



Queensland Health

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Non-essential business, activity and undertaking Closure Direction (No.4)

Under the [mass gatherings direction \(No 2\)](#)¹, businesses, activities and undertakings deemed non-essential must not operate until the end of the declared public health emergency.

The table below defines the non-essential businesses impacted by this direction and notes any exemptions that may apply to their operation.

Read further information on [limits on public gatherings from novel coronavirus \(COVID-19\)](#)².

Direction from Chief Health Officer in accordance with emergency powers arising from the declared public health emergency

Public Health Act 2005 (Qld)

Section 362B

On 29 January 2020, under the *Public Health Act 2005*, the Minister for Health and Minister for Ambulance Services made an order declaring a public health emergency in relation to coronavirus disease (COVID-19). The public health emergency area specified in the order is for 'all of Queensland'. Its duration has been extended by regulation to 19 May 2020.

Further to this declaration, I, Dr Jeannette Young, Chief Health Officer, reasonably believe it is necessary to give the following directions pursuant to the powers under s 362B of the *Public Health Act 2005* to assist in containing, or to respond to, the spread of COVID-19 within the community.

Preamble

1. This Public Health Direction replaces the Public Health Direction referred to as the Non-essential business, activity and undertaking Closure Direction (No.3) made on 27 March 2020.
2. This Public Health Direction is to be read in conjunction with other Public Health Directions issued under section 362B of the *Public Health Act 2005* that have not expired or been revoked.

Citation

3. This Public Health Direction may be referred to as the Non-essential business, activity and undertaking Closure Direction (No.4).

Revocation

4. The Non-essential business, activity and undertaking Closure Direction (No.3) made on 27 March 2020 is revoked from the time of publication of this direction.

PART 1 — DIRECTION - NON-ESSENTIAL BUSINESS, ACTIVITY, OR UNDERTAKING

5. These directions apply from the time of publication until the end of the declared public health emergency, unless they are revoked or replaced.
6. A person who owns, controls or operates a non-essential business, activity, or undertaking in the State of Queensland, including operating at a private residence, must not operate the business, activity or undertaking during the period specified in paragraph 5, subject to the exceptions set out in Column 2 of the Definitions table at paragraph 8.
7. Despite paragraph 6, a person who owns, controls or operates a non-essential business, activity or undertaking may continue to do so online or through the internet, unless stated otherwise in Column 1 of the Definitions table at paragraph 8.

Examples – a business selling goods or providing services online or a personal trainer who offers personal training sessions online.

Definitions

For the purposes of this Public Health Direction:

8. **Community hub** means:
 - a. a facility in a remote or discrete community acting as a place of refuge or evacuation place in a disaster; or
 - b. a community facility in an Aboriginal or Torres Strait Islander community that provides essential activities or services relating to child care, youth, harm minimisation and diversion.

Non-essential business, activity, or undertaking means a business, activity, undertaking, premises or place listed in Column 1 unless the exception listed in Column 2 applies:

Column 1 Business, activity, undertaking, premises or place	Column 2 Exceptions
<i>Food and drink</i>	
Cafes, restaurants, fast-food outlets, food courts (together retail food services)	<ul style="list-style-type: none"> ◦ Takeaway service and home delivery can remain operational. All takeaway services must comply with the conditions provided in paragraph 9 below. <ul style="list-style-type: none"> ▪ Retail food services at an airport that are reasonably necessary for the normal business of the airport, with social distancing observed. ▪ Provision of food or drink by or on behalf of an employer to employees or contractors that is reasonably necessary for the employer's normal operations, with social distancing observed. ◦ Workplace canteens can provide takeaway, with social distancing observed. <ul style="list-style-type: none"> ▪ Provision of food or drink by a school, university, educational institution or childcare facility that is reasonably necessary for the normal business of the facility, with social distancing observed. ◦ Provision of food or drink at a hospital, prison, military facility, disability facility, resources sector facility including a canteen or mess hall or aged care facility that is reasonably necessary for the normal business of the facility, with social distancing observed. ◦ Services providing food or drink to the homeless, with social distancing observed. ◦ Hotel room service or similar services for hotel guests.
<i>Retail</i>	
Auction houses	

Column 1

**Business, activity, undertaking,
premises or place**

Column 2

ExceptionsReal estate auctions and open house
inspections

Private appointments for inspection.

Outdoor and indoor markets

Food markets and farmers markets may continue to
operate*Weapons, ammunition and propellants*

Column 1

Business, activity, undertaking, premises or place

Licensed armourers and licensed dealers as defined under the *Weapons Act 1990*

The holder of a licence as defined under the *Explosives Act 1999* licenced to sell ammunition under the *Explosives Regulation 2017*.

These businesses are not permitted to sell or supply weapons, ammunition or propellant powders online or through the internet unless one of the exceptions in Column 2 applies.

For the purposes of this direction, ammunition means small arms ammunition for firearms

Example - cartridges used in firearms or propellant powders used for small arms ammunition.

Beauty and personal care services

Column 2

Exceptions

A **licensed armourer, licensed dealer or authority holder** may store, manufacture, modify, repair, acquire or supply weapons or ammunition to, for or on behalf of:

- Commonwealth, State or Territory military or police organisations; or
- the holder of a security licence (organisation) or a security licence (guard) issued under the *Weapons Act 1990*; or
- international military, defence or security organisations; or
- the following persons who require or use a weapon for occupational purposes relating to primary production, animal welfare, nature conservation or pest management:
 - a primary producer, as defined under subsection 995-1(1) of the *Income Tax Assessment Act 1997* (Cth), able to produce a Queensland firearms licence bearing one or more of the following condition codes – PPA, PP2, PP3, PP4, PP5, PP6, PPH; or
 - a commercial pest controller or feral animal controller who is:
 - authorised to undertake vertebrate pest (vermin) control on rural land; and
 - able to produce a Queensland Firearms licence bearing one or more of the following condition codes – FCA, FC2, FA3, FA4, FA5, FA6, FAH; or
 - the holder of a lethal damage mitigation permit under the *Nature Conservation Act 1992*; or
 - a veterinary surgeon, as defined under the *Veterinary Surgeons Act 1936* for animal welfare purposes; or
 - an authorised biosecurity officer for animal welfare purposes; or
 - wildlife rangers using weapons for activities including pest control and crocodile management under exemption no. 71003924; or
 - a shark control contractor authorised under the *Queensland Fisheries Act 1994*; or
 - a person with a valid current macropod harvesting licence under the *Nature Conservation Act 1992*.

May continue to operate the part of the business that does not store, manufacture, modify, repair, acquire or supply weapons or ammunition.

Example – a business that sells weapons and fishing gear may continue to sell fishing gear.

Column 1 Business, activity, undertaking, premises or place	Column 2 Exceptions
Hairdressers and barber shops	Can remain operational with no more than one person per 4 square metres, with social distancing observed to the extent possible.
Beauty therapy, tanning, waxing and nail salons, and tattoo parlours	
Spas and massage parlours	Health services provided by health practitioners registered under the Health Practitioner Regulation National Law, with social distancing observed to the extent possible.
<i>Entertainment venues</i>	
Registered and licensed clubs, licensed premises in hotels	Bottle shops and off license premises attached to venues may continue to operate, with social distancing observed. Limited to 2 people for outdoor sporting-based activities, with social distancing observed.
Cinemas, nightclubs	<i>Example – golf and tennis</i>
Casinos, gaming or gambling venues including wagering outlets that are open to, and accessible by, members of the public such as TAB agencies and retail outlets	
Strip clubs, brothels and sex on premises venues	
Concert venues, theatres, arenas, auditoriums, stadiums	Live streaming of a performance by no more than 2 people is permissible, with social distancing observed.
Theme parks, amusement parks and amusement arcades	
Play centres (indoor and outdoor)	
<i>Leisure and recreation</i>	
Community and recreation centres	Facilities may remain open for the purpose of hosting essential voluntary or public services, such as food banks or homeless services, with social distancing observed.

Column 1 Business, activity, undertaking, premises or place	Column 2 Exceptions
Boot camps, personal training	Limited to 2 people including the personal trainer, with social distancing observed.
Indoor sporting centres, including gyms, health clubs, fitness centres, yoga, barre and spin facilities, saunas, bathhouses and wellness centres	
Social sporting-based activities	Limited to 2 people, with social distancing observed.
Swimming pools including public pools and pools in shared facilities such as hotels and apartments	A swimming pool located in a private residential dwelling for the use of the occupants of the dwelling such as a backyard pool.
Public playgrounds, skate parks, BMX tracks and outside gyms, including static exercise equipment in Council parks.	
Public barbeques (such as barbeques in public spaces or shared facilities)	
<i>Residential facilities</i>	
Hostels, bed and breakfasts, backpackers and boarding houses	May continue to operate for permanent residents, temporary residents and workers of the facility, with social distancing observed.
	<i>Example – a backpacker may be a temporary resident at a hostel</i>
	Limited to 2 people in common areas such as lounge rooms and shared facilities, with no more than one person per 4 square metres.
	Limited to 2 people in outdoor areas, that is part of the facility, or near the facility, with social distancing observed.
<i>Outdoor recreation</i>	

Column 1 Business, activity, undertaking, premises or place	Column 2 Exceptions
Caravan and camping parks	<p>Where people live permanently in caravan parks or are staying in caravan parks as interim abodes where their primary residence is not available, they may continue to do so, with social distancing observed. This includes the use of cabins within caravan parks.</p> <p>May continue to operate for essential workers such as health practitioners or other persons providing essential services for example, emergency services or infrastructure projects, with social distancing observed.</p>
Campgrounds	
Zoos and wildlife centres	For the purpose of maintenance and care for the animals.
<i>Non-residential institutions</i>	
Galleries, museums, national and state institutions and historic sites	
Libraries, community centres, and youth centres	Community hubs in remote communities may continue to operate if they are essential for distributing health or medical information or education to the community, with social distancing observed.
Local government non-essential facilities and services (such as libraries and pools)	
Community facilities (such as community halls, clubs, RSLs, PCYCs)	<p>Community hubs in remote communities may continue to operate if they are essential for distributing health or medical information or education to the community, with social distancing observed.</p> <p>Community facilities may continue to operate if they provide formal out of school hours care, with social distancing observed.</p>
Places of worship, weddings and funerals	<p>Weddings with a maximum attendance of 5 people being the celebrant, couple and two witnesses with no more than one person per 4 square metres.</p> <p>Funerals attended by a maximum of 10 people with no more than one person per 4 square metres, except if an exemption is granted on compassionate grounds by the Chief Health Officer.</p>

9. Additional requirements for the **provision of takeaway** are as follows:
- social distancing, including keeping 1.5 metres between people must be accommodated, implemented and monitored by employees or contractors of the retail food service provider;
 - gathering for the purposes of ordering or collecting must not exceed one person per 4 square metres;

- c. the retail food service provider may only operate to the extent they are not promoting or facilitating persons consuming takeaway food or drink on or adjacent to their premises.
Example: tables and chairs should be removed and all reasonable steps taken by the retail food service to direct persons away from gathering to consume takeaway food or drink on or adjacent to, the relevant premise.

PART 2 - PENALTIES

A person to whom the direction applies commits an offence if the person fails, without reasonable excuse, to comply with the direction.

Section 362D of the *Public Health Act 2005* provides:

Failure to comply with public health directions

A person to whom a public health direction applies must comply with the direction unless the person has a reasonable excuse.

Maximum penalty—100 penalty units.

Dr Jeannette Young
Chief Health Officer

31 March 2020

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Links

1. <https://www.health.qld.gov.au/system-governance/legislation/cho-public-health-directions-under-expanded-public-health-act-powers/mass-gatherings>
2. <https://www.health.gov.au/news/health-alerts/novel-coronavirus-2019-ncov-health-alert/how-to-protect-yourself-and-others-from-coronavirus-covid-19/limits-on-public-gatherings-for-coronavirus-covid-19>

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[Other languages](https://www.qld.gov.au/languages/) (<https://www.qld.gov.au/languages/>).

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