



# Alfresco Dining Temporary Exemptions

## INFORMATION SHEET

### State of Emergency Declaration

On the 15 March 2020, the Western Australian State Government declared a State of Emergency under the Emergency Management Act and a Public Health Emergency under the Public Health Act.

### Stage 4 — Easing of Restrictions

From **Saturday, 27 June 2020**, Phase 4 of the WA State Government's Roadmap to carefully ease COVID-19 restrictions came into effect and includes the following changes:

- No limit on the number of patrons permitted, subject to the venue maintaining a strict minimum of 2 square metres per person together with social distancing and hygiene requirements.
- Removal of seated service requirements;
- No requirement to maintain a patron register; and
- Alcohol can be served as part of unseated service arrangements.

For further information on these requirements, please refer to the [WA Government's COVID Safety Guidelines: Food and Licensed Venues Phase 4](#).

Many of the smaller café's and restaurants within the Shire operate from premises with limited floor space, and were only able to cater for a small number of patrons prior to the State of Emergency being declared. Given the COVID-19 spatial requirements of maintaining a minimum of 2 square metres per person, many of these businesses may still not have sufficient room to return to their normal maximum number of patrons pre-COVID-19.

### Planning Exemptions

The State Government has (under the State of Emergency Declaration) amended the provisions of the *Planning and Development Act 2005* to grant exemptions to certain land uses in order to support businesses in adapting to and recovering from the COVID-19 pandemic. One such exemption of the requirement to obtain prior development uses and temporary works associated with a restaurant/Café. The Shire must however be notified in writing within 7 days of the use commencing.

The exemptions are temporary, with most exemptions expiring 90 days after the State of Emergency Declaration ceases to have effect. Prior to the expiration of the 90 day period, the business owner must either cease the temporary works/use or apply for approval to continue the activity.

### Alfresco Dining Exemptions

In order to support restaurants/cafes/licensed premises adapting to and recovering from the COVID-19 pandemic, the Shire of Manjimup is applying this exemption to alfresco dining subject to compliance with the following conditions:

1. All furniture and signage shall be placed so as to ensure a minimum clear footpath width of two (2) metres. For most businesses this will mean that alfresco dining will need to be restricted to tables of 2;
2. Chairs not seated at the same table must adhere to the recommended 1.5 metre separation distance;
3. Alfresco Areas may extend along adjacent shop fronts subject to the operator obtaining the written approval of the adjacent business. No written approval will be required to extend in front of a vacant shop physically abutting their premises.
4. The operator of the Alfresco Area shall provide a bin for patron use and be responsible for cleanliness of the alfresco area during operation and following the close of business each day;
5. The service of alcohol will not be permitted unless an appropriate liquor license is obtained; and
6. Operators are to ensure that they obtain public liability insurance to cover the outdoor dining area.