



Government Gazette

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Public Health Act 2010

Order under Section 11

Power to close public premises on public health grounds

I, Rose Webb, Deputy Secretary Better Regulation Division and delegate of the Secretary of the Ministry of Health, consider that access to Shaws Bay Hotel (the Premises), being premises on which the public, or sections of the public, are required, permitted or accustomed to congregate should be prohibited in order to protect public health as:

- 1) COVID-19 is a potentially fatal and highly contagious condition;
- 2) NSW has put in place a number of restrictions and requirements to respond to the COVID-19 pandemic in order to protect the public and minimise the risk of spread of COVID-19 in the community;
- 3) The Premises has a history of not complying with the public health restrictions and requirements that apply to the Premises;
- 4) The risk to the public health arising from this lack of compliance is sufficient to warrant the closure of the premises in order to protect public health.

In such circumstances, I direct that:

- 1) The Premises are to be closed to the public from 5:00am Saturday 17 October 2020 until 5:00am Saturday 24 October 2020 or the Order is sooner revoked.

Signed this 16th day of October 2020

Rose Webb
Deputy Secretary, Better Regulation Division
Delegate of the Secretary

Notes:

- 1)** If the above premises are not under the control of a Minister, any person who
- (a) controls, or is involved in the control of, the premises, and
 - (b) has notice of the direction,

must take such reasonably practicable action as is necessary to comply with the direction.

- 2)** This order will be published in the Gazette as soon as practicable after it is made. However, a failure to do so does not invalidate the order.

- 3)** A person who is subject to a direction under section 11 and who has notice of the direction and who fails to comply with the direction is guilty of an offence and is liable to imprisonment for 6 months and/or a penalty of 100 penalty units plus a further 50 penalty units for each day the offence continues. Corporations who fail to comply with a direction are liable to a maximum penalty of 500 penalty units and 250 penalty units for each day the offence continues.