

Directions from Deputy Chief Health Officer in accordance with emergency powers arising from declared state of emergency

Restricted Activity Directions (Victoria) (No 5)

Public Health and Wellbeing Act 2008 (Vic)

Section 200

I, Dr Clare Looker, Deputy Chief Health Officer, consider it reasonably necessary to eliminate or reduce the risk to public health — and reasonably necessary to protect public health — to give the following directions pursuant to section 200(1)(b) and (d) of the **Public Health and Wellbeing Act 2008** (Vic) (**PHW Act**):

1 Preamble

- (1) The purpose of these directions is to restrict the operation of certain businesses and undertakings in the State of Victoria to address the serious public health risk posed to Victoria by severe acute respiratory syndrome coronavirus 2 (**SARS-CoV-2**).
- (2) These directions must be read together with the **Directions currently in force**.
- (3) These directions replace the **Restricted Activity Directions (Victoria) (No 4)**.

2 Citation

These directions may be referred to as the **Restricted Activity Directions (Victoria) (No 5)**.

3 Revocation

The **Restricted Activity Directions (Victoria) (No 4)** are revoked at 11:59:00pm on 3 January 2021.

4 Restricted activity period

For the purposes of these directions, the **restricted activity period** is the period beginning at 11:59:00pm on 3 January 2021 and ending at 11:59:00pm on 29 January 2021.

5 ~~Physical recreational facilities~~

- ~~(1) A person who owns, controls or operates a **physical recreational facility** in the State of Victoria may only operate that facility during the restricted activity period in accordance with these directions.~~

- ~~(c) the person uses all reasonable endeavours to implement relevant recommendations by the Victorian Government to manage public health risks arising out of the operation of the facility; and~~
- ~~(d) any dancefloor is operated in accordance with clause 18.~~

~~Nightclub~~

- ~~(18) A person who owns, controls or operates a facility in subclause (2)(q) (nightclub) in the State of Victoria may operate the facility if:~~
 - ~~(a) the person uses electronic record-keeping; and~~
 - ~~(b) subject to paragraph (d), the number of members of the public permitted in each indoor space or outdoor space at any one time is limited to (with infants under one year of age not counting towards this limit) the number permitted by the density quotient; and~~
 - ~~(c) the person uses all reasonable endeavours to implement relevant recommendations by the Victorian Government to manage public health risks arising out of the operation of the facility, are made; and~~
 - ~~(d) any dancefloor is operated in accordance with clause 18.~~

9 Places of worship

- (1) A person who owns, controls or operates a **place of worship** in the State of Victoria may only operate that place of worship during the restricted activity period in accordance with these directions.

*Note: nothing in these directions is intended to prevent or otherwise affect the operation or use of a facility for emergency refuge, shelter or relief purposes in accordance with the emergency management arrangements under the **Emergency Management Act 2013**.*

- (2) A person who owns, controls or operates a place of worship in the State of Victoria may operate the place of worship if:
 - (a) subject to paragraph (d), the number of persons permitted in each indoor space or outdoor space at any one time is limited to (with infants under one year of age not counting towards this limit):
 - (i) if the person uses electronic record-keeping, the number permitted by the density quotient; and
 - (ii) if the person does not use electronic record-keeping, the number calculated by dividing the total area of the indoor space or outdoor space accessible to members of the public (measured in square metres) by 4; and
 - (b) where the place of worship operates for the purpose of conducting a religious gathering or ceremony, the religious gathering or ceremony is conducted either at the place of worship or at an outdoor space proximate to the place of worship; and
 - (c) no food, drink, crockery, utensils, vessels or other equipment is permitted to be shared by participants; and

- (d) any dancefloor is operated in accordance with clause 18.
- (3) Despite subclause (2), a person who operates a place of worship for the purpose of hosting an essential public support service (whether that service is provided on a voluntary basis or otherwise) is not required to comply with the limits in subclause (2)(a).

Examples: a food bank or a service for homeless persons.

10 ~~Restricted retail facilities~~

- ~~(1) A person who owns, controls or operates a **restricted retail facility** in the State of Victoria may only operate that facility during the restricted activity period in accordance with these directions.~~
- ~~(2) A **restricted retail facility** means the following:~~
 - ~~(a) a **beauty and personal care facility**; and~~
 - ~~(b) a **hairdressing facility**.~~
- ~~(3) A person who owns, controls or operates a restricted retail facility in the State of Victoria may operate that facility if the number of persons permitted in each indoor space or outdoor space at any one time is limited to (with infants under one year of age not counting towards this limit):~~
 - ~~(a) if the person uses electronic record-keeping, the number permitted by the density quotient; and~~
 - ~~(b) if the person does not use electronic record-keeping, the number calculated by dividing the total area of the indoor space or outdoor space accessible to members of the public (measured in square metres) by 4.~~

11 ~~Pubs, bars, clubs, nightclubs and hotels~~

- ~~(1) A person who owns, controls or operates a licensed premises in the State of Victoria may only operate that premises during the restricted activity period in accordance with these directions.~~

~~*Note: nothing in these directions is intended to prevent or otherwise affect the operation or use of a facility for emergency refuge, shelter or relief purposes in accordance with the emergency management arrangements under the **Emergency Management Act 2013**.*~~

- ~~(2) A **licensed premises** means a business characterised as a pub, bar, club, nightclub or hotel that supplies alcohol under a **general licence**, an **on-premises licence**, a **late night licence**, a **producer's licence** or a **club licence**.~~
- ~~(3) A person who owns, controls or operates a licensed premises in the State of Victoria may operate that premises for the purposes of:~~
 - ~~(a) operating a **bottleshop**; or~~
 - ~~(b) operating a retail betting venue in accordance with clause 8(12); or~~
 - ~~(c) operating a gaming machine area in accordance with clause 8(13); or~~