

# **Attachment D**

<b>Plan of Management</b>
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## **Boxing Bear - Operational Plan of Management**

378-380 Cleveland Street, Surry Hills NSW City of Sydney



Prepared by: Boxing Bear

Management

Issue Date: 15/08/2025

Revision B

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## 1.0 Introduction

- 1) The purpose of this Plan of Management ('the Plan') is to establish performance criteria for various aspects of the operations of Boxing Bear ('the bistro/ bar') having regard to the relevant matters under the Environmental Planning and Assessment Act 1979 and the Liquor Act 2007 and any relevant Regulation under that legislation.
- 2) All staff involved with the sale or supply of liquor or security, shall be made familiar with the contents of this Plan upon induction.
- 3) The Licensee is responsible for maintaining all of the requirements set out in this plan.
- 4) A copy of this Plan shall be available on-site at all times and immediately produced for inspection, upon request by Police or Council Officers. Copies of the relevant development consents and The Liquor License shall be kept on-site with this Plan and produced upon a request by a Police Officer, an Inspector from Liquor & Gaming NSW or a Council Officer.
- 5) A floor plan of the bistro/ bar is provided in Section 2 of this Plan of Management.
- 6) The management team for Boxing Bear will meet amongst themselves and with the Licensing Unit of the NSW Police Force, The Surry Hills Local Area Command on a monthly basis where possible. Management procedures and this Plan are reviewed regularly to address on-going matters as they arise and to ensure contingency plans are in place.
- 7) The Licensee or their representative will become a member of the Sydney City Liquor Accord (<https://www.sydneycityliquoraccord.com.au>).
- 8) Through the local Liquor Accord Boxing Bear will attempt to deal with the concerns of the local community in addition to any concerns expressed directly to the bistro/ bar in accordance with the complaint's provisions of this Plan.
- 9) The venue is located at 378-380 Cleveland Street, Surry Hills NSW 2000 and is intended to function as a bistro/bar serving the community.

## 2.0 Operational Details

### 2.1 Hours of Operation

- 10) The venue will operate for the following trading hours:

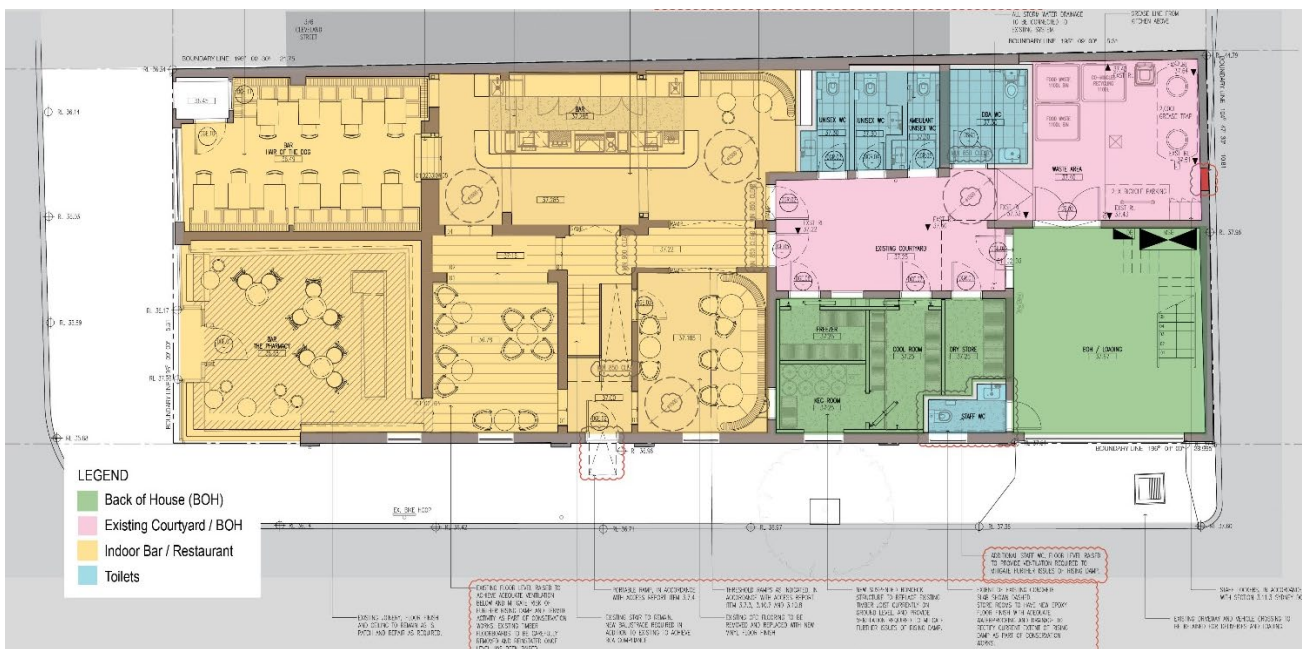
Trading Hours	
Monday to Saturday	10:00am to 12:00am the following day, six days a week
Sunday	10:00am to 11:00pm

Monday to Sunday

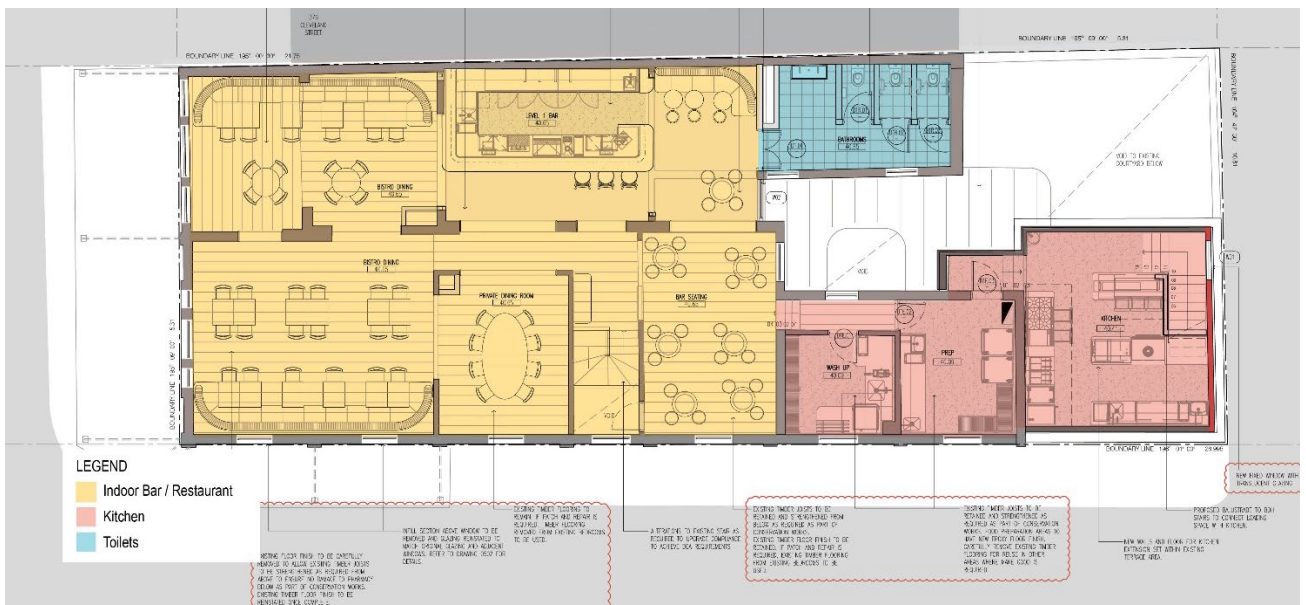
Level 1 bar operable roof will be  
closed at 8:00pm

- 11) Staff may remain on the premises outside of these hours for the purpose of cleaning the premises, basic maintenance and like duties.

## 2.2 Floor Plan of Boxing Bear

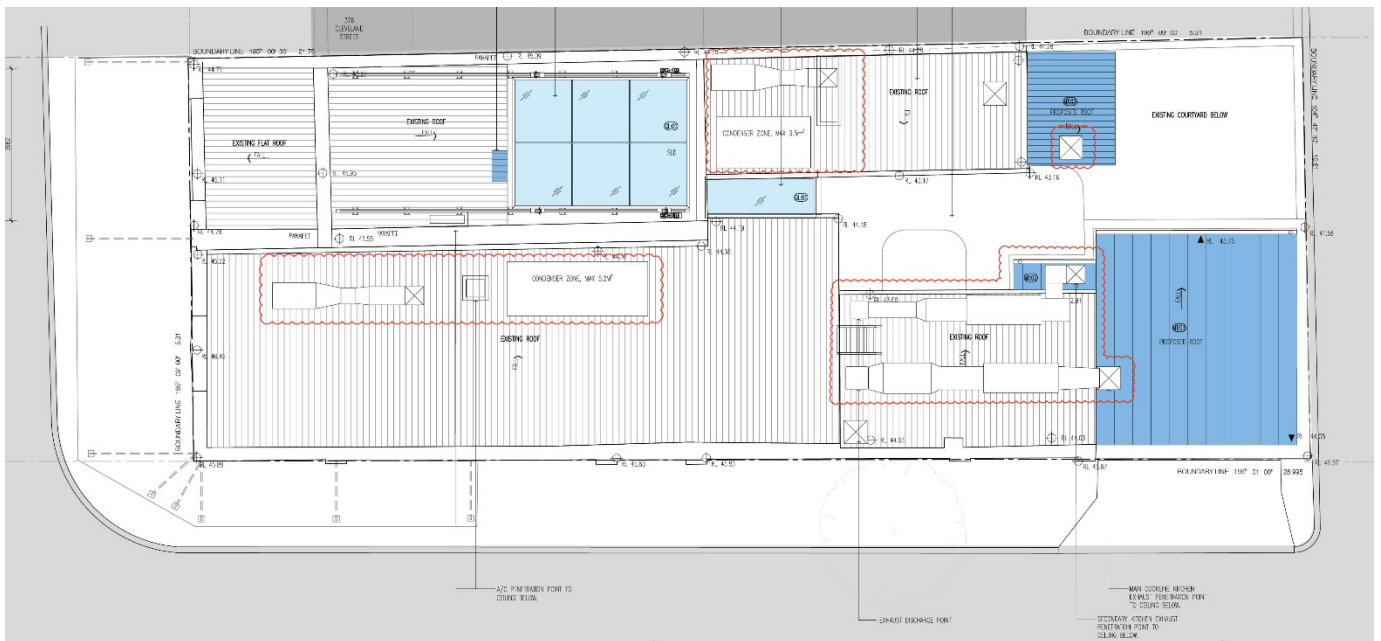


**Figure 1: Boxing Bear – Ground Floor Plan**



**Figure 2: Boxing Bear – First Floor Plan**





**Figure 3: Boxing Bear – Roof Plan**

## 2.3 Capacity of the Bistro and Bar

12) The capacity of the bistro/ bar is restricted to 156 patrons. The distribution of patrons within the different areas of the bistro/ bar will be as follows:

- Ground Floor Hair of The Dog Bar – 22 Patrons
- Ground Floor The Pharmacy Bar – 16 Patrons
- Ground Floor Bar – 26 Patrons
- Level 1 Bistro Dining – 48 Patrons
- Level 1 Bar Seating – 36 Patrons
- Level 1 Small Dining – 8 Patrons

13) The staff members will be 30, which will be inclusive of bar staff, cooks and kitchen hands. The venue will have security present on Fridays and Saturdays for nightly service.

14) Total capacity of the venue inclusive of patrons and staff will be 186.

## 2.4 The Responsible Service of Alcohol

15) The PSA license (LIQXXXXXXXXXX) granted in respect of the premises shall be exercised – at all times – in accordance with the provisions of the Liquor Act 2007.

16) The following operational policies for the responsible service of alcohol shall apply with the

“Liquor Promotion Guidelines”:

- (a) The Licensee will maintain a register containing copies of the certificates showing the satisfactory completion of the Responsible Service of Alcohol course undertaken by the Licensee and all staff required to complete that course. That register shall be made available for inspection on request by a NSW Police officer or an Inspector from Liquor & Gaming NSW.
  - (b) The Licensee shall not engage in any liquor promotion that is likely to promote irresponsible service of liquor.
  - (c) The Licensee shall not sell or serve alcohol to any person who is intoxicated.
  - (d) Any person who is intoxicated shall be denied entry to the premises.
  - (e) The Licensee will not permit intoxication or any indecent, violent or quarrelsome conduct by patrons on the premises. Any person causing such a disturbance shall be refused service and asked to leave the premises. Any patron whose behaviour is either extreme or repeatedly objectionable may be barred from entering the premises for a period determined by the Licensee.
  - (f) No person under the age of 18 years shall be admitted to the premises except within an authorised area and whilst in the company of a responsible adult. Production of photographic identification will be required where age is an issue. The only acceptable proofs of age identification shall be:
    - Photo driver's license;
    - Current passport;
    - NSW Photo Card issued under the Photo Card Act 2005;
    - Proof of Age Card issued by a Public Authority of the Commonwealth or another State or Territory;
    - Any other class of document prescribed by the Liquor Regulation from time to time.
- 17) The Licensee and all staff involved in the sale, supply and service of liquor are to carry the relevant competency cards issued by Liquor and Gaming NSW and make them available on request.
- 18) Food must be available whenever liquor is consumed on the licensed premises.
- 19) In respect of all approvals to sell liquor at a function to be held on premises other than the licensed premises to which the license relates the following additional conditions are imposed:
- (a) All liquor supplied at the function must be opened by staff.
  - (b) The Licensee or a Duty Manager who has completed the approved responsible service of alcohol course must be in attendance for the duration of the function to supervise the sale and supply of liquor.
- 20) The bistro/ bar will arrange for taxis to collect any patron from the premises upon receipt of a request from the patron to do so.



- 21) The bistro/ bar will promote the service of non-alcoholic beverages and food.
- 22) The Licensee or their representative will become a member of the Sydney City Liquor Accord. The Licensee (or their representative) will participate in the meeting conducted by the Accord.

## 3.0 Management Measures

### 3.1 General Amenity

- 23) The Licensee shall consider the amenity of neighbours and shall take all reasonable measures to ensure the conduct of the business does not impact adversely on the surrounding area. These measures will include erecting signage in the building (in accordance with part 3.2), conducting regular security patrols (in accordance with part 4.1) and by regularly cleaning in accordance with part 4.2.
- 24) The Licensee will take all reasonable measures to ensure that the behaviour of staff and patrons when entering or leaving the bistro/ bar does not detrimentally affect the amenity of the neighbourhood. These measures will include erecting signage in the building (in accordance with part 3.2) and by regularly cleaning in accordance with part 4.2.
- 25) The bistro/ bar shall be conducted in such a manner as not to interfere with, or materially affect, the amenity of the neighbourhood by the emission of noise, vibration, smell, fumes, vapour, steam, smoke, soot, ash, dust, wastewater, waste products, grit, oil, or otherwise.
- 26) The Licensee shall use their best endeavours to ensure that the entry points and the immediate vicinity are kept clean and tidy during the bistro/ bar's hours of operation by cleaning the immediate vicinity of the building at least hourly in accordance with part 4.2.
- 27) The Incident Register is to be reviewed regularly by the Licensee to ensure that complaints, where possible, are being dealt with appropriately.
- 28) Any recurring complaints should be dealt with, if attributable to the bistro/ bar through new management procedures and incorporated into this Plan.

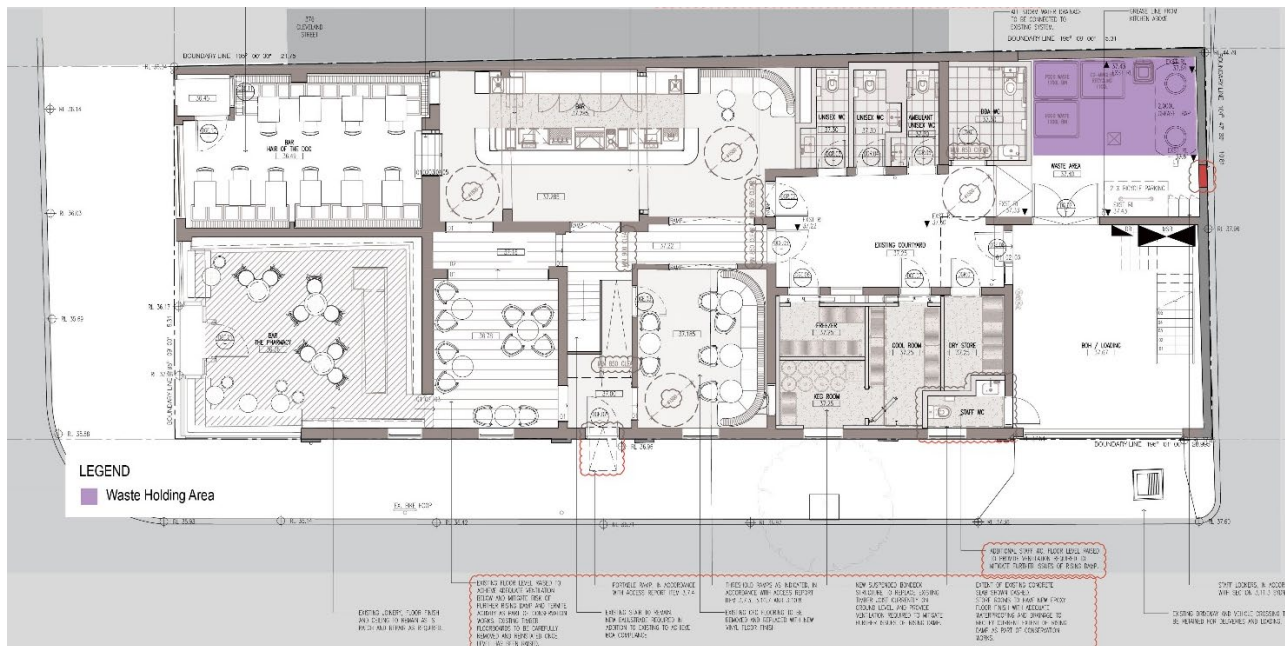
### 3.2 Signage

- 29) All signage required by Liquor and Gaming NSW will be displayed at all times and kept up to date.
- 30) A clearly visible sign is to be erected at each entry/exit point to the building indicating that patrons should leave in a quiet and orderly manner with due respect to the quiet and good order of the neighbourhood.
- 31) Signage will be displayed at a prominent position adjacent to the principal entry of the bistro/ bar providing information on the public transport options available within the immediate locality, including location of bus and light rail stops, metro station as well as QR codes to relevant timetables.

### 3.3 Waste Management and Deliveries

- 32) The Licensee shall use his or her best endeavours to ensure that deliveries to the bistro/ bar are made between 8.00am and 5.00pm on weekdays or Saturdays. No deliveries shall be made on Sundays, other than fresh produce supplies (for example milk, bread, seafood, etc.).
- 33) All waste shall be stored in approved containers located in the bistro/ bar's waste holding

area (**Figure 4**) before being removed for disposal by appropriate contractors.



**Figure 4 – Boxing Bear – Waste Holding Area**

- 34) All waste is to be separated into designated waste containers (general, glass and cans, and cardboard and paper. Waste containers and storage area are to be kept clean at all times.
- 35) The collection of waste and recycling must only occur after 8.00am daily. Glass bottles specifically must only be removed between 8.00am and 4.00pm, daily.
- 36) Glass must not be emptied or transferred from one receptacle to another anywhere in a public place. All glass must be emptied/transferred within the premises and removed in containers.
- 37) Adequate bins are to be provided in smoking areas and outside the bistro/ bar adjacent to doorways for patrons to properly dispose of cigarette butts.

### 3.4 Noise Criteria

- 38) Noise likely to result from the operation of the bistro/ bar, includes noise from patrons entering and leaving, patrons smoking on the footpath, mechanical plant and from the removal of waste. Noise levels from the bistro/ bar have been verified by a qualified acoustic consultant to ensure it does not have an adverse impact on the amenity of neighbours with respect to noise emanating from the licensed areas of the bistro/ bar and mechanical plant.
- 39) The removal of waste will occur primarily during business hours in accordance with clause 3.3 of this Plan.
- 40) The use of the bistro/ bar is subject to the following noise related restrictions, in accordance with the Acoustic Assessment prepared by Pulse White Noise Acoustics Pty Ltd (PWNA) (5 May 2025):

- The number of patrons should be limited to the numbers listed in the assumptions in Section 6.1.1;
  - The loudspeakers should not be located near or facing towards doorways but should be orientated so as to focus sound away from the weakest path of noise transmission and minimise noise breakout.
  - Appropriately manage noisy patrons at the project site.
  - Avoid shouting and minimise unnecessary bump out activities during the night period.
  - Use information board with relevant details about the “House Policy”, hours of operation and regular information updates.
- 41) Notwithstanding the above, the bistro/ bar’s operations must not give rise to “offensive noise” as defined under the Protection of the Environment Operations Act 1997.

### 3.5 Complaints and the Incident Register

- 42) The Licensee or manager shall ensure that details of the following are recorded in the bistro/ bar’s Incident Register:
- i) Any incident involving violence or anti-social behaviour occurring in the venue;
  - ii) Any incident of which the Licensee is aware, that involves violence or anti-social behaviour occurring in the immediate vicinity of the bistro/ bar and that involves a person who has recently left, or been refused admission to, the bistro/ bar;
  - iii) Any person refused entry to, or turned out of the bistro/ bar:
    - (a) for being intoxicated, violent, quarrelsome or disorderly;
    - (b) whose presence on the licensed premises renders the Licensee liable to a penalty under the Liquor Act, e.g., minors;
    - (c) who smokes within an area of the bistro/ bar that is a smoke-free area; or
    - (d) who uses, or has in his or her possession, while in the bistro/ bar any substance suspected of being a prohibited plant or prohibited drug.
  - iv) Any incident that results in a patron of the bistro/ bar requiring medical assistance;
  - v) Any incidents that occurred either in the bistro/ bar’ or in the immediate vicinity, which have involved the committing of a crime, or required the intervention of security;
  - vi) Any complaints made directly to the management or staff of the bistro/ bar by local residents or business people, about the operation of the bistro/ bar or the behaviour of its patrons; and
  - vii) Any visits by any NSW Police Officers, OLGR Special Inspectors and Council Officers noting their agencies or departments, reasons for the visits and results of the visits.
- 43) The Licensee shall make the Incident Register available to NSW Police Officers and OLGR Special Inspectors on request. If directed, NSW Police Officers and OLGR Special Inspectors are to be permitted to make copies of or remove the Incident Register from the bistro/ bar.

- 44) The following details of complaints made to the bistro/ bar are to be recorded in the Incident Register:
- (a) Date and time of the incident;
  - (b) Nature of the complaint;
  - (c) Address and contact details of the complainant;
  - (d) Any actions proposed to deal with the complaint; and
  - (e) The actions taken and the time and date when that was reported to the complainant.
- 45) Management is to provide a 24 hour a day contact phone number that residents can use to contact the bistro/ bar, in order to make a complaint. Any staff member answering such a call must do so in a polite, sympathetic and courteous manner. Where possible, action shall be immediately taken to address any complaint so made, including follow- up action, such as returning the resident's call to let them know what has been done to address the concerns/complaints expressed.

## 4.0 Security

### 4.1 Security Staff

- 46) On Fridays, Saturday and Sunday nights or any night preceding a public holiday there will be security personnel on duty.
- 47) The responsibilities of any security person shall be nominated by the licensee or duty manager prior to the start of the shift. Security shall also monitor the activity of patrons and persons in the vicinity of the Hotel and act as required, within the scope of their powers in a public place.

### 4.1 General Security Measures

- 48) The licensee shall require any security personnel employed at the bistro/ bar to:
- i) Be dressed in readily identifiable uniform so that they may be highly visible to patrons, displaying identification as a security guard and to be appropriately licensed.
  - ii) Fill in a time sheet (with start and finish times) which is to be initialed by the manager/licensee on duty.
  - iii) Report to the manager/licensee to obtain a briefing on any specific duties to be addressed before commencing duty.
  - iv) Ensure that persons entering the bistro/ bar are suitably attired in accordance with the venue's dress code, which shall require patrons, at least, to be neatly dressed in casual wear, with footwear and to be clean. No person wearing any clothing, jewelry or accessories indicating association with any gang, including colours, patches, abbreviations, etc.
  - v) Prevent any person, detected as intoxicated, entering the bistro/ bar and bring to notice of the Licensee or manager, any person on the bistro/ bar who might be considered to be in,

or approaching, a state of intoxication.

- vi) Prevent patrons leaving the bistro/ bar with glasses or other opened drinking containers.
  - vii) Prevent patrons entering the bistro/ bar with alcoholic drinks.
  - viii) Monitor patron behaviour in, and in the vicinity of, the bistro/ bar until all patrons have left, taking all practical steps to ensure the quiet and orderly departure of patrons.
  - ix) Collect any rubbish in the vicinity of the building that may be associated with the bistro/ bar's business. The footpath must be cleaned at least hourly and within 30 minutes of closure of the bistro/ bar.
  - x) Co-operate with the Police and any other private security personnel operating in the vicinity of the bistro/ bar.
  - xi) Patrol all toilets, at random intervals, notifying the Licensee or management of any suspected illegal activity, or if the toilets need attention in regard to cleanliness. If there are no female security personnel on duty, then prior to entry into the female toilets, an announcement is to be made of the incoming patrol by knocking on the door and clearly stating that these toilets are about to be inspected by a male security person.
  - xii) Ensure that all fire escapes and stairways are kept clear of person(s) and/or objects at all times.
  - xiii) In the event of an incident, clearly identify themselves as security belonging to the bistro/ bar and attempt to rectify the problem.
  - xiv) Continually apply a "hands off policy". Patrons are only to be asked to leave at the direction of management and forced removal from the bistro/ bar must only occur at the direction of management and with reasonable force only. Immediate hands on action may still be used in self-defense or in the defense of another patron.
  - xv) Make a written note with details of any incidents in the bistro/ bar's Incident Register, as required by this Plan. The details should be immediately entered in the Incident Register or, where it is not practical to do this, written in a notebook and copied into the Incident Register at the end of the shift.
- 49) The following actions will be undertaken during "wind-down" periods prior to closing time;
- (a) 30 minutes prior to closing the staff will inform the patrons of the closing time and ask them to finish their drinks and prepare to leave the premises.
  - (b) The staff shall take all reasonable steps to control the behaviour of the patrons of the premises as they leave and remind patrons to be quiet when they leave.
  - (c) After the completion of each business day, a complete patrol will be conducted of the area surrounding the premises to ensure premises are secure and all rubbish is cleared.
- 50) For the purpose of this Plan of Management, the description, "the vicinity of the premises" shall be the footpath area immediately adjoining the bistro/ bar to Marlborough Street, Cleveland Street and Goodlet Lane up to a distance of 10 metres beyond the boundary of the bistro/ bar.

## 4.2 Footpath Management

- 51) During peak periods entry will usually be by queue. Patrons are to be permitted entry into the bistro/ bar as quickly as possible to avoid congregation on the footpaths surrounding the entry. Queuing will assist in ensuring that all patrons are vetted for intoxication and age verification prior to entry, as well as to ensure that the maximum capacity of the premises is not exceeded.
- 52) All patrons waiting outside to enter the bistro/ bar shall queue in the immediate frontage of the bistro/ bar building, along the footpath. The queuing area shall be maintained in a quiet and orderly manner by security personnel
- 53) Security is to endeavour to ensure at all times that any queue that forms and that any patrons smoking on the footpath maintains a thoroughfare of at least two (2) metres for pedestrians.
- 54) Any patrons not smoking are to be asked to return inside the bistro/ bar if the smoking areas are becoming congested or to leave the immediate vicinity of the bistro/ bar if they do not intend on returning to the bistro/ bar.

#### 4.3 Behaviour of Patrons

- 55) The Licensee and staff shall take all reasonable steps to control the behaviour of the patrons of the bistro/ bar as they enter, whilst present at, and when leaving. To this effect this, the Licensee shall:
  - (a) erect signs at the exits to the bistro/ bar requesting patrons to leave quietly; and
  - (b) ensure that patrons, in leaving the vicinity of the bistro/ bar, do so promptly and as quietly as is reasonably possible.
- 56) The Licensee and staff shall take all reasonable steps to ensure that there is no loitering by persons who are seeking admittance or who have been refused admittance to the bistro/ bar.
- 57) All staff members (including security contractors) will be made aware of their right to refuse to admit or turn out from the bistro/ bar any person:
  - (a) Who is intoxicated, violent, quarrelsome or disorderly;
  - (b) Whose presence renders the Licensee liable to a penalty under the Liquor Act;
  - (c) Who smokes on any part of the licensed premises;
  - (d) Who has in their possession any prohibited plant or prohibited drug.
- 58) Any person refused admission or turned out of the bistro/ bar, must leave the bistro/ bar's premises. Failure to leave the bistro/ bar on request is an offence by the customer pursuant to Section 77 the Liquor Act. Further, a reasonable degree of force as may be necessary may be used in the removal of the person from the bistro/ bar.



- 59) Any person who has been refused admission to, or turned out of the bistro/ bar's premises is not to re-enter or attempt to re-enter the licensed premises within 24 hours of being refused admission or being turned out.
- 60) Any person refused admission or turned out must leave the vicinity of the bistro/ bar (at least 50-metres from the boundary of the licensed premises) and must not re-enter the vicinity of the premises within 6 hours of being refused admission or being turned out. If an excluded person does not comply with these requirements, Police have power to move them on and to issue a penalty notice.
- 61) The Licensee and staff shall ensure patrons using the outdoor areas of the bistro/ bar do not cause any undue disturbance to the quiet and good order of the local community.

#### 4.4 Closed Circuit Television

- 62) CCTV surveillance cameras shall be strategically installed, operated and maintained throughout the premises with particular coverage to:
  - (a) All principal entrance/s and exits (including fire doors);
  - (b) All areas within the premises occupied by the public (excluding toilets);
  - (c) All footpaths adjacent to the premises are to be monitored by CCTV;
- 63) Suitable and clearly visible signage shall be displayed at the principal entries to the premises (in lettering not less than 50 mm high) with words "Closed Circuit Television in use on these premises". The same signage is to be displayed in a prominent position on each respective level of the premises.
- 64) CCTV recording equipment discs and or hard drive recordings shall be retained for 30 days before being re-used, destroyed or deleted. Time and date shall be auto recorded on the disc or hard drive. Discs or hard drives must be handed to Council, Police or special inspectors upon request. Recordings onto disc or hard drive must include the premise's CCTV software.
- 65) All video equipment and cameras are to be of high-grade digital quality so as to facilitate identification and adjudication of patrons, offenders and incidents occurring within the subject premise.
- 66) CCTV recording equipment shall be able to be reproduced to a CD or hard drive copy of recorded footage within 24 hours of a written request from Council, Police Officers or Inspectors from Liquor & Gaming NSW.
- 67) All CCTV recording devices and cameras shall be checked daily to ensure the equipment is operating correctly. The Owner/Licensee shall record this daily activity in the premises incident register or a book that meets the standards by Police and Council.
- 68) All CCTV recording devices and cameras shall be operated during all trading hours and (30) thirty minutes after closure of the premise.
- 69) The CCTV recording device shall be secured within the premises and only be accessible to senior management personnel so as to maintain the integrity of the recorded footage.

## 5.0 Other Relevant Matters

### 5.1 Crime Scene Standard Operating Procedures

- 70) Immediately after the Licensee or Duty Manager becomes aware of an incident involving an act of violence causing injury to a person on the premises, that person must undertake the following actions:
- (a) IMMEDIATELY contact the Commander (or their representative) at Surry Hills Police Station PH: 02 9265 4144.
  - (b) Determine the size of the scene,
  - (c) Remove all persons from within that scene detaining offenders where appropriate, request witnesses remain within the licensed premises until police arrival if not record witnesses' particulars where practical.
  - (d) Leave items (weapons, broken glass, blood, etc) within scenes in situ.
  - (e) DO NOT under any circumstances clean up or interfere with crime scenes. Interfering with evidence may constitute an offence, leaving the Licensee liable to prosecution and/or result in the closure of the premises.
  - (f) Continue to guard and prevent persons from entering the crime scene.
  - (g) Record all information into incident registers ensuring names, security no., specific tasks and/or the involvement of each person are recorded.
  - (h) Provide all records in incident registers to Police.
  - (i) If any person is injured as the result of a criminal act within the premises and/or an ambulance is summoned to the premises, police must be notified within thirty (30) minutes of the injury occurring, or the ambulance being summoned.

### 5.2 Drug and Drink Spiking

- 71) If any person is caught dealing, purchasing or consuming drugs within the bistro/ bar, the person (or persons) are to be requested to leave immediately and bistro/ bar management and the Police must be informed of this. This is their first and only warning. If the same person is caught again, then the person (or persons) are to be banned for a period determined by the Licensee.
- 72) Drink spiking is often difficult to detect. Below are some things to look out for and what to do:
- i) Any occurrences of a person (or persons) escorting out an obviously affected and lone person. Ask questions and engage in conversation with the person escorting the affected patron away, asking for their name, where they are heading to, etc – contact management about any person who goes to length to remain anonymous.
  - ii) An affected person may need medical attention, so ask them. If they are not capable of making that decision – then arrange that medical attention.

- iii) Any affected person will need to get to a safe place, which may be theirs or a friends place. Ensure people who are showing signs of intoxication are looked after by their friends and not leave them in the company of the person who may have spiked their drink.
- iv) Contact the Police and thoroughly document the incident in the Bistro/ bar's Incident Register.
- v) Remember the most common drug used for drink spiking is alcohol. Be aware of strange drink orders such as beer and a nip of vodka, double shots in short glasses, etc.

### 5.3 Maintenance

- 73) The premises shall be kept in a clean and tidy condition and regularly maintained to the satisfaction of Council both internally and externally.
- 74) The owner/manager of the building shall ensure that all windows on the façade of the building are cleaned regularly and, in any event, not less than annually.
- 75) The footpath outside the bistro/ bar shall be kept clean at the management's expense.

### 5.4 Fire Safety Measures

- 76) The Licensee shall ensure that all essential services installed at the bistro/ bar are certified annually and shall ensure that they remain in good working order at all times.
- 77) In the event of any malfunctioning of any essential service the Licensee shall ensure that it is rectified as quickly as soon as possible.
- 78) Lists of the telephone numbers of all relevant emergency agencies shall be kept near all telephones accessible to staff.
- 79) All managers and other permanent staff shall be made aware of fire safety requirements and the procedures to be followed in the event of an emergency at the bistro/ bar.

### 5.6 Amendment to this plan

- 80) If, in circumstances where better management or improved amenity outcomes can be achieved by amendments to this Plan such amendments must only be made, following consultation with both the Police and Council, and approved in writing by Council. Both the Police and Council shall be provided with a copy of any modified plan.
- 81) If the requirements of the Liquor Act 2007 or Liquor Regulation 2008, change, then the Plan of Management will be updated to reflect those changes and an updated copy will be provided to the Police and the Council, as soon as possible following those changes coming into force.

## 5.7 This PoM and Development Consent

- 82) This Plan of Management (POM) is subject to the terms of the development consent in respect of the bistro/ bar, as amended from time to time.