

# Office of Local Government



## COVID-19 COUNCIL UPDATE

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31 March 2021

### New rules for residential and non-residential premises

A range of restrictions have been loosened which fall under the new [Public Health \(COVID-19 Gathering Restrictions\) Order 2021](#).



#### Residential premises

There is now no limit on the number of visitors visiting a residential premises. However, if there are more than 100 visitors at a place of residence their contact details must be electronically registered through Service NSW and there must be a COVID-19 Safety Plan that addresses the matters in the relevant checklist.

#### Non-residential premises

Occupiers of premises listed in schedule 1 under the Public Health Order must develop and comply with a COVID-19 Safety Plan that addresses the matters in the relevant checklist.

The general restriction on the number of people in non-residential premises is 1 person per 2 square metres.

Twenty-five people can be on the premises before the 1 per 2 rule applies. Exemptions to this can be found in the Order relating to exempted gatherings.

For indoor entertainment facilities and major indoor recreational facilities, the maximum capacity is the greater of 100 per cent fixed seating capacity, or 1 person per 2 square metres.

However, reliance on fixed seating capacity can only be used if admission is by way of a ticket and all persons are assigned to specific seating.

For outdoor entertainment facilities and major indoor recreational facilities, the maximum capacity is the greater of:

- 100 per cent fixed seating capacity
- 1 person per 2 square metres of space in any unfixed seating area, or
- 1 person per 2 square metres.

However, reliance on fixed seating capacity can only be used if admission is by way of a ticket and all person are assigned to specific seats.

### **Religious services**

Where a religious service is held on premises that are not a place of public worship, the organiser must have a COVID-19 Safety Plan.

There are no restrictions on singing, including at places of worship. There are no restrictions on dancing, including at weddings and in pubs and nightclubs.

All COVID-19 Safety Plans must address the matters in the relevant checklist.

### **New rules for events and activities**

Under the new Public Health Order, the organiser of a significant event must have and comply with a COVID-19 Safety Plan.

For an agricultural show or field day (that is not on premises that are listed in schedule 1) where there is more than 200 people, the organiser must



have and comply with a COVID-19 Safety Plan that addresses the matters in the relevant checklist, and capacity must not exceed 1 person per 2 square metres.

For outdoor public gatherings, up to 200 people are permitted with no restrictions.

A gathering of between 200 and 5,000 people is permitted so long as it is a *COVID-19 safe outdoor gathering* (1 person per 2 square metre rule applies, there is electronic recording of contact details, and a COVID-19 Safety Plan).

For gatherings between 5,000 and 10,000 people, known as a *controlled outdoor gathering*, the following restrictions apply:

- 1 person per 2 square metres in an area that is enclosed or fenced (access is ticketed)
- People are assigned to seats or a seating area
- The gathering does not last more than five hours, and
- There is electronic recording of contact details and a COVID-19 Safety Plan.

All COVID-19 Safety Plans must address the matters in the relevant checklist.

## Sport and recreation under the new Public Health Order

The new Public Health Order (PHO) includes the removal of the reference to *community sporting activities*. Community sport and recreation activities will now fall under one of the below categories.



### Indoor sport and recreation activities

All community sport and recreation activities that take place indoors now fall under the category of *recreation facility (indoor)*. This includes, but is not limited to, all community sport and recreation activities taking place indoors, such as:

- Basketball, netball, ice hockey, and ten pin bowling
- Gyms
- Indoor pools, spas and saunas
- Dance, and

- Health and wellness studios, such as yoga and pilates.

These facilities will be permitted a maximum of 1 person per 2 square metres, or a maximum of 25 persons if the space is less than 50 square metres. Gyms no longer require a COVID Safe Marshal.

Under the PHO, as occupiers of an indoor recreation facility, organisations will be required to have a gyms and indoor recreation facility COVID-19 Safety Plan.

### **Outdoor sport and recreation activities**

All sport and recreation activities that take place outdoors now fall under one of the four categories below:

#### ***1. A non-controlled outdoor gathering (up to 200 people)***

These activities are restricted to 200 people (unless the gathering is a COVID-safe outdoor gathering with a COVID-19 Safety Plan).

#### ***2. A non-controlled outdoor gathering (up to 5,000 people)***

The organiser must have and comply with the relevant COVID-19 Safety Plan. The organiser of a COVID-19 safe outdoor gathering is directed to ensure that the number of participants in the gathering is the lesser of:

- the number of persons equivalent to 1 person per 2 square metres of space of the premises in which the activity is conducted, or
- 5,000 persons.

#### ***3. A controlled outdoor gathering (up to 10,000 people)***

A controlled outdoor public gathering means an outdoor public gathering lasting no longer than five hours in an area with the following criteria:

- It is enclosed or bounded by fencing or another form of barrier, and
- Access to which is controlled by way of a ticket, and
- In relation to which all persons, other than persons engaged in work, are assigned to specific seats or to a seating area.

The organiser of a controlled outdoor public gathering is directed to ensure the maximum number of persons participating in the gathering is the lesser of:

- The number of persons equivalent to 1 person per 2 square metres of space of the premises in which the activity is conducted, or
- 10,000 persons.

The organiser must have and comply with the relevant COVID-19 Safety Plan.

#### **4. A recreation facility (major)**

A recreation facility (major) means a building or place used for large-scale sporting or recreation activities that are attended by large numbers of people whether regularly or periodically.

This includes theme parks, sports stadiums, showgrounds, racecourses and motor racing tracks.

The occupier of an entertainment facility or *indoor recreation facility (major)* is directed to ensure the maximum number of persons on the premises does not exceed the greater of:

- The number of persons equal to 100 per cent of the fixed seating capacity of the facility, or
- The number of persons equivalent to 1 person per 2 square metres of space in the facility.

The occupier of an *outdoor recreation facility (major)* is directed to ensure the maximum number of persons on the premises does not exceed the greater of:

- 100 per cent of the fixed seating capacity of the facility
- The number of persons equal to 1 person per 2 square metres of space of any unfixed seating areas of the facility, and
- The number of persons equivalent to 1 person per 2 square metres of space in the facility.

If the occupier of an entertainment facility or *recreation facility (major)* calculates the maximum number of persons allowed to be on the premises based on the percentage of the fixed seating capacity of the facility, the occupier is directed to ensure:

- Admission to the premises is by way of a ticket, and
- All persons, other than persons engaged in work, are assigned to specific seats.

For all community sporting activities registered as COVID safe outdoor events, there is a new requirement that all record keeping be managed electronically.

Community sport organisations can support this by registering as a COVID Safe business or organisation.

