



New South Wales

Public Health (COVID-19 Sydney Gay and Lesbian Mardi Gras Arrangements) Order 2021

under the

Public Health Act 2010

I, Brad Hazzard, the Minister for Health and Medical Research, make the following Order under section 7 of the *Public Health Act 2010*.

Dated 25 February 2021 at 5.45pm.

BRAD HAZZARD, MP
Minister for Health and Medical Research

Explanatory note

The object of this Order is to impose certain restrictions concerning gatherings for the purposes of, and related to, the Sydney Gay and Lesbian Mardi Gras 2021.

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Part 1 Preliminary

1 Name of Order

This Order is the *Public Health (COVID-19 Sydney Gay and Lesbian Mardi Gras Arrangements) Order 2021*.

2 Interpretation

(1) In this Order—

declared zone means the area indicated on the Mardi Gras map as being within the declared zone.

Gathering and Movement Order means the *Public Health (COVID-19 Restrictions on Gathering and Movement) Order 2021*.

Mardi Gras map means the Public Health (COVID-19 Sydney Gay and Lesbian Mardi Gras Arrangements) Map 2021 approved by the Minister on the making of this Order.

Mardi Gras period means the period—

- (a) commencing at 12 noon on 6 March 2021, and
- (b) ending at 6am on 7 March 2021.

place of residence includes the premises where a person is living or staying and a garden, yard, passage, stairs, garage, outhouse or other area or thing attached to, or used in connection with, the premises.

public place has the same meaning as in the *Summary Offences Act 1988*.

resident of the declared zone includes a person who is staying at a hotel or rented premises within the zone.

the Act means the *Public Health Act 2010*.

work includes work done as a volunteer or for a charitable organisation.

Note. The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Order.

(2) In this Order—

- (a) a reference to the Gathering and Movement Order includes a reference to an order that remakes, replaces or consolidates, whether in whole or in part, the Gathering and Movement Order, and
- (b) a reference to a provision of the Gathering and Movement Order includes a reference to a provision of an order mentioned in paragraph (a) that corresponds, or substantially corresponds, to the provision of the Gathering and Movement Order.

(3) Notes included in this Order do not form part of this Order.

3 Grounds for concluding there is a risk to public health

The basis for concluding a situation has arisen that is, or is likely to be, a risk to public health is as follows—

- (a) public health authorities both internationally and in Australia have been monitoring and responding to outbreaks of COVID-19, which is a condition caused by the severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2),
- (b) COVID-19 is a potentially fatal condition and is highly contagious,
- (c) a number of cases of individuals with COVID-19 have now been confirmed in New South Wales and other Australian jurisdictions, including by means of community transmission, and there is an ongoing risk of continuing introduction of COVID-19 into the New South Wales community.

Part 2 Declared zone

4 Direction of Minister to leave a public place in declared zone

- (1) The Minister directs that a person in a public place within the declared zone during the Mardi Gras period must, if asked to do so by an authorised officer or police officer, leave the zone.
- (2) If a person is asked to leave the declared zone, it is sufficient compliance with subclause (1) if, as soon as reasonably practicable after being asked to leave—
 - (a) if the person is a resident of the declared zone—the person returns to the person's place of residence, or
 - (b) if the person is attending work within the declared zone—the person goes to the person's place of work, or
 - (c) the person goes to another person's place of residence within the declared zone.

5 Directions of Minister about providing information

- (1) The Minister directs that a person must, if required to do so by an authorised officer or police officer during the Mardi Gras period, provide reasonable information, including photo identification, to allow a decision to be made about whether the person has sufficiently complied with a direction under clause 4.
- (2) The Minister also directs that a person who provides information in response to a requirement under this clause must ensure the information is true and accurate.

Part 3 Miscellaneous

6 Relationship of Order with Gathering and Movement Order

A person within the declared zone during the Mardi Gras period must continue to comply with any directions applicable to the person under the Gathering and Movement Order.

7 Exemptions

- (1) This Order does not prevent the following persons from entering or remaining within the declared zone during the Mardi Gras period—
 - (a) a person who is providing law enforcement or emergency services within the zone,
 - (b) a person who is responding in some other way to an emergency within the zone.
- (2) The Minister may, in writing and subject to the conditions that the Minister considers appropriate, grant an exemption to this Order or specified provisions of this Order.

8 Repeal of Order

This Order is repealed at the beginning of 8 March 2021.