

EMERGENCY MANAGEMENT ACT 2005 (WA)

Sections 67, 71 and 72A

NBL 2021 SEASON (MELBOURNE UNITED) 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**). The state of emergency applies to the State of Western Australia.

Pursuant to my powers as a police officer under section 71 of the Act, and the powers given to me under sections 67 and 72A of the Act to give other directions to all persons in Western Australia to prevent, control or abate the risks associated with the emergency presented by the pandemic caused by COVID-19, I, Christopher John Dawson, Commissioner of Police and State Emergency Coordinator, now give the following directions.

PREAMBLE

1. The purpose of these directions is to facilitate the playing of the **relevant sporting event** while limiting the spread of COVID-19 in Western Australia.

CITATION

2. These directions may be referred to as the **NBL 2021 Season (Melbourne United) Directions**.

COMMENCEMENT

3. These directions come into effect at the time of signing.

OPERATION

4. For the avoidance of doubt the requirements in these directions are in addition to, and do not derogate from, any other relevant requirement set out in the Gatherings and Activities Directions (No 2), any **major stadium direction**, or any further directions that I give

that amend or replace those directions, provided that in the event of any inconsistency between those directions and these directions, these directions prevail.

DIRECTIONS

5. Subject to paragraph 6, a **relevant person** who **enters** Western Australia for the purposes of the participating in the relevant sporting event must comply with these directions and not the Controlled Border for Western Australia Directions.
6. A relevant person who proposes to **enter** or enters Western Australia must comply with paragraphs 4, 5 and 5A of the Controlled Border for Western Australia Directions.
7. If a relevant person is subject to an **outbreak response direction** which would, but for these directions, have prevented the relevant person from entering Western Australia without approval, I approve the entry of the relevant person into Western Australia.

Note: These directions do not facilitate the entry into Western Australia by a person who is prevented from entering Western Australia under the terms of an exposure site direction.

8. A relevant person who enters Western Australia pursuant to these directions, and who would, but for these directions, be subject to:
 - (a) a **quarantine requirement**; or
 - (b) a **presentation for testing requirement**,under the Controlled Border for Western Australia Directions, an outbreak response direction, an **exposure site direction** or the **presentation for testing directions** is not required to comply with those quarantine requirements or presentation for testing requirements, but must instead must comply with these directions.

Quarantine at approved quarantine venue

9. Upon entering Western Australia, a relevant person must travel to an **approved quarantine venue** as soon as possible and by the most direct route available and without stopping except as required by law or necessary for fuel or rest.
10. A relevant person must travel to an approved quarantine venue:
 - (a) in a **private vehicle**; or
 - (b) in another way that an **authorised officer** directs the relevant person to take, either orally or in writing.

11. As soon as the relevant person arrives at an approved quarantine venue, the relevant person must remain inside their **accommodation area** within that approved quarantine venue for the **quarantine period**, unless the relevant person:
- (a) is given another **direction**; or
 - (b) leaves for the purposes of **participating** in an **authorised training activity** at an **approved training venue** in accordance with paragraph 14; or
 - (c) leaves for the purposes of participating in the relevant sporting event at an **approved match day venue** in accordance with paragraph 15; or
 - (d) leaves the relevant approved quarantine venue to leave Western Australia in accordance with paragraph 16.
12. During the quarantine period, a relevant person must:
- (a) comply with the relevant provisions of each **approved plan**; and
 - (b) take all reasonable steps to keep at least 1.5 metres away from any other person except in circumstances where the relevant person is:
 - (i) participating in an authorised training activity or travelling between the relevant approved quarantine venue and an approved training venue in accordance with paragraph 14; or
 - (ii) participating in a relevant sporting event or travelling between the relevant approved quarantine venue and the approved match day venue in accordance with paragraph 15; and
 - (c) take all reasonable steps to ensure that they do not allow any person to access their accommodation area within the relevant approved quarantine venue unless that person:
 - (i) enters the venue in accordance with the relevant **approved quarantine venue plan**; or
 - (ii) enters the venue for the purpose of conducting testing for COVID-19 in accordance with the testing protocols of the governing body for the relevant sport, provided that the person has not been in a **restricted location** in the previous 14 days; or

- (iii) is a **SIA tester** and enters the venue for the purpose of conducting doping control testing provided that the SIA tester has not been in a restricted location in the previous 14 days; or
 - (iv) accesses the venue for medical or emergency purposes; or
 - (v) is required to access the venue for the purpose of performing critical and time-sensitive maintenance at the venue; or
 - (vi) is a **relevant officer**, or a person assisting a relevant officer; or
 - (vii) is acting in compliance with a direction or **instruction** given by a relevant officer; or
 - (viii) is otherwise approved by me or by a person authorised by me; and
 - (d) wear a face mask, if practicable and available, when travelling or in an enclosed space outside of the relevant approved quarantine venue.
13. A relevant person must call 13 COVID (13 268 43) immediately if the relevant person develops or has recently experienced **symptoms**.

Authorised training activity

14. Unless otherwise **directed**, a relevant person may leave an approved quarantine venue at **approved training times** to **participate** in an authorised training activity at an approved training venue provided that the relevant person:
- (a) is not displaying symptoms; and
 - (b) travels in a private vehicle from the relevant approved quarantine venue to the relevant approved training venue by the most direct and practicable route available and without stopping except as required by law or necessary for fuel; and
 - (c) complies with the relevant **approved training venue plan** whilst at the approved training venue; and
 - (d) travels in a private vehicle from the relevant approved training venue to the relevant approved quarantine venue at the end of the authorised training activity by the most direct and practicable route available and without stopping except as required by law or necessary for fuel.

Relevant sporting event

15. A relevant person may leave an approved quarantine venue for the purpose of participating in a relevant sporting event at an approved match day venue provided that:
- (a) the relevant person is **tested** within 24 hours of the commencement of the relevant sporting event and received a negative result in respect of such test; and
 - (b) the relevant person is not displaying symptoms; and
 - (c) the relevant person travels in a private vehicle from the relevant approved quarantine venue to the approved match day venue by the most direct and practicable route available and without stopping except as required by law or necessary for fuel; and
 - (d) the relevant person complies with the **approved match day venue plan** whilst at the approved match day venue; and
 - (e) as soon as possible after the end of the relevant sporting event, the relevant person travels in a private vehicle from the approved match day venue to the relevant approved quarantine venue, or to Perth airport for the purposes of leaving Western Australia, by the most direct and practicable route available and without stopping except as required by law or necessary for fuel.

Leaving Western Australia

16. A relevant person may leave an approved quarantine venue or the approved match day venue for the purpose of leaving Western Australia provided that the relevant person:
- (a) when travelling to the departure terminal to embark on a departing flight, travels in a private vehicle from the relevant approved quarantine venue or the approved match day venue to the departure terminal by the most direct and practicable route available and without stopping except as required by law or necessary for fuel; and
 - (b) as soon as they arrive at the departure terminal, remains at the departure terminal until they leave on the departing flight; and
 - (c) boards the departing flight when it is possible to do so and remains on the departing flight until it takes off; and

- (d) if unable to leave Western Australia on the departing flight for any reason, contacts an authorised officer as soon as possible and ask for a direction and complies with any direction given.

Remaining in Western Australia

- 17. If a relevant person wishes to remain in Western Australia following the conclusion of the relevant sporting event, they must contact an authorised officer as soon as possible and ask for a direction and comply with any direction given, provided that:
 - (a) an authorised officer is under no obligation to give a direction allowing the relevant person to remain in Western Australia; and
 - (b) if an authorised officer does not give a direction allowing the relevant person to remain in Western Australia, they must leave Western Australia pursuant to paragraph 16.

Immediate threat to safety

- 18. Notwithstanding paragraph 11, a relevant person may leave a **relevant place** during their quarantine period to escape an immediate threat to their safety provided that the relevant person:
 - (a) goes no further from the relevant place than is necessary to escape that threat; and
 - (b) returns to the relevant place as soon as it is safe to do so; and
 - (c) if unable to return to the relevant place within an hour of leaving, telephones the police on 131 444 and informs them that the relevant person is subject to a quarantine direction and had to leave the relevant place.

Urgent medical treatment

- 19. Notwithstanding paragraph 11, a relevant person may leave a relevant place during their quarantine period:
 - (a) to seek urgent medical treatment at a **hospital** or other treatment facility when it is necessary to leave the relevant place in order for that treatment to be provided; or

- (b) if the relevant person is also a **support officer**, to accompany another relevant person leaving the relevant place under paragraph (a),

provided that the relevant person:

- (c) prior to leaving the relevant place (if it is practicable to do so), telephones the ambulance service or the hospital or other treatment facility at which the urgent medical treatment will be sought and informs them that the relevant person is subject to a quarantine direction and needs to attend the hospital or other treatment facility for urgent medical treatment (provided that a relevant person will not breach this paragraph if they are, or are accompanied by, a relevant person within paragraph (b) and one of relevant persons has so informed the ambulance service or the hospital or other treatment facility); and
- (d) goes to the hospital or other treatment facility by ambulance or by the most direct and practicable route available and without stopping except as required by law or necessary for fuel; and
- (e) complies with any direction or instruction given by an **emergency officer** or a **responsible officer**; and
- (f) unless otherwise directed or instructed by an emergency officer or a responsible officer, returns to the relevant approved quarantine venue as soon as possible after the urgent medical treatment has been provided by the most direct and practicable route available and without stopping except as required by law or necessary for fuel.

AUTHORISATION

- 20. In each place where this direction contemplates a person authorised by me giving any approval, I authorise any **police officer** acting at or above the rank of Inspector to give that approval.

DEFINITIONS

- 21. **Accommodation area** means that part of the approved quarantine venue to which relevant persons are permitted to have access in accordance the approved quarantine venue plan.
- 22. **Approved match day venue** means the venue identified in item 6 of Schedule 1.

23. **Approved match day venue plan** means the plan identified in item 9 of Schedule 1, or an updated plan approved by me or a person authorised by me.
24. **Approved plan** means each of:
- (a) the approved match day venue plan; and
 - (b) the approved quarantine venue plan; and
 - (c) the approved training venue plan.
25. **Approved quarantine venue** means the venue specified in item 4 of Schedule 1.
26. **Approved quarantine venue plan** means the plan specified in item 7 of Schedule 1, or an updated plan approved by me or a person authorised by me.
27. **Approved training times** mean the times specified in item 3 of Schedule 1.
28. **Approved training venue** means a training venue specified in item 5 of Schedule 1.
29. **Approved training venue plan** means a plan specified in item 8 of Schedule 1, or an updated plan approved by me or a person authorised by me.
30. **Authorised officer** has the same meaning that it has in the Act.
- Note: At the time of giving these directions, all police officers are authorised officers.*
31. **Authorised training activity** means training and related exercise and physical conditioning undertaken in preparation for participating in the relevant sporting event including (where applicable):
- (a) individual training, group or full squad training, drills or exercises; and
 - (b) practice matches; and
 - (c) gym training sessions or gym-based activities; and
 - (d) any activity that is reasonably necessary or incidental to the training programme of including physiotherapy, sports medicine and club meetings.
32. **Direction** includes any direction under the Act or the *Public Health Act 2016* (WA), whether the direction is given orally or in writing, and **directed** includes directed by way of a direction under the Act or the *Public Health Act 2016* (WA), whether the direction is given orally or in writing.
33. **Emergency officer** has the same meaning that it has in the *Public Health Act 2016* (WA).

34. **Enter** has the same meaning that it has in the Controlled Border for Western Australia Directions where used in connection with a person coming into or having come into Western Australia and **enters** has the corresponding meaning.
35. **Exposure period** means a period of time identified in materials published by the government of New Zealand or any Australian State or Territory as being a time period when a person was at heightened risk of contracting COVID-19 if they were within an **exposure site**.
36. **Exposure site** means a specific building, business, facility or location that has been identified in publicly available materials published by the government of New Zealand or any Australian State or Territory as being a location where a heightened risk of contracting COVID-19 existed if persons were within that location during the **exposure period**.
37. **Exposure site direction** means a direction made under the Act which imposes obligations on a person based upon that person having been at an exposure site during the relevant exposure period.
38. **Hospital** has the same meaning that it has in the *Health Services Act 2016* (WA).
39. **Instruction** means an instruction given for the purposes of these directions which is not itself a direction, whether the instruction is given orally or in writing, and **instructed** means instructed by way of an instruction, whether the instruction is given orally or in writing.
40. **Major stadium direction** means each of the following directions:
- (a) Gatherings and Activities (Optus Stadium) Directions (No 4); or
 - (b) Gatherings and Activities (HBF Park) Directions (No 4); or
 - (c) Gatherings and Activities (RAC Arena) Directions (No 4); or
 - (d) Gatherings and Activates (HBF Stadium – Main Arena) Directions (No 4).
41. **Outbreak response direction** mean any directions made under the Act which in substance:
- (a) limit the categories of person who may enter Western Australia from New Zealand or another Australian State or Territory based upon an outbreak of COVID-19 within New Zealand or that State or Territory (or a part thereof); or

- (b) impose quarantine requirements or presentation for testing requirements upon persons who enter Western Australia from New Zealand or another Australian State or Territory based upon an outbreak of COVID-19 within New Zealand or that Australian State or Territory (or a part thereof),

but does not include:

- (c) the Controlled Border for Western Australia Directions; or
- (d) any **specified arrangement**; or
- (e) any exposure site directions.

42. **Participate** means to:

- (a) undertake or engage in; or
- (b) organise,

and **participating** has a corresponding meaning.

43. **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.

44. **Presentation for testing direction** means the Presentation for Testing Directions (No 24) or any further directions that amend or replace those directions.

45. **Presentation for testing requirement** means an obligation imposed on a person to present to be tested for COVID-19.

46. **Private vehicle** means a bus or other vehicle that has been hired for the exclusive use of the **relevant sporting team** in connection with the transport of relevant persons in their quarantine period, which is driven by a relevant person, and which does not embark any person who is not a relevant person.

47. **Quarantine period**, in relation to a relevant person, means the period ending 14 days after the day on which the relevant person was last in:

- (a) a **restricted location**; or
 - (b) an exposure site during an exposure period,
- as applicable, prior to their most recent entry into Western Australia.

48. **Quarantine requirement** means an obligation imposed on a person to travel to, or remain within, any place (including **suitable premises**) for a period of time in order to mitigate the risk of such a person infecting any other person with COVID-19.
49. **Relevant officer** has the same meaning that it has in the Controlled Border for Western Australia Directions.
50. **Relevant person** means a person who enters or will enter Western Australia pursuant to these directions and who is:
- (a) a person who is contracted to play for the relevant sporting team, and who enters or will enter Western Australia for the purpose of participating in the relevant sporting event; or
 - (b) a person who coaches or trains a relevant person in paragraph (a) and who enters or will enter Western Australia in that capacity; or
 - (c) a support officer who enters or will enter Western Australia in that capacity; or
 - (d) any person whose presence is necessary or reasonably incidental to the participation of the relevant sporting team in the relevant sporting event, and who enters or will enter Western Australia in that capacity; or
 - (e) any other person approved as a relevant person in writing by me or a person authorised by me for that purpose.
51. **Relevant place** means, as context demands:
- (a) an approved quarantine venue;
 - (b) an approved training venue; or
 - (c) an approved match day venue.
52. **Relevant sporting event** means the sporting event or events specified in item 2 of Schedule 1.
53. **Relevant sporting team** means the sporting team specified in item 1 of Schedule 1.
54. **Responsible officer** has the same meaning that it has in the Controlled Border for Western Australia Directions.
55. **Restricted location** has the same meaning that it has in the Controlled Border for Western Australia Directions.

56. **SIA tester** means a person engaged by Sport Integrity Australia.
57. **Specified arrangement** has the same meaning that it has in the Controlled Border for Western Australia Directions.
58. **Suitable premises** has the same meaning that it has in the Controlled Border for Western Australia Directions.
59. **Support officer** means a person who is appropriately trained and qualified to provide support to a relevant person described in paragraph 50(a) or (b) and whose contractual duties include providing such support, and includes, for the avoidance of doubt, medical personnel engaged by the relevant sporting team.
60. **Symptoms** means any one or more of:
- (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) loss of smell or loss of taste.
61. **Tested** means tested for COVID-19:
- (a) via deep nasal and throat swab collected by:
 - (i) a health professional accredited by the Australian Health Practitioner Regulation Agency and who is trained in obtaining COVID-19 swabs; or
 - (ii) a specimen collector from a laboratory referred to in paragraph (b); and
 - (b) with polymerase chain reaction testing conducted by a WA laboratory that has National Association of Testing Authorities accreditation for that test.

PENALTIES

A failure to comply with these directions may be an offence which is 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

2 June 2021 1650 hours

SCHEDULE 1: PARTICULARS

Item 1	Relevant sporting team	Melbourne United
Item 2	Relevant sporting event	National Basketball League 2021 Season Melbourne United v Perth Wildcats Friday 4 June 2021
Item 3	Approved training times	7:00 am and 6:00 pm on each day
Item 4	Approved quarantine venue	Crowne Plaza Hotel 54 Terrace Rd Perth WA 6004
Item 5	Approved training venue	Bendat Stadium 201 Underwood Avenue Floreath WA 6014
Item 6	Approved match day venue	RAC Arena 700 Wellington Street Perth WA 6000
Item 7	Approved quarantine venue plan	Crowne Plaza Perth Accommodation Hub Plan, Version 5, 25 February 2021
Item 8	Approved training venue plan	Bendat Basketball Stadium Quarantine Training Venue Plan, 2020-21 Hungry Jack's NBL Season Version 1 – December 2020.
Item 9	Approved match day venue plan	RAC Arena Quarantine Plan Basketball Mode.