

Proposal for change to Dining Restrictions updated 21 June 2020

Proposal Summary:

For seated dining, whether in a pub, club, tavern, restaurant, café or food hall, it is proposed that the 1.5 m distancing rule continues to apply but not the 1 person per 4 sq m rule.

Introduction

The ABS survey released on 15 June 2020 on the household impacts of COVID-19 indicated that three in five Australians were looking forward to larger gatherings of family and friends (62 per cent) and dining in at restaurants or cafés (61 per cent). A recent ANU survey showed that Australians ranked the opening up of pubs, clubs and cafes as the second-best way in which to help our economy during the current crisis. Not only is the sector seeing and further anticipating an increase in demand but Australian's view the opening of restaurants and cafes as good for the economy with a positive impact on consumer confidence and jobs.

ACCI and our member network welcomed the easing of restrictions in step 1 and for most jurisdictions now step 2, but we are increasingly concerned about the ongoing impact on hospitality venues, particularly smaller restaurants, cafes and pubs, and the jobs they generate, of the 1 person per 4 sq m rule. The persistence of the rule contrasts with the progress made with active cases, tracing ability and health preparedness as well as the willingness of the industry to ensure COVIDSafe plans and control measures are used and maintained.

The current restrictions which apply to the hospitality industry are severely restricting the sustainable restart of these businesses. In most States and Territories, the ongoing restrictions are centered around 1.5 m distancing and 1 person per 4 sq m.

Problems with the 4 sq m rule

The 1 person per 4 sq m rule does not take into account:

- how tables can be safely placed according to the individual premise layouts;
- that it is acceptable for household groups to sit together in closer proximity than 1.5m but these diners are still included in the 1 person per 4 sq m limit;
- how restrictive it is in smaller venues where placement of tables along the walls is even more proportionally important;
- the confusion it creates as to what is included in the calculation of the square metres (all floor area or only front of house dining area – noting that many kitchens are now in the dining area); and
- that diners sit alone or in groups facing into each other, not outwards towards other customers except at a distance.

It is important to note that WA and NT have already moved away from the 4 sq m rule and there is no evidence that such a rule has been adopted internationally.

Economic non-viability at 4 sq m

By way of example, a large suburban restaurant in Sydney has a 568 sq m premise with an approved capacity of 200 seated customers and 20 in the bar. The front of house bar and dining area totals 350 sq m. If the total area was taken into account, this would equate to 142 people, but if allowable diners was only based on the front of house area, the allowed number would only be 87. As a comparison, and depending on the number of family groups, the approximate number of diners seated with 1.5 m social distancing would be around 168. This is still only three quarters of its capacity but will generate more revenue and jobs than 142 maximum, or even more restrictive, only 87 diners. The restaurant could not operate viably with capacities limited to this number. $87/220$ – is operating at only 40%.

The smaller the restaurant the worse the impact of the 4 sq metre rule because there is relatively more wall space used for tables and the assumed 1.5 m on the wall side of the customer is not necessary. This is illustrated by a popular restaurant in regional South Australia which had a pre-COVID capacity of 70 diners across two rooms and some additional outdoor seating. Under the 4 sq m rule, the capacity across the 2 rooms is 26 people – only a little over one third of the pre-COVID capacity. $26/70$ – is operating at only 37%. This is economically unviable.

The difference between capacity constraints of 40% and 75% translates to hundreds of thousands of diners and tens of thousands of jobs.

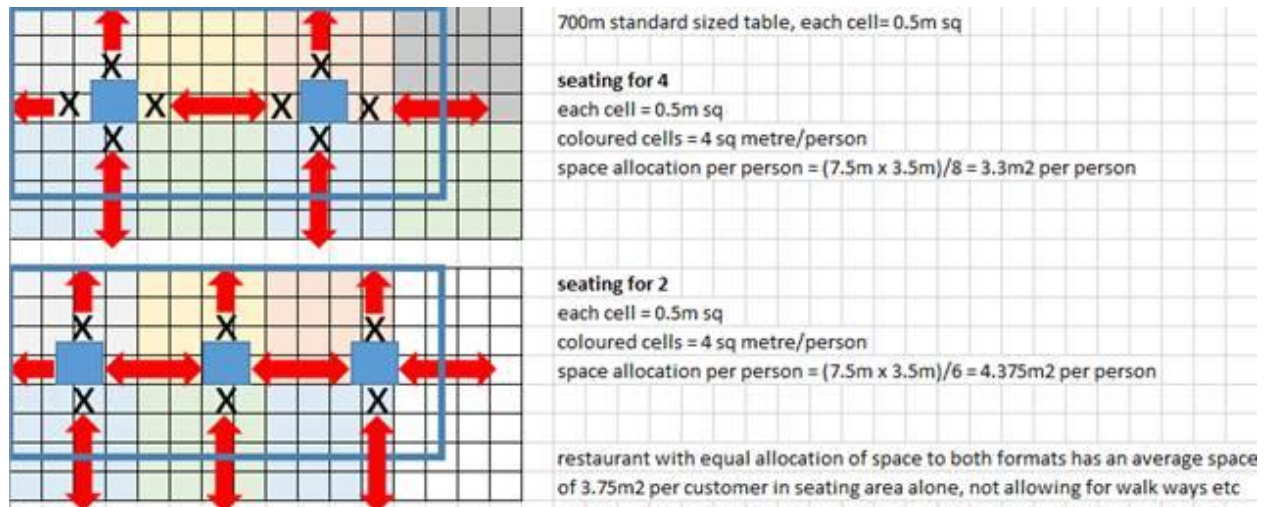
Ensuring a minimum 1.5m between patrons seated at different tables

The 1.5m distancing is recognised by industry as an acceptable minimum control measure at this point in the pandemic to help reduce the risk of transmission. By contrast, the 1 person per 4 sq m rule is an arbitrary measure which has not been fully justified by the health science. By implementing the 1.5m rule in hospitality businesses, this limits the capacity of the venue whilst respecting the ability for businesses to position diners in a way that suits the design of their premises. It also respects the important principle that restrictions should be proportionate to the capacity of the dining venue.

If the retention of the 4 sq m rule is based on measurability and monitoring, then a couple of alternatives could be workable:

1. Adopting the 1 person per 2 sq m rule alongside the 1.5 m social distancing– with greater clarity and consistency of what is measured in the calculation.
2. Measuring table to table distances - Given most patrons in sitting position will take up 0.5 metres of space at the table themselves, this equates to a distance of 2.5m from table edge to table edge where customers are surrounding both tables. This table edge to table edge measurement allows business managers a practical way to plan their layouts, and to test that they comply with the all-important minimum distances by simply measuring the distance between the closest table edges. This would be 2.5m if people were sitting at that edge of both tables, or 1.5m if no patron on that side at either table, or 2m if one table was to have a place set for a patron on that side, and the other not.

Setting up this distancing for smaller group seating arrangements (e.g. tables for 2 verses 4) requires more space per person, and larger tables less so, but this is because there are more people from the same family/group who are seated more closely together, whilst all are maintaining the recommended 1.5m spacing from patrons at neighbouring tables. We base this scenario testing below on average sized 700m tables to show minimum distance layouts for tables of 4 and then 2, and how this equates to sq metres/patron.



Hospitality venues are more than prepared to observe appropriate distancing between people and, many more protocols as indicated in the risk mitigation approach below, but the 4m² rule is inflexible and unsustainable for most.

Proposal: Step three COVID restrictions and risk mitigation controls

The measures outlined in the table below reflect our proposal that hospitality venues in their seated areas be allowed to operate in compliance with the 1.5 m social distancing restriction but with no 4 sq m rule or other capacity constraints except for any overall gathering restriction such as the current 100 per zone.

The 1.5 m rule creates a practical capacity limit and should be sufficient to achieve desired health outcomes and limit numbers in order to maintain traceability.

Hopefully, with continued positive health outcomes there can be further easing of restrictions. In the meantime with the 1.5 m social distancing rule were in place, the hospitality industry can operate at a sufficient level to support employment and maintain business viability until further restriction easing can occur.

Proposed Step Three Capacity Measures and Risk Mitigation

	Dining	Accommodation
Proposed Capacity	Groups need to be seated at least 1.5 m away from another group. Groups cannot be larger than 20. Outdoor seating –maintain 1.5 m distance between groups/tables.	No limit on guests provided there is only one household per accommodation room. Dining facilities as per dining.
Risk Mitigation – Infection Best practice guidelines	<ul style="list-style-type: none"> • Ensure 1.5m distancing in all areas. • Separate Entry and Exits where possible • <u>Where possible</u>, Staff Screens at Payment Points • Promotion of Handwashing and Hand Sanitiser available in public and staff areas • Commitment to greatly enhanced systemic cleaning process that are COVID Safe (incl. Bathrooms*) 	<ul style="list-style-type: none"> • Ensure 1.5m distancing in all areas. • Distancing Markers, and Flow Control at Entry and Exits • Staff Screens at Payment Points • Handwashing and Hand Sanitiser available in public and staff areas • Commitment to greatly enhanced systemic cleaning process that are COVID Safe (incl. Bathrooms*)
Risk Mitigation – Tracing – Best practice guidelines	<ul style="list-style-type: none"> • Promote COVID Safe App • Customer Tracing through Booking • Eliminate non-customer areas (welcome areas / bars) • Capacity limit/1.5 m social distancing limits customers to manageable tracing numbers 	<ul style="list-style-type: none"> • Promote COVID Safe App • Customer Tracing through Booking • Eliminate non-guest areas (reception areas / bars)
Risk Mitigation – Staff Awareness – best practice guidelines	<ul style="list-style-type: none"> • training of all staff in COVID Safety. • Require staff to stay at home if symptomatic in anyway. • Have all staff aware of the plan to react to a positive case among staff, customers or suppliers / contractors. 	<ul style="list-style-type: none"> • training of all staff in COVID Safety. • Require staff to stay at home if symptomatic in anyway. • Have all staff aware of the plan to react to a positive case among staff, customers or suppliers / contractors.

Best Practice Bathroom Guidelines across all hospitality:

- * Public bathroom measures include where possible touchless soap, taps and hand dryers or otherwise ensuring the soap dispenser is replenished regularly.
- * Hand towel bins next to doors and hourly cleaning of all surfaces;
- * Hand sanitiser available on exit.
- * Handwashing and COVID Safety signage, and
- * Clear social distancing signage to be placed in bathrooms, specifically around urinals and basins.