

## Risk Assessment and Management

In planning an event, organisers should undertake a thorough risk assessment and put in place measures to mitigate the identified risks. The risk management plan should be included as an annexure to the COVID Safety Plan.

Each individual event should have a separate risk assessment that is unique to that event.

The ACT encourages event organisers to source relevant risk assessment tools to assist them in their planning. The World Health Organisation (WHO) has developed a series of tools that could be adapted to assist in planning for risks.

It is also important for event planners to continue to review their risk assessments on a regular basis, and particularly if the situation within the ACT deteriorates and requires further control measures to be put in place.

As a minimum, the risk assessment should consider:

- Identification of possible risks
- Rating of each risk using a tool like the WHO risk assessment and mitigation checklist (see Attachment A for more detail and resource links)
- Actions to be taken to minimise or reduce identified risks
- Resources which can be utilised to assist in minimising or reducing identified risks
- Planning for ongoing review of risks to ensure that these remain relevant.

## Exemptions from Public Gathering Restrictions

It is acknowledged that events are an important part of our community. They contribute to our culture, economy and are an important part of our community's connectedness.

However, we must all accept that we need to operate in a COVID safe way for the foreseeable future.

It is further acknowledged that some events may only be viable with gatherings greater than what the Public Health Emergency Directions currently provide. For this reason, a formalised exemptions process has been established to consider events which fall outside of the current public gathering requirements.

### Event Classes

#### Class A (low risk)

*These are events of 500 people (excluding workers) or less which are held either indoors or outdoors in accordance with the Public Health Emergency Directions.*

- These events can proceed by following the event organiser's COVID Safety Plan which should be developed in accordance with the COVID Safety Plan checklist at Attachment A, and must be produced on request by an authorised officer.
- There is no requirement to consult with ACT Health.
- Event organisers must ensure all other legislative and regulatory requirements are met.
  - An approved exemption from the Chief Health Officer is not required unless your event falls outside the requirements of the Public Health Direction.
  - Event organisers must register for and use the Check In CBR app to collect patron contact details of anyone aged 16 years or older who will be on site for 15 minutes or more. It is mandatory for people (including staff) to check-in, and organisers must use their best endeavours to ensure that people do so.
  - Events must ensure that the one person per two square metre rule is applied to all indoor and outdoor spaces (or an exemption must be sought).

#### Class B (mid-level risk)

*These are events of 501 to 1,000 people (excluding workers). They can be held either indoors or outdoors. This does not apply to theatre style venues or outdoor stadiums which have permanent tiered seating, unless event organisers wish to operate outside of the existing conditions within the Public Health Direction.*

- These events must develop a COVID Safety Plan, which includes a summary of risks and risk mitigation measures. The Plan should be developed in accordance with the COVID Safety Plan checklist at Attachment A, and must be produced on request by an authorised officer.
- You must submit your COVID Safety Plan and details of your event to the Office of the Chief Health Officer via the online form, which can be found on our website at [www.covid19.act.gov.au](http://www.covid19.act.gov.au).
- An approved exemption from the Chief Health Officer is not required unless your event falls outside the requirements of the Public Health Directions.



- Event organisers must register for and use the Check In CBR app to collect the contact details of anyone aged 16 years or older who will be on site for 15 minutes or more. It is mandatory for people (including staff) to check-in, and organisers must use their best endeavours to ensure that people do so.
- Events must ensure that the one person per two square metre rule is applied to all indoor and outdoor spaces (or an exemption must be sought).

### **Class C (high risk)**

*These are events of more than 1,000 people (excluding workers). They can be held either indoors or outdoors. This does not apply to theatre style venues or outdoor stadiums which have permanent tiered seating, unless event organisers wish to operate outside of the existing conditions within the Public Health Direction.*

- These events must develop a detailed COVID Safety Plan, as well as a Risk Management Plan. The Plan should be developed in accordance with the COVID Safety Plan checklist, and must be produced on request by an authorised officer.
- You must submit your COVID Safety Plan and details of your event to the Office of the Chief Health Officer via the [online form](#) for consideration by ACT Health, and for events over 2,000, by an Event Assessment Committee.
- An approved exemption from the Chief Health Officer is required.
- Event organisers must register for and use the Check In CBR app to collect contact details of anyone aged 16 years or older who will be on site for 15 minutes or more. It is mandatory for people (including staff) to check-in, and organisers must use their best endeavours to ensure that people do so.
- Events should apply the one person per two square metre rule to all indoor and outdoor spaces, unless otherwise provided for in the Direction (or an exemption must be sought).
- Events over 5,000 people which take place within a single area/location must be ticketed and seated. In relation to music events and other festivals, please refer to page 11 for additional information.
- Unless specifically provided for in the Public Health Emergency Direction, events of more than 10,000 people will not be considered for exemption at this stage.
- Events of more than 1,000 people, which run over multiple days with the same attendees may be considered but organisers must demonstrate a solid understanding of the risks involved and outline risk mitigation measures. Communal camping is considered a very high risk and unlikely to gain approval.
- Events which have more than one session in a day should leave suitable gaps between sessions to ensure thorough cleaning can take place. The total number of people per day across all sessions must not exceed 10,000.

**Please note:** The number of people permitted within each event class above may be subject to change depending on the COVID-19 situation/risk. Should the situation in the ACT continue to remain the same, and the situation in surrounding jurisdictions improve, these numbers may increase. Alternatively should the situation worsen, numbers may need to be further restricted. Event organisers are encouraged to consider scalable options for their events during this uncertain period.

## Event Assessment Committee

An Event Assessment Committee has been established, with representation from the Office of the Chief Health Officer, the Chief Minister, Treasury and Economic Development Directorate, ACT Policing, Access Canberra and Transport Canberra and City Services. The Committee's key role will be to review and assess Class C event proposals over 2,000 attendees and other complex events.

If required, the Committee will also consider seeking specialist advice from other experts.

After each meeting, the Committee will provide a recommendation to the Chief Health Officer in relation to whether an exemption should be made for each Class C event considered.

Events under 2,000 may also be considered by the Committee, if referred by the Office of the Chief Health Officer due to complexity.

If a Class C event is complex, this may require a lengthy assessment and discussion/liaison process with the event organisers involved.

## Assessment of Exemption Applications

In reviewing the Exemption Applications for Class B and C events, the Office of the Chief Health Officer, the Chief Health Officer, and the Event Assessment Committee (if applicable) will consider:

### Local situation, including surrounding areas

- Local case numbers and virus transmission in the community
- National situation, including surrounding jurisdictions
- Risk of disease importation
- Public health restrictions in place within the ACT
- Capacity of public health authorities to contact trace.

### Assessment of event, including COVID Safety Plan and Risk Management Plan

- Quality of COVID Safety Plan and risk mitigation planning, including any innovative approaches to managing risks
- Characteristics of the event and venue
  - Location
  - Size
  - Duration of event
  - Indoor or outdoor
  - Crowd density and flow arrangements
  - Ventilation
  - Transport, arrival and departure arrangements (particularly for Class C)

- Interactions between participants during the event
- Activities being undertaken at the event
- COVID safe messaging (both pre event and during the event)
- Unless otherwise specified, use of the Check in CBR app is required. Patrons aged 16 years or older must check-in
- Capacity of event organisers to apply prevention and control measures.

### Submitting a Notification (Events from 501 to 1,000 people)

You must submit a notification of your event to the Office of the Chief Health Officer via the [online form](#).

Documentation:

1. Exemption Cover Sheet
2. Event specific COVID Safety Plan (see COVID Safety Plan checklist at Attachment A)

**Your notification will be reviewed and if your event falls outside the requirements of the Public Health Directions, you will be contacted by ACT Health.**

### Submitting an Application for Exemption (Events over 1,000 people)

You must submit an application for exemption to the Office of the Chief Health Officer via the [online form](#).

Documentation required to be provided includes:

1. Exemption Cover Sheet
2. Event specific COVID Safety Plan
3. Risk Management Plan (for Class C events)
4. Transport Plan (if appropriate)
5. Event Layout or description of how seating allocation will be applied (if appropriate)
6. Details regarding staffing and volunteer arrangements
7. Letter of support from the venue/landowner if you are using a third party venue.

Exemption applications are required to be submitted by the organisation/individual that is ultimately responsible for the operations of the event, including crowd control.

Exemption applications can be submitted via the smart form on the ACT COVID-19 website: [www.covid19.act.gov.au/eventexemption](http://www.covid19.act.gov.au/eventexemption)

### Timing for assessment of applications

Exemption applications can be submitted via the smart form on the ACT COVID-19 website. Event organisers who are seeking an exemption should allow at least **three full weeks**, and up to **two months** for a response. It is our strong suggestion that exemptions are obtained in advance of when any other approvals might be required from other regulatory bodies.

If an event is to take place within three weeks of date of submission of an application, please note that while we will endeavour to assess the application, you must make sure you have plans to operate within the Public Health Directions.

## Withdrawal of Exemptions

If an exemption is granted and there is a subsequent tightening of restrictions in the Public Health Directions, event organisers will be contacted by the ACT Government to discuss a possible reassessment of their event.

Event planners need to be mindful of the changing situation in all jurisdictions. If the COVID-19 situation in the ACT worsens, the event may need to be revisited or postponed, even if an exemption had been previously granted.

## Event Organisers' Information Pack

An Event Organisers' Information pack has been developed to provide event organisers with a collection of resources to assist in the running of a COVID Safe Event. There are a series of resources which can be downloaded and printed for use.

You can view the pack at [www.covid19.act.gov.au](http://www.covid19.act.gov.au). Information and resources will be added so please continue to check back.

## Advice on Specific Event Types

### Fetes and Market Stalls

School and community fetes and market stalls are permitted to go ahead. Event organisers should ensure that a COVID Safety Plan is in place which outlines all of the appropriate risk mitigation measures which are to be put in place, in accordance with the COVID Safety Plan checklist at Attachment A.

As an absolute minimum, fete organisers should:

- Provide appropriate amounts of alcohol-based hand sanitiser at each stall
- Ensure stall holders are spaced out as far as possible to assist with dispersing crowds
- Establish one-way flow of pedestrian traffic at stalls (for example, encourage people to move from left to right)
- Encourage stall holders to take electronic payments, wherever possible
- Establish designated entry/exit points to assist with check-in requirements
- Monitor physical distancing measures in queues, and ensure queues do not cross foot traffic
- Avoid any activities which do not permit appropriate physical distancing, for example face painting
- Amusement rides can result in high frequency of touch points. Therefore ensure that appropriate cleaning of equipment takes place before and after use.

Further advice and information is included in the COVID Safety Plan checklist at Attachment A.

School fetes are considered to fall outside the 'normal business' of a school and therefore fete organisers should adhere to the Public Health Directions and, where relevant, submit an exemption application or notification via the [online form](#) – refer to page 9 which outlines the exemption and notification requirements for events, depending on their size.

## Outdoor music events and festivals

As per the Australian Health Protection Principal Committee (AHPPC) definition of very high risk social environments, outdoor unstructured events such as music festivals are considered to be very high risk environments for COVID-19 transmission. Refer to page 4 for the full list of high risk social environments.

To be considered for an exemption please note the following:

- Music festivals and outdoor concerts must be seated and ticketed
- Dedicated dance areas or dance floors are not permitted
- Dancing may occur at events, however dancing should be done safely in front of seat
- Risk mitigation measures to disperse crowds must be in place to ensure congestion does not occur around areas such as the stage or speakers
- Events which encourage or provide onsite overnight accommodation are unlikely to be considered
- All patrons who enter the event, including children, must have their own ticket.

Music event organisers may like to consider the following risk mitigation strategies:

- Create zones or introduce measures to encourage patrons to flow in a single direction
- Require patrons to bring their own chair or picnic rug
- Allow patrons to bring their own food or drink to reduce congestion around food vendors
- Ensure pathways are wide enough to allow the flow of patrons while maintaining physical distance from seated people
- Place barriers or spacing markers to further manage crowding and the risk of congestion.

## Indoor Live Music Performances

Indoor live music venues may wish to seek an exemption to host live music events. Consideration will be given to granting exemptions for ticketed events/gigs at up to 3 persons per 4 square metres (75% of usable space).

To be considered for an exemption to hold an indoor live music event, please note the following:

- Exemption requests will only be considered for events where the primary purpose is attendance to watch a live music performance.
- An event specific COVID Safety Plan must be submitted with an exemption application.
- The live music event must be ticketed. All patrons who enter the event, including children, must have their own purchased ticket.
- Performances must have a defined start and finish time.
- Venues must have a dedicated entry and exit point.
- Dancing at events is permitted, however organisers should align with the Public Health Direction requirements for dedicated dance floor areas.

## Calculating Numbers at Events

- Multi-Day Event:
  - For events which take place over two or more days, the total number of people attending the event will not be combined for the purposes of assessment. For example, an event that is held over three days at 1,500 attendees per day will be assessed as an event of 1,500 attendees, with careful consideration given to the total number of attendees across all days, noting that multi day events present a higher risk.
- Multi-Session Event:
  - For events which have more than one session in one day, the total number of people attending the event will be combined for the purposes of assessment. For example, an event that includes three sessions of 1,500 attendees per session will be assessed as an event of 4,500 attendees.
- General entry to an event (eg to markets, fetes and expos)
  - For events which are designed to have general entry of attendees over a period of time, the total number of people attending an event in one day will be combined for the purposes of assessment. For example, an event of 700 attendees per hour over four hours will be assessed as an event of 2,800 attendees.

Note that events with a cumulative total of over 10,000 per day will not be considered.

## Key Contacts:

Access Canberra Event and Business Coordination Team

Email: [EventApprovals@act.gov.au](mailto:EventApprovals@act.gov.au)

Office of the Chief Health Officer

Email: [covidexemptions.events@act.gov.au](mailto:covidexemptions.events@act.gov.au)

## Resources

- ACT Government's COVID-19 website  
[www.covid19.act.gov.au/](http://www.covid19.act.gov.au/)
- Factsheet: Organising an Event  
[www.covid19.act.gov.au/what-you-can-do/act-covid-safe-event-protocol](http://www.covid19.act.gov.au/what-you-can-do/act-covid-safe-event-protocol)
- Safe Work Australia has a number of useful resources  
[www.safeworkAustralia.gov.au](http://www.safeworkAustralia.gov.au)
- Australian Health Protection Principal Committee (AHPPC) Statement  
[www.health.gov.au/committees-and-groups/australian-health-protection-principalcommittee-ahppc](http://www.health.gov.au/committees-and-groups/australian-health-protection-principalcommittee-ahppc)
- Check In CBR app  
[www.covid19.act.gov.au/business-and-work/check-in-cbr](http://www.covid19.act.gov.au/business-and-work/check-in-cbr)

## Attachment A

### Considerations for COVID Safe Event Planning

COVID Safety Plans should address all the following points (where applicable).

#### Undertake a risk assessment and develop a risk management plan

- The World Health Organization (WHO) has developed a tool that:
  - Gives a score to each risk factor and control measure
  - Calculates an overall risk score
  - Gives a defined risk category
  - Helps with decisions
- Resources are available at:
  - How to use WHO risk assessment and mitigation checklist for Mass Gatherings in the context of COVID-19
  - Mass Gathering risk assessment COVID-19: key considerations
  - Decision tree for risk assessment for mass gatherings

N.B. these are example resources and will need to be customised to your local setting.

#### Management of Attendees

- Is the event seated or will attendees be free to move around, noting that seated events present less risk?
- If movement is allowed, consider the flow of attendees to ensure interactions are minimised.
- Is there a defined and controlled boundary for the event?
- Ensure all physical distancing requirements can be met for the number of participants.
- Will participants be entering the ACT from other jurisdictions? If so, how will you manage any border restrictions that may be in place at the time of your event? Any border restrictions in place are detailed on the ACT Government's COVID-19 website.

#### Staffing

- For events over 500, you must have a staff member on site that only and exclusively performs the role of COVID Marshal during your event. COVID Marshals should not be confused with Security Officers, nor should Security Officers take on the role of a COVID Marshal.
- COVID Marshals are people who are assigned to assist in the management and implementation of COVID Directions and restrictions as per the Public Health Directions and the Event COVID Safety Plan. A COVID Marshal can be a volunteer or a staff member and must be easily recognised (eg lanyard, badge, coloured shirt, hat, hi-vis vest).
- In addition, you must have enough COVID Safety Officers to effectively manage the amount of people at your event. You may wish to apply a ratio, such as one COVID Safety Officer per 250 attendees.



- It is also important to ensure your event has regular venue cleaning and disinfecting, particularly for high touch areas and cleaning staff numbers should be sufficient for this to occur.
- Staffing numbers should be detailed in your COVID Safety Plan.
- Consider whether you need to hire private security or seek a police presence.

### **Consider staff training in COVID Safe Event practices**

- If private contractors or suppliers are being engaged they will need appropriate training and their own COVID Safety Plan.
- Training materials are on hand and include information on respiratory hygiene,
- Managing people who are unwell.

### **Location of the Event**

- Is the event indoors or outdoors, noting that outdoor events present less risk?
- If the event is held in a public or licensed venue, all rules relating to that venue (e.g. liquor licensing, occupancy) must also be followed.

### **Pattern of attendance – is the event ticketed or non-ticketed?**

- If the event is not ticketed, consider how participant numbers will be monitored and contact details obtained.
- Events that are ticketed, or provide for some other registration process, are preferred.
- Unless otherwise specified in the Public Health Direction, events must use the Check In CBR app and this must be detailed in the COVID Safety Plan.

### **Check In CBR app**

- The Check In CBR app is a contactless, secure and convenient way for customers to sign in to a Canberra venue. The app provides a secure mechanism for customer details to be stored directly with ACT Health, rather than burdening event organisers, venues and businesses with this requirement. The data is only accessed for contact tracing purposes if required, and is securely destroyed after 28 days.
- In line with current Public Health Directions, event organisers are required to register for and be using the Check In CBR app.
- Event Organisers will be required to use their best endeavours to require patrons aged 16 years or older to check-in.
- Once registered, a QR Code and a Check In CBR starter kit (including QR Code posters) will be provided free of charge for the event. Please visit <https://www.covid19.act.gov.au/business-and-work/check-in-cbr> to apply for your QR Code.
- Where an event is being held in a venue which is already registered for Check In CBR (eg a room in a licensed club) the event organiser may use the venue's registration and QR code, rather than seeking to register for the specific event.
- Where an event is a stand alone event (eg not held in a premises which is already registered for Check In CBR), a new registration and QR Code must be requested.



- The Check In CBR app should be used for all attendees at your event, including staff, officials, competitors, volunteers, performers etc who are aged 16 years or older.
- Where there are concerns about congestion at the entry to an event due to the requirement to use Check in CBR, event organisers should consider other approaches, such as QR code posters being placed strategically around the entrance or across the event site.

## Ticketing

- Event organisers who commence selling tickets or entering into contractual arrangements before receiving an event exemption approval do so at their own risk
- Use the Check In CBR app to keep a record of everyone attending your event. For details go to **[www.covid19.act.gov.au/check-in-cbr](http://www.covid19.act.gov.au/check-in-cbr)**. The Check In CBR app does not necessarily replace an event's ticketing system and should operate alongside the ticketing system.
- If the event is ticketed, ticketing should be electronic and allocate specific seating where applicable. Organisers should be able to identify every ticket holder for contact tracing purposes.
- Despite the use of Check In CBR, ticketing systems should continue to record contact details for each ticket holder and should:
  - At a minimum, include name, phone number and postcode
  - Ensure contact details are held for a period 28 days, and can be made available to public health authorities to assist with contact tracing if requested.
  - Link ticket information to a seating map organised by row and section.
  - Remember to ensure that anyone present who may not be ticketed, such as staff and contractors are using the Check In CBR app.
- Event organisers may also wish to consider adapting ticket Terms and Conditions so that they contemplate the following:
  - Monitoring location/address of ticket buyers, with the ability to rescind the right of entry of ticket purchasers from a designated COVID affected location
  - Full refund for ticket holders if the event is cancelled
  - Full refund for ticket holders who don't attend due to being unwell if they have a medical certificate
  - No right of transfer without the approval of the event organiser
  - Physical distancing and other behavioural considerations
- During the ticketing process, prospective attendees should be provided with the following details:
  - Recommended physical distancing and hygiene behaviour.
  - Details about controls in place to minimise the risk of transmission.
  - Advice for individuals who may be at higher risk of severe disease and warnings about the risk of attendance.
  - Recommendations to download and activate the COVIDSafe app and the Check In CBR app if you will be using it.

- Clear advice provided that individuals are not to attend the activity if they:
  - Are unwell
  - Have been in close contact with a known active case of COVID-19
  - Have travelled overseas in the previous 14 days
  - Have been to a COVID affected area in the previous 14 days  
(refer [www.covid19.act.gov.au](http://www.covid19.act.gov.au))
- Advice that with larger event gatherings, patrons need to expect that physical distancing principles may not always be possible at all times. If patrons feel uncomfortable, they need to reconsider their attendance at the event.
- Clear advice to leave the event immediately if any symptoms of illness develop.
- Advice around whether ticket purchase price will be refunded to patrons who are unwell.

### **Consider the duration of the event, noting that events less than two hours in duration are lower in risk**

- Look at staggering start times to avoid large queues at entry.
- Ensure appropriate staff are in place to assist participants to queue safely.
- Create additional exit points to allow crowds to disperse.
- Multi-day events (with the same participants) may be considered but organisers must demonstrate a solid understanding of the risks involved and outline risk mitigation measures.
- Multiple sessions (with different participants attending) can be held throughout a day, but there must be sufficient spacing between sessions to ensure that participants do not come together, and to allow a thorough cleaning of the venue between sessions. If multiple sessions are to be held, event organisers should consider a lesser number of participants for each session.

### **Physical distancing strategies before, during and after the event**

- Consider the layout of the event – ensure that there is appropriate floor space and/or distancing of furniture to comply with physical distancing requirements.
- Consider whether there will be a registration desk and how this will be appropriately managed for staff and patron safety.
- Consider how to reduce crowding and points of congregation (for example, in the bathroom amenities and food and beverage service areas).
- Consider physical distancing between groups and limiting the interaction of people who do not know each other.
  - If the event is seated, people who have booked together can sit together, but groups unknown to each other should be distanced.
- Ensure there are appropriate floor markers and signage as well as other controls to promote physical distancing requirements.
- Consider whether additional personnel are required to assist with flow of patrons and to ensure control of crowds.

## **Personal hygiene strategies before, during and after the event**

- Audio visual messages and signs.
- Provision of alcohol-based hand sanitiser stations and/or hand washing facilities.
- Adequate waste bins.
- Appropriate environmental cleaning, sanitising and hygiene protocols – for before, during and after the event.
- In particular, consider frequent cleaning of high traffic areas, including doors, chairs, bathrooms and toilets, hand rails and food and drink facilities.
- Depending on the size of your event, consider whether you require designated staff for rolling COVID safety cleaning.

## **Activities at Events**

- Event organisers must apply public health principles to determine whether activities will be suitable at an event. One example would be that, physical distancing cannot be maintained during face painting so this activity may not be permitted.
- Event organisers who are staging events which include children's games and rides, amusement rides, carnival activities such as side show alleys need to consider additional risk mitigation measures as these types of activities can result in high frequency of high touch points.
- Event organisers should consider the following points when they are planning to include additional activities into their event:
  - Ensure one way flow of pedestrian traffic can be achieved.
  - Space out stalls throughout the event (rather than having stalls side by side) to disperse crowds.
  - Ensure appropriate sanitisation measures are in place and encourage use at entry and exit points.
  - Monitor physical distancing measures in queues, ensuring queues do not cross foot traffic.
  - Consider flows in and around the specific activity.
  - Monitor the crowd density within the allocated area.
  - Space out activities throughout the venue.

## **Catering arrangements and management of the flow of customers**

- Ensure appropriate consideration is given to preparation and service of food, in accordance with relevant regulations.
- Ensure all catering staff are aware of safe food handling practices and heighten health and hygiene policies and procedures, such as the importance of practicing good hand hygiene and regular sanitation of food preparation surfaces, equipment and any dining areas.
- Ensure that any contractors providing catering are registered food businesses and have their own COVID Safety Plan.

- If event organisers choose to have self-serve buffets, they must implement additional risk mitigation measures, and ensure that they are documented in the COVID Safety Plan. Some important considerations will include:
  - Ensure that self-serve buffets are appropriately supervised by staff, particularly during busy periods.
  - Ensure that hand sanitiser is available and used by patrons prior to using the self-serve buffet.
  - Regularly replace any shared utensils with clean ones. This could be done at least every hour and more regularly during busy periods.
  - Equipment such as coffee and drink machines and soft serve machines should be wiped down on a regular basis, and more so during busy periods.
- Event organisers should avoid offering communal snacks and any communal condiments should be wiped down on a regular basis.

### **What is the likelihood of alcohol presence?**

- Ensure that all requirements contained in the Public Health Direction relating to service of alcohol are followed.
- Patrons can stand while eating and drinking but consideration should be given to ensuring physical distancing can be maintained wherever possible.
- All other regulatory requirements must be followed.

### **Safety measures – first aid, crowd control, responding to medical emergencies, emergency evacuations**

- Consider entry and exit points and management of crowds.
- Advice to participants pre event around limit of bag sizes.
- Consider what screening will take place on entry to the event to avoid congestion.
- Ensure queues are safely managed and flow allows for physical distancing.

### **Management plan to identify staff or guests who present with illness**

- Consider identifying a room or area where someone who is unwell (and is unable to leave quickly) or presents with symptoms, can be safely isolated.
- Consider how they can be safely transferred from the event to appropriate transport.
- Ensure staff know what to do if an event participant or staff member presents to them with symptoms.

### **Parking and transport arrangements to and from the event – consider developing a transport plan**

- How will crowd movement be monitored and managed
- Consider potential points of congestion
- Direction signage to and from carparks
- Consider transport arrangements to, and from, the event to reduce crowding on public transport (stagger ingress and egress, or consider hire of transport charter services to reduce transport risks).

- Ensure any delivery staff use the Check in CBR app when delivering goods to the venue.
- Consider how deliveries prior to, and during, the event might take place
- Ensure deliveries are contactless wherever possible with delivery drivers to remain in vehicles where possible and minimise physical interaction with workers.
- Ensure drivers maintain good hand hygiene if needing to exit vehicles.
- Use electronic paperwork wherever possible. If a signature is required, discuss providing a confirmation email instead, or taking a photo of goods onsite as proof of delivery.
- Minimise deliveries during the event.

### **Contingency planning**

- Consider what plans or actions might be taken if the situation in the ACT worsens (i.e. event postponement or cancellation) and restrictions are tightened in the Public Health Directions.
- Consider how unexpected gatherings outside or around the venue might be managed.

### **Identify whether any of the following approved plans are applicable to the event in whole or in part**

- COVID Safe Industry Plans for specific industries or venue types, such as community sporting events, live music venues and hotels.
- COVID Safe Site-Specific Plan for the venue in which the event is being held, such as a stadium or convention centre.
- COVID Safe Professional Sporting Code Plans for professional sporting events.
- These plans must be tailored specifically to your event.