

EMERGENCY MANAGEMENT ACT 2005 (WA)

Sections 61, 67, 71 and 72A

STAY AT HOME AND CLOSURE (PERTH, PEEL AND ROTTNEST) DIRECTIONS

The World Health Organization declared COVID-19 a pandemic on 11 March 2020.

On 15 March 2020, the Minister for Emergency Services declared a state of emergency with effect from 12 am on 16 March 2020 in respect of the pandemic caused by COVID-19 pursuant to section 56 of the *Emergency Management Act 2005 (WA)* (**Act**) (**State of Emergency**). The State of Emergency applies to the State of Western Australia.

I, Christopher John Dawson, Commissioner of Police and State Emergency Coordinator, give certain of these directions (relating to the closure of certain places) pursuant to my powers as a police officer under section 71 of the Act and consider it reasonably necessary to give other directions to prevent, control or abate the risks associated with the emergency presented by the pandemic caused by COVID-19 pursuant to my powers under sections 61, 67 and 72A of the Act.

PREAMBLE

1. The purpose of these directions is to require all persons in the **affected area** to stay at **home** during the **stay at home period** other than for one or more of the reasons specified in these directions, to close certain places and to prohibit certain gatherings and activities in order to prevent, control or abate the risks associated with the emergency presented by the pandemic caused by COVID-19, and to otherwise limit the spread of COVID-19.

CITATION

2. These directions may be referred to as the **Stay at Home and Closure (Perth, Peel and Rottneest) Directions**.

COMMENCEMENT

3. These directions come into effect at 12.01 am on Saturday, 24 April 2021 and continue in effect until 12.01 am on Tuesday, 27 April 2021 or such further period as specified in writing by me.

OPERATION

4. These directions are intended to apply despite the Gathering and Activities Directions (No 2), the **Major Stadium Directions** or any further directions that I give that amend or replace those directions, and to the extent of any inconsistency between them, these directions prevail.

DIRECTIONS

STAY AT HOME DIRECTION

Staying at home in the stay at home period

5. From the commencement of the stay at home period, a person whose home is in the affected area and is at home must not leave home for the duration of the stay at home period, other than for one or more of the following reasons:

- (a) to obtain or access essential goods and services in accordance with paragraph 11; or
- (b) for care or other compassionate reasons in accordance with paragraph 12; or
- (c) to engage in the person's employment, whether paid or voluntary, at their place of work provided that:
 - (i) it is not reasonably practicable for the person to undertake the duties of their employment from home; and
 - (ii) the person's place of work is not closed under these directions,or to transport such a person by **private vehicle** to and from their place of work; or
- (d) to exercise in accordance with paragraph 13; or
- (e) for other specified reasons in accordance with paragraph 14; or
- (f) to participate in an activity being conducted in the affected area of the kind described in paragraph 59(e) to (f) to the extent that that activity is permitted by that paragraph.

Example: a person may leave their home to attend a wedding, provided that the wedding involves no more than 100 guests, as specified in paragraph 59(e), and is otherwise carried out in accordance with these directions.

6. From the commencement of the stay at home period, a person:

- (a) who is in the affected area at the commencement of the stay at home period; and
- (b) whose home is in the affected area but is not at home at the commencement of the stay at home period,

must:

- (c) as soon as practicable, travel to their home by the most direct and practicable route available and without stopping except as required by law or necessary for fuel or rest; and
- (d) reside and remain at home during the stay at home period other than for one or more of the reasons specified in paragraph 5,

unless the person is:

- (e) advised by a **medical practitioner** to remain in a health or other facility, provided that the person follows all reasonable directions from a medical practitioner, until a medical practitioner certifies that the person meets the criteria for discharge from a health or other facility and upon discharge the person must then comply with subparagraphs (c) and (d); or
- (f) away from their home, whether for a holiday or business or otherwise, and is staying at **premises** which are suitable for the person to remain in for the duration of the stay at home period, in which case the person does not need to return to their home but must comply with these directions as if that place was their home and, for the avoidance of doubt, if the premises are in the affected area, they must comply with the requirements to stay at home in paragraph 5.

7. From the commencement of the stay at home period, a person who:

- (a) is in the affected but whose home is outside of the affected area; and
- (b) is remaining in the affected area for any length of time during the stay at home period,

must stay at premises within the affected area which are suitable for the person to remain in for the duration of the stay at home period and otherwise comply with these directions as if those premises were the person's home.

8. Notwithstanding paragraphs 5 to 7, a person must not leave their home or the premises at which they are remaining during the stay at home period if they have **symptoms** unless it is necessary for the person to leave their home to:
 - (a) undergo a test for COVID-19; or
 - (b) receive urgent medical treatment at a **hospital** or from a medical practitioner.
9. Notwithstanding paragraphs 5 to 7, if at any time during the stay at home period a person:
 - (a) does not have a home to reside at; or
 - (b) has a home to reside at, but that home is temporarily unavailable or is unavailable because of a risk of harm (including harm relating to family violence or violence of another person at the home),

such a person must comply with these directions to the greatest extent possible, and if the person is unable to comply with these directions, the person must contact a **relevant officer** and ask for a **direction** or an **instruction**.

Prohibition on visitors to homes in the stay at home period

10. During the stay at home period, a person (**Person A**) may only allow another person (**Person B**) to access their home if:
 - (a) Person B resides in the same **household** as Person A; or
 - (b) Person B accesses the home of Person A for the purpose of providing child-minding assistance to the child or children of Person A whilst Person A is at their place of work in accordance with paragraph 5(c); or
 - (c) Person B is a relevant officer or a person assisting a relevant officer; or
 - (d) Person B accesses the home for medical or emergency purposes; or
 - (e) Person B is required to access the home for the purpose of performing critical and time-sensitive maintenance at the home; or
 - (f) Person B is acting in compliance with a direction or instruction given by a relevant officer; or
 - (g) Person B accesses the home in accordance with one of the circumstances set out in paragraph 12(a) to (b) or (d) to (e); or

- (h) Person B accesses the home in accordance with the circumstance set out in paragraph 12(c); or
- (i) Person B accesses the home to attend a funeral or wedding provided that the funeral or wedding is otherwise carried out in accordance with these directions, provided that no more than two persons access the home at any one time if they access the home in accordance with subparagraph (b), (e) or (g).

Leaving home to obtain or access essential goods or services

11. A person whose home is in the affected area may leave home for the purposes of:
- (a) attending an **essential provider** to obtain or access essential goods or services provided that the person leaves home only once per day for this purpose; or
 - (b) obtaining or attending an **essential health service**.

Leaving home for care or other compassionate reasons

12. A person whose home is in the affected area may leave home:
- (a) for the purposes of shared parenting arrangements, whether the arrangements are under a court order or otherwise; or
 - (b) to provide care and support to, or receive care and support from, a relative or other person:
 - (i) on account of a person who has particular needs because of homelessness, age, infirmity, disability, illness or a chronic health condition; or
 - (ii) because of matters relating to the person's health or to the health of the relative or other person (including mental health or pregnancy); or
 - (c) to escape harm or the risk of harm, including harm relating to family violence or violence of another person at home; or
 - (d) to provide end-of-life support to a member of the person's immediate family; or
 - (e) to provide or receive child-minding assistance (whether on a paid or voluntary basis), so that the parent or guardian of a child can leave their own home for a purpose otherwise permitted by these directions; or

- (f) to ensure adequate supply of food to, and care and exercise of, animals that are situated away from home if no other person is available at that place to provide the food, care or exercise; or
- (g) if approved by me or by an **authorised officer** who is also a **police officer**.

Leaving home for exercise

13. A person whose home is in the affected area may leave home to exercise outdoors:

- (a) for no more than 1 hour per day; and
- (b) within a 5 km radius of their home, but only within the affected area; and
- (c) by themselves or with a group of up to a maximum of four other members of the same household provided that no more than two adult persons are members of the group.

Note: under this paragraph, five members of the same household may exercise together at the same time, provided that there are no more than two adults in the group exercising together.

Example 1: one adult may exercise with up to four children who are members of the same household.

Example 2: two adults who are members of the same household may exercise with up to three children who are also members of that same household.

Leaving home for other specified reasons

14. A person whose home is in the affected area may leave home in the following circumstances:

- (a) in an emergency; or
- (b) on a day on which the fire rating is severe or higher, to take preparatory steps for the purpose of moving, and to move by the most direct and practicable means, to other premises which are suitable for the person to remain in for the remainder of the stay at home period; or
- (c) to comply with a legal requirement that must be fulfilled during the stay at home period, including attending:
 - (i) a police station; or

- (ii) a court or other premises for purposes relating to the justice or law enforcement system; or
- (d) to donate blood or breast milk; or
- (e) if the person is permitted to leave Western Australia, for the purposes of leaving Western Australia.

Regulation of persons leaving home

- 15. If a person leaves home in accordance with these directions they must travel by the most direct and practicable route available and without stopping except as required by law or necessary for fuel or rest.
- 16. A person may use public transport for any purpose permitted by these directions provided that the person complies with the Face Covering Directions (No 2), as amended or replaced from time to time.

TRAVEL INTO AND OUT OF THE AFFECTED AREA

Leaving the affected area

- 17. From the commencement of the stay at home period, all persons whose home is in the affected area must not leave the affected area to travel to any place outside of the affected area for the duration of the stay at home period, other than for one or more of the following reasons:
 - (a) attending an essential provider to obtain or access essential goods or services provided that the person leaves home only once per day for that purpose; or
 - (b) obtaining or attending an essential health service; or
 - (c) for care or other compassionate reasons in accordance with paragraph 12; or
 - (d) to engage in the person's employment, paid or voluntary, at their place of work provided that:
 - (i) it is not reasonably practicable for the person to undertake the duties of their employment from home, or to transport such a person by private vehicle to and from their place of work; and

- (ii) the person's place of work is not closed under these directions,
or to transport such a person by private vehicle to and from their place of work;
or
 - (e) to attend a wedding or funeral being held outside of the affected area; or
 - (f) for other specified reasons in accordance with paragraph 14.
- 18. Paragraph 17 does not apply to a person at any time during the stay at home period during which the person:
 - (a) does not have a home to reside at; or
 - (b) has a home to reside at, but that home is temporarily unavailable or is unavailable because of a risk of harm (including harm relating to family violence or violence of another person at the home),
and a home is made available outside the affected area in which case, that person must:
 - (c) leave the affected area; and
 - (d) reside outside the affected area for the duration of the stay at home period unless that person is otherwise permitted to enter the affected area in accordance with paragraph 20.
- 19. If a person leaves the affected area to travel to any place outside of the affected area, these directions apply to that person when outside the affected area as if they were in the affected area and the person must also comply with the Face Covering Directions (No 2), as amended or replaced from time to time, as if they were within the affected area notwithstanding that they are outside the affected area.

Entering the affected area

- 20. From the commencement of the stay at home period, a person residing outside the affected area must not enter the affected area during the stay at home period, other than for one or more of the following reasons:
 - (a) attending an essential provider to obtain or access essential goods or services that are not reasonably available outside the affected area; or
 - (b) obtaining or attending an essential health service that is not reasonably available outside the affected area; or

- (c) for care or other compassionate reasons in accordance with paragraph 12; or
- (d) to engage in the person's employment, whether paid or voluntary, at their place of work provided that:
 - (i) it is not reasonably practicable for the person to undertake the duties of their employment from home; and
 - (ii) the person's place of work is not closed under these directions, or to transport such a person by private vehicle to and from their place of work; or
- (e) to attend a funeral or wedding being held inside the affected area provided that the funeral or wedding is otherwise carried out in accordance with these directions; or
- (f) for other specified reasons in accordance with paragraph 14; or
- (g) the person enters Western Australia at a point of entry that is within the affected area and in accordance with the Controlled Border for Western Australia Directions or a **specified arrangement**; or
- (h) the person needs to **transit** through the affected area to a place outside the affected area for one or more of the following reasons:
 - (i) attending an essential provider to obtain or access essential goods or services that are not reasonably available outside the affected area; or
 - (ii) obtaining or attending an essential health service that is not reasonably available outside the affected area; or
 - (iii) to undergo a test or vaccination for COVID-19 where it is not possible to do so at a location closer to the person's home outside the affected area; or
 - (iv) for care or other compassionate reasons of the kind referred to in paragraph 12; or
 - (v) to engage in the person's paid employment, whether paid or voluntary, at their place of work provided that:
 - (A) it is not reasonably practicable for the person to undertake the duties of their employment from home; and

(B) the person's place of work is not closed under these directions, or to transport such a person by private vehicle to and from their place of work; or

(vi) leaving Western Australia by the most direct and practicable route available,

provided that the person complies with the Face Covering Directions (No 2), as amended or replaced from time to time, after they leave the affected area as if they were within the affected area notwithstanding that they are outside of the affected area.

21. If a person has a home in the affected area, that person may enter the affected area for the purpose of returning to their home by the most direct and practicable route available and without stopping except as required by law or necessary for fuel or rest and provided that the person otherwise complies with these directions and does not leave the affected area again.

PROHIBITED GATHERINGS, PROHIBITED ACTIVITIES AND CLOSURE OF CERTAIN PLACES

Prohibited gatherings

22. A person who owns, controls or operates premises in the affected area must not allow a **prohibited gathering** to occur on the premises.
23. A person must not organise a prohibited gathering on premises in the affected area.
24. A person must not attend a prohibited gathering on premises in the affected area.

Prohibited activities

25. A person who owns, controls or operates premises in the affected area must not allow a **prohibited activity** to occur on the premises.
26. A person must refrain from undertaking or engaging in a prohibited activity within the affected area.
27. A person must not hold or conduct a prohibited activity within the affected area.
28. A person must not attend a prohibited activity within the affected area.

Closure of certain places

29. Every owner, occupier or person apparently in charge of an **affected place** in the affected area must close that place to the public for the duration of the stay at home period.

Limited exceptions for certain gatherings or events

30. Notwithstanding anything in these directions:
- (a) a person may play in the AFL match (or a scheduled training session for that match) between Fremantle Football Club and North Melbourne Football Club on Saturday, 24 April 2021 scheduled to commence at 6.15 pm at Optus Stadium located at 333 Victoria Park Drive, Burswood (*match*) and, for the avoidance of doubt, any person who is required to be at Optus Stadium for the purpose of facilitating the playing and broadcasting of the match may attend Optus Stadium for that purpose; and
 - (b) no spectators may be present at the match.
31. Notwithstanding anything in these directions, an affected place may open to the extent that it is being used for a wedding or funeral that otherwise complies with these directions, provided that there is at least 4 square metres of space for each person at the affected place whilst it is being used for a wedding or funeral.

AUTHORISATION

32. For the avoidance of doubt, in addition to and without limiting any other authorisation any relevant officer may have to do so, all relevant officers are authorised under section 61 of the Act to give any direction to a person for the purpose of giving effect to these directions.

DEFINITIONS

33. **Affected area** means the area comprising:
- (a) the Metropolitan region described in Schedule 3 to the *Planning and Development Act 2005* (WA) (*Planning Act*);
 - (b) the Peel Region described in item 6 of Schedule 4 to the *Planning Act*; and
 - (c) **Rottnest Island.**

34. **Affected place** means:

- (a) a business characterised as a pub, bar or club (other than a **nightclub**) that supplies alcohol under a licence granted under the *Liquor Control Act 1988* (WA), but not including any part of the business constituted by a **bottleshop** and other to the extent that the pub, bar or club provides takeaway meals or drinks or a meal delivery service; or
- (b) a nightclub; or
- (c) a hotel, whether licensed or unlicensed, but not:
 - (i) to the extent that it provides accommodation, takeaway meals or drinks or a meal delivery service; or
 - (ii) any part of the hotel constituted by a bottleshop; or
- (d) a gym, indoor sporting centre, wellness centre, health club or fitness centre (including a centre offering yoga, barre, pilates, aerobics, dancing or spin facilities) or boot camp; or
- (e) a **casino**; or
- (f) a cinema (including a drive-in cinema or outdoor cinema) or nightclub; or
- (g) an **entertainment venue of any other kind**; or

Note: while an entertainment venue of any other kind must remain closed to the public it can be used for the purposes of live streaming, or recording for later broadcast or publication on television, radio, the internet or social media, of live entertainment, provided that no more than 10 persons are present and there is at least 4 square metres of space for each person at that gathering (as described in paragraph 60(q) of these directions)

- (h) a restaurant or café (including premises selling food or drink in a food court), other than to the extent that:
 - (i) it provides takeaway meals or drinks or a meal delivery service; or
 - (ii) it provides food or drink to the homeless (and for the avoidance of doubt, the provision of food or drink to the homeless is not limited to the provision of takeaway meals or drinks or a meal delivery service); or

- (i) a **place of worship**, other than for the purposes of a wedding or funeral that is otherwise carried out in accordance with these directions; or

Note 1: paragraph 59(e) and (f) of these directions restrict the number of persons who can be present at a wedding or funeral

Note 2: while a place of worship must otherwise remain closed to the public, it can be used for the purposes of live streaming, or recording for later broadcast or publication on television, radio, the internet or social media, of religious activities at that place of worship, provided that no more than 10 persons are present and there is at least 4 square metres of space for each person at that gathering (as described in paragraph 60(p) of these directions)

- (j) an auction house; or
- (k) a beauty parlour, salon, hairdressers or barbershop; or
- (l) a nail salon; or
- (m) a tattoo parlour; or
- (n) a spa; or
- (o) a massage parlour; or
- (p) a gaming or gambling venue; or
- (q) adult entertainment premises (including but not limited to strip clubs, brothels and sex on premises venues); or
- (r) an amusement park or arcade (including, for the avoidance of doubt, a **wildlife park**); or
- (s) a play centre, whether indoors or outdoors; or
- (t) a community, recreation or youth centre or facility (including but not limited to community halls, clubs, Returned and Services League facilities and Police and Community Youth Centres), other than to the extent that it remains open for the purpose of hosting essential voluntary or public services such as food banks or homeless services; or
- (u) a sauna; or
- (v) a bathhouse; or

- (w) a swimming pool, whether indoor or outdoors (not including a community swimming pool which is run on a non-commercial basis or a swimming pool which forms part of the common property of shared residential premises such as an apartment complex); or
- (x) a gallery; or
- (y) a museum; or
- (z) an historic site; or
- (aa) a library; or
- (bb) a school, university or education institution other than to the extent that the institution provides accommodation for students, such as a boarding house; or
- (cc) a local government facility which is not essential to the continued functioning of the local government (such as, but in addition to, libraries and swimming pools); or
- (dd) a **playground**; or
- (ee) a **skate park**; or
- (ff) an **outdoor gym**; or
- (gg) Perth Zoo.

35. **Authorised officer** has the same meaning that it has in the Act.

Note: at the time of making these directions, all police officers are authorised officers, and paragraph 32 ensures that relevant officers are also authorised officers for the purposes of these directions.

36. **Bottleshop** means an area physically attached or adjacent to the premises of a business characterised as a pub, bar or club referred to in paragraph 34(a) or a hotel referred to in paragraph 34(c), that is for the sale of packaged alcohol to be consumed off the premises of the pub, bar, club or hotel.

37. **Casino** has the same meaning as in the *Casino Control Act 1984* (WA).

38. **Direction** includes a quarantine direction and any other direction under the Act or the *Public Health Act 2016* (WA), whether the direction is given orally or in writing.

39. **Emergency officer** has the same meaning that it has in the *Public Health Act 2016* (WA).

40. **Entertainment venue of any other kind** means any entertainment venue except a casino, cinema or nightclub.
41. **Essential health service** means:
- (a) emergency surgery, procedures and medical consulting undertaken for the investigation, diagnosis and management of conditions where failure to do so expediently and safely will lead to the following outcomes:
 - (i) loss of life; or
 - (ii) loss of limb; or
 - (iii) permanent disability; or
 - (b) non-emergency but urgent surgery, procedures and medical consulting undertaken for the investigation, diagnosis and management of conditions where failure to do so in a clinically appropriate timeframe will lead to a predictable and evidence based outcome as follows:
 - (i) loss of life where appropriate health intervention would otherwise have prevented this; or
 - (ii) permanent disability where appropriate health intervention would otherwise have prevented this; or
 - (iii) where clinical evidence supports an increased risk of a type referred to in paragraph (a) or (b) should appropriate health intervention be significantly delayed; or
 - (c) any health services provided in a hospital; or
 - (d) any health services provided by a general practitioner; or
 - (e) any health services provided at a hospital radiology service (other than routine screening services); or
 - (f) urgent procedures and surgical treatments undertaken by dental practitioners in authorised public health care centres in the management of:
 - (i) patients with obvious facial swelling due to infection ie. vestibular swelling (no trismus), facial swelling (with trismus); or
 - (ii) facial trauma; or

- (iii) severe unrelenting pain; or
- (g) procedures to complete:
 - (i) any cycle of IVF treatment that a patient has commenced before the commencement of the defined period; or
 - (ii) any procedure required for the preservation of eggs for future IVF where required health treatment will render eggs non-viable; or
- (h) surgical termination of pregnancy; or
- (i) drug and alcohol services; or
- (j) the following allied health services:
 - (i) allied health services provided by allied health professionals working as essential workers in hospitals or in residential care facilities providing critical clinical care or as directed by the hospital; or
 - (ii) allied health services provided by allied health professionals working in private practice providing care through telehealth and other virtual care options; or
 - (iii) students, medical/nursing/midwifery/allied health on placement providing essential care in hospitals or in residential care facilities, or through telehealth; or
- (k) the conduct of human medical research trials; or
- (l) the following mental health services:
 - (i) hospital emergency or inpatient psychiatric services; or
 - (ii) allied health professionals providing mental health services in hospital; or
 - (iii) private consultant psychiatry practice by telehealth or by face-to-face (but only in the instance of emergency clinical care for potentially life-threatening situations where telehealth is not clinically appropriate); or
 - (iv) allied health professionals providing mental health services in community settings by telehealth or by face-to-face (but only in the

instance of emergency clinical care for potentially life-threatening situations where telehealth is not clinically appropriate); or

(m) a place at which a person can be tested or vaccinated for COVID-19.

42. **Essential provider** means a provider of essential goods or services, including goods or services provided by:

(a) a supermarket, grocery store, bakery, butcher, fruit and vegetable store or fishmonger; or

(b) an indoor or outdoor market, but only to obtain groceries or fresh food and not to obtain food or beverages prepared on site (whether for consumption on site or take away); or

(c) a restaurant, café, pub, bar or hotel, whether licensed or unlicensed (including premises selling food or drink in a food court), but only to the extent that:

(i) it provides takeaway meals or drinks or a meal delivery service; or

(ii) it provides food or drink to the homeless (and for the avoidance of doubt, the provision of food or drink to the homeless is not limited to the provision of takeaway meals or drinks or a meal delivery service).

(d) premises commonly known as a bottleshop; or

(e) a financial institution; or

(f) consular and diplomatic services; or

(g) court, tribunal or commission services;

(h) a post office; or

(i) a newsagent; or

(j) a pharmacy; or

(k) a hardware store; or

(l) a petrol station (including a petrol station that sells groceries); or

(m) vehicle and mechanical repair services; or

(n) a pet store or veterinary clinic; or

- (o) urgent services necessary for the health and safety of any person, animal or premises; or
 - (p) a childcare or family day care provider, but only to the extent that childcare services are provided to a child of an essential worker; or
 - (q) a "click and deliver" service.
43. **Home** means the premises or place where a person ordinarily resides or other premises (such as a hotel or short stay accommodation) at which a person is able to reside.
44. **Hospital** has the same meaning that it has in the *Health Services Act 2016* (WA).
45. **Household** means two or more persons who usually reside at the same home, irrespective of whether those persons are related to each other.
46. **Indoor space** means an area, room or premises that is or are substantially enclosed by a roof and a **sufficient dividing structure**, regardless of whether the roof or sufficient dividing structure, or any part of them, are permanent or temporary or capable of being opened or closed.
47. **Instruction** means an instruction given for the purposes of these directions which is not a direction, whether the instruction is given orally or in writing.
48. **Major Stadium Directions** means each of the following directions, as amended or replaced from time to time:
- (a) Gatherings and Activities (HBF Park) Directions (No 2);
 - (b) Gatherings and Activities (HBF Stadium – Main Arena) Directions (No 2);
 - (c) Gatherings and Activities (Optus Stadium) Directions (No 2); and
 - (d) Gatherings and Activities (RAC Arena) Directions (No 2).
49. **Medical practitioner** has the same meaning as it has in section 69(1) of the *Health Services Act 2016* (WA).
50. **Motor vehicle** has the same meaning as in paragraph (b) of the definition of "motor vehicle" in section 4 of the *Road Traffic (Administration) Act 2008* (WA).
51. **Nightclub** means a place that has a nightclub licence under section 42 of the *Liquor Control Act 1988* (WA) or another place that is specified in writing by me, or a person authorised by me for the purpose, to be a nightclub for the purposes of these directions.

52. **Outdoor gym** means an outdoor space used for, and equipped with, facilities or equipment for exercise.
53. **Outdoor space** means a space that is not an indoor space.
54. **Place of worship** means premises used for religious activities such as a chapel, church, mosque, synagogue or temple.
55. **Police officer** means a person appointed under Part I of the *Police Act 1892* (WA) to be a member of the Police Force of Western Australia.
56. **Playground** means an outdoor space used for, and equipped with facilities for, recreation, especially by children.
57. **Premises** includes:
- (a) land (whether vacant or not); and
 - (b) land covered by water, whether permanently or temporarily or from time to time; and
 - (c) the whole or any part of a building or other structure, of whatever type and whether of a permanent or temporary nature; and
 - (d) a vehicle.
58. **Private vehicle** means a vehicle in which you are the sole occupant other than a driver, unless you are providing or receiving care and it is reasonably necessary for other persons to be in the vehicle.
59. **Prohibited activity** means any of the following activities and whether undertaken or engaged in on a profit or non-for-profit basis:
- (a) a real estate auction; or
 - (b) an open house inspection (but excluding a private inspection); or
 - (c) beauty therapy services, including but not limited to tanning, waxing, massages, nail services, tattooing and piercing, hairdressing and barbering; or
 - (d) personal training, other than in accordance with paragraph 13; or

- (e) a wedding, other than to the extent that it involves no more than 100 persons who are guests, provided that there is at least 4 square metres of space for each person at the wedding and the wedding is otherwise carried out in accordance with these directions; or
- (f) a funeral, other than to the extent that it involves no more than 100 persons, excluding those persons whose presence is necessary to conduct the funeral, provided that there is at least 4 square metres of space for each person at the funeral and the funeral is otherwise carried out in accordance with these directions.

60. **Prohibited gathering** means a gathering of two (2) or more persons in a single undivided **indoor space** or a single undivided **outdoor space** at the same time (whether or not the space is a **public place**), where there is not at least 2 square metres of space for each person at the gathering, but does not include a gathering:

- (a) at an airport that is necessary for the normal business of the airport; or
- (b) for the purposes of or related to public transportation, including at public transportation facilities such as stations, platforms and stops; or
- (c) at a medical or health service facility that is necessary for the normal business of the facility; or
- (d) at a disability or aged care facility that is necessary for the normal business of the facility and subject to the Visitors to Residential Aged Care Facilities (Stay at Home and Closure (Perth, Peel and Rottne) Directions, as amended or replaced from time to time; or
- (e) for the purposes of providing care or assistance (including personal care) to a vulnerable person or providing emergency assistance; or
- (f) for the purposes of emergency services; or
- (g) at a prison, detention centre, lock up or other place of custody for the purposes of or related to the operation of that place of custody; or
- (h) at Parliament for the purposes of its normal operations; or
- (i) at a court or tribunal; or

- (j) at a food market, supermarket, grocery store, retail store or shopping centre that is necessary for the normal business of those premises; or
- (k) at an office building, factory, mining site (including mining site accommodation), construction site or other place of work that is necessary for the normal business of those premises, except premises described in paragraph 60(l); or
- (l) a school, university or education institution but only to the extent that the institution provides accommodation for students, such as a boarding house; or
- (m) at a hotel, motel or other accommodation facility that is necessary for the normal operation of accommodation services; or
- (n) in an outdoor space where a gathering of persons which would otherwise constitute a prohibited gathering may be present for the purpose of transiting through the space; or

Example: Forrest Place, Perth.

- (o) in an indoor space where a gathering of persons which would otherwise constitute a prohibited gathering may be present for the purpose of transiting through the space; or

Examples: Perth Busport; an elevator or lift.

- (p) at a place of worship for the purposes of live streaming, or recording for later broadcast or publication on television, radio, the internet or social media, of religious activities at that place of worship, provided that no more than 10 persons are present and there is at least 4 square metres of space for each person at the gathering; or
- (q) at an entertainment venue of any other kind for the purposes of live streaming, or recording for later broadcast or publication on television, radio, the internet or social media, of live entertainment, provided that no more than 10 persons are present and there is at least 4 square metres of space for each person at the gathering; or
- (r) at an affected place to the extent that the affected place may remain open to the public for certain purposes and the gathering is necessary for any of the purposes for which an affected place may remain open;

- (s) in or on a vehicle (including a **motor vehicle**, boat or aircraft), unless the vehicle is being used for the dominant purpose of serving or consuming food or drink; or
 - (t) a gathering that is otherwise permitted by these directions; or
 - (u) specified in writing as exempt from this direction by me (whether conditionally or unconditionally), or someone authorised for that purpose by me, as the State Emergency Coordinator, provided that any conditions to which the exemption is subject are complied with.
61. **Public place** means premises that are open to the public, or are used by the public whether or not for payment of money or other consideration, whether or not the place is ordinarily so open or used and whether or not the public to whom it is open consists of only a limited class of persons.
62. **Relevant officer** means:
- (a) an authorised officer; or
 - (b) an **emergency officer**; or
 - (c) a **responsible officer**.
63. **Responsible officer** means:
- (a) an officer, employee or contractor of the Department of Health; or
 - (b) an officer, employee or contractor of a health services provider; or
 - (c) any other person authorised by the Chief Health Officer orally or in writing to perform a function for the purposes of these directions.
64. **Rottnest Island** has the same meaning as in section 4 of the *Rottnest Island Authority Act 1987* (WA).
65. **Skate park** means a facility specifically designed for skateboarding, rollerskating or rollerblading, containing structures such as ramps and basins.
66. **Specified arrangement** has the same meaning that it has in the Controlled Border for Western Australia Directions.

67. **Stay at home period** means the period beginning at 12.01 am on Saturday, 24 April 2021 and ending at 12.01 am on Tuesday, 27 April 2021, or such further period as specified in writing by me.
68. **Sufficient dividing structure** means a wall or other structure which:
- (a) substantially comprises material that is impervious to air flow; and
 - (b) is capable of being cleaned or sanitised; and
 - (c) is anchored to the ground or floor in a way which ensures that it cannot be lifted or pushed apart; and
 - (d) either:
 - (i) reaches from the ground or floor to the ceiling (or roof if there is no ceiling); or
 - (ii) starts from the ground or floor and is at least 2 metres high from the ground or floor to its lowest vertical point measured from the ground or floor.

Note: in addition to meeting these requirements, a sufficient dividing structure must comply with any other legal requirements applicable to the structure in any way, including any legal requirements relating to the structural integrity of the structure (such as, but not limited to, requirements typically imposed or administered by local governments).

69. **Symptoms** means any one or more of the following:
- (a) a fever of 37.5 degrees or above; or
 - (b) a recent history of fever; or
 - (c) symptoms of acute respiratory infection (including, but without limitation, shortness of breath, a cough or sore throat); or
 - (d) a loss of smell or taste.
70. **Transit** includes, where it is reasonably necessary to do so due to distance, fatigue or other circumstance, to remain overnight.

71. **Wildlife park** means an amusement park at which the dominant form of amusement or entertainment relates to any or all of exposure to or experiences with or viewing wildlife but, for the avoidance of doubt, does not include Perth Zoo.

Example: Caversham Wildlife Park.

PENALTIES

It may be an offence to fail to comply with any of these directions, punishable by imprisonment for up to 12 months or a fine of up to \$50,000 for individuals and \$250,000 for bodies corporate.



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Christopher John Dawson
Commissioner of Police and State Emergency Coordinator

23 April 2021 2334 hours