

Attachment C

<h2>Plan of Management</h2>

Shell House Operational Plan of Management

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INTRODUCTION

1.0 PURPOSE

The purpose of this Operational Plan of Management (*the Plan*) is to establish performance criteria for the operations of Shell House, having regard to the relevant matters under the *Environmental Planning and Assessment Act 1979* and the *Liquor Act 2017 (the Liquor Act)* and any relevant Regulation under that legislation.

The Licensee must maintain an Operational Plan of Management.

The Operational Plan of Management should be systems based and address:

- Licence conditions and liquor laws compliance
 - Responsible service of alcohol
 - Management of patrons and minimising disturbance to the neighbourhood
 - Effective management and deployment of venue staff particularly addressing security and patron safety, inductions and training
 - Effective management of responses to any concerns raised
- 1) A copy of the current Operational Plan of Management will be maintained at the licensed premises and made available for immediate inspection by members of the NSW Police Force or Inspectors of the Office of Liquor Gaming and Racing.
 - 2) The provisions of this Plan must be adhered to at all times during the execution of the duty of all members of staff and security. Disregarding the provision of this Plan may lead to on-the-spot dismissal.
 - 3) Reference in this Plan to the **Licensee** is a reference to the most senior management person on duty, even in the absence of the Licensee.
 - 4) Reference in this Plan to the **Security Manager** is a reference to the most senior security person on duty, unless the role of Security Manager has been delegated by the Licensee.
 - 5) An obligation or responsibility under this Plan assigned to a Duty or Security Manager may be undertaken by another member of staff, as delegated by the relevant manager.

1.1 LOCATION

Shell House is located above Wynyard Station, one of the country's busiest transport interchanges and occupies a key city block along George Street in Sydney's CBD.



 The Site

Figure 1 Shell House location

It is proposed that a single operating licensed restaurant and bar will be established within the two-level rooftop pavilion and ground floor levels of Shell House.

1.2 COMPANY OVERVIEW

We have brought together a globally experienced and qualified team comprised of The Point Group with our deep knowledge of hospitality in Sydney heritage settings, the ground-breaking design of Sydney architects Architectus and Woods Bagot, and one of the nation's foremost heritage architects GML Heritage.

The Point Group has five venues currently trading in Sydney and two restaurants in Bali. We have an intimate knowledge of hospitality, most notably operating the Icebergs Dining Room and Bar in Bondi Beach for the past 17 years. We also own and operate two freehold, heritage listed hotels in Surry Hills – The Dolphin Hotel on Crown Street and Hotel Harry on the corner of Wentworth Avenue and Goulburn Street. Both have undergone significant heritage restoration work and our team operate and maintain these buildings successfully.

We are highly motivated by this opportunity to make a significant contribution to conserving and enhancing one of Sydney's newest developments.

2.0 OPERATIONAL DETAILS

The Shell House is to operate as a single tenancy by a single operator with one management team, providing three outlets for patrons to provide a range of experiences.

2.1 HOURS OF OPERATION

Shell House will be open on a daily basis, serving patrons for lunch, dinner and drinks.

Shell House will operate 24 hours, 7 days a week in accordance with the Liquor Licence.

It is intended that Shell House will operate 52 weeks of the year, every day of the year, except for Christmas Day.

2.2 CAPACITY

There is a maximum capacity of 275 @ Margaret Street Level, 315 @ Level 9 and 295 @ Level 10 inclusive of staff, security, entertainers and patrons.

2.3 PUBLIC TRANSPORT

The site's central location and range of public transport options lends itself to travel by public transport and foot. The restaurant / bar will contain maps that show the proximity of key destinations and the area's transport hubs for patrons who may wish to visit using public transport.

2.4 CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The PoM is consistent with the principles of Crime Prevention Through Environmental Design (CPTED) by creating environmental and social conditions that:

- Maximise risk to offenders (increasing the likelihood of detection, challenge and apprehension);
- Maximise the effort required to commit crime (increasing the time, energy and resources required to commit crime);
- Minimise the actual and perceived benefits of crime (removing, minimising or concealing crime attractors and rewards); and
- Minimise excuse-making opportunities (removing condition that encourage/ facilitate rationalisation of inappropriate behaviour).

The safety and security issues addressed in this PoM are consistent with current policies that ensure the quiet amenity of neighbouring properties is maintained at all times during the operation of the premises. All staff, as part of the induction process, are required to be familiar with this PoM.

3.0 MANAGEMENT MEASURES

3.1 GENERAL AMENITY

- 1) The Licensee shall consider the amenity of neighbours and shall take all reasonable measures to ensure the conduct of Shell House does not impact adversely on the surrounding area.
- 2) Levels 9 & 10 will have a designated smoking area; smoking will *not* be allowed anywhere else in the tenancy.
- 3) The Licensee will take all reasonable measures to ensure that the behaviour of staff and patrons when entering or leaving the premises does not detrimentally affect the amenity of the surrounding area.
- 4) Access to the site will be provided by Wynyard Lane and will be clearly designated through signage as part of a future development application.

3.2 THE RESPONSIBLE SERVICE OF ALCOHOL

- 1) The sale and supply of liquor shall be exercised – at all times – in accordance with the provisions of the Liquor Act and Regulation and the Restaurant Licence (**Appendix A**).
- 2) The following operational policies for the Responsible Service of Alcohol shall apply at all times:
 - I. All staff are to be trained with regards to the obligations, practices and procedures of the restaurant / bar with regards to Responsible Service of Alcohol.
 - II. The management does not serve liquor to intoxicated patrons. As well, intoxicated patrons are not allowed to remain on the premises, and due to the nature of the area, this is, and will continue to be tightly controlled by management.
 - III. Management refuses entry to intoxicated persons coming from other venues in order to reduce incidences.
 - IV. All staff, as part of the induction process, are fully briefed on how they should address and caution potentially inebriated or unusually vocal customers in order to minimise the likelihood of disturbing the quiet and good order of the neighbourhood.
 - V. Customers making any noise are asked to leave quietly and quickly and any customers loitering are asked to move on.
 - VI. Additionally, the safety and security issues addressed in this PoM have been devised to ensure the quiet amenity of neighbouring properties is maintained at all times during the operation of the premises.
 - VII. Staff are encouraged to assist with passive surveillance of all areas of the development. Staff will be encouraged to call their Supervisor or Manager if any difficulties arise to quickly "intercept" any potentially noisy, rowdy or abusive patrons to attempt to calm them down as much as possible as they leave.

3.3 COMPLAINTS AND THE INCIDENT REGISTER

- 1) The Licensee shall ensure that details of the following are recorded in the Shell House Incident Register at all times:
 - I. Any incident involving anti-social behaviour occurring in Shell House;
 - II. Any incident that results in a patron of the Shell House requiring medical assistance;
 - III. Any incident that occurred on the Shell House, which involved the intervention of security;
 - IV. Any complaints made directly to the management or staff of the Shell House by local residents, about the operation of the Shell House or the behaviour of its patrons; and
 - V. Any visit by any NSW Police Officer or L&G Special Inspector noting their agency or department, reason for the visit and result of the visit.
- 2) The Incident Register entry is to note under which of the above reasons the entry is being made, including the details of any incidents, what action was taken by security, the level of intoxication of any patrons involved and whether the Police were called.
- 3) The Licensee shall make the Incident Register available to any NSW Police Officer or Liquor & Gaming Special Inspector on request.
- 4) The following details of complaints made to the Shell House are to be recorded in the Incident Register:
 - I. Date and time of the incident that led to the complaint;
 - II. Nature of the complaint;
 - III. Address and contact details of the complainant;
 - IV. Any actions proposed to deal with the complaint; and
 - V. The actions taken and the time and date when that was reported to the complainant.
 - VI. The Incident Register is to be reviewed regularly by the Licensee to ensure that complaints, where possible, are being dealt with appropriately and that sufficient details in relation to incidents are being recorded.

3.4 TECHNICAL NOISE CRITERIA AND NOISE CONTROLS

The new restaurant / bar will be managed to minimise the potential of causing a nuisance. In accordance with the Environmental Noise Impact Assessment prepared by Acoustic Logic and dated 5 November 2019, the following measures will be implemented:

- Glazing on all facades in accordance with the glazing specifications recommended by Acoustic Logic;
- Management controls to manage patron departures particularly at night and at closing times to ensure patrons leave in a prompt and orderly manner;
- Outdoor speakers to play music with a maximum Sound Pressure Level 74 dB(A) at 1m distance from the surface of speakers, the speakers should be positioned facing the project site only;
- All waste removal and deliveries will be considered in the existing waste management plan for the site and can be conducted via the existing basement area;
- Management control will be carried out by the tenant to ensure that the operational noise to any residential receivers satisfies the requirements by NSW Office Liquor and Gaming, and the City of Sydney Council DCP after midnight;
- Speakers and other noise generating equipment are to be vibration isolated from the building structure in locations advised by Acoustic Logic using mounts specified by Acoustic Logic;
- Floor slabs should be the appropriate thickness and achieve the appropriate impact rating and footings of all furniture shall be isolated by rubber mounts. The kitchen bench should also be isolated by two layers of waffle pads with metal shim in between; and
- New plant services should be assessed at the Construction Certificate stage to ensure the overall noise emissions satisfy the specified noise emission criteria provided by Acoustic Logic.

Staff will be encouraged to minimise noise whilst on site and always report any negative behaviour. Reports of all noise complaints will be documented in a register and kept on site. Staff will be encouraged to ensure that customers behave in an appropriate manner whilst on the site and do not disturb the neighbourhood when exiting the premises late at night.

In addition, the premises will be operated in accordance with noise conditions imposed by local authority as part of any development approval as well as any requirements of the relevant licensing authority. All sound emissions and noise management practices will comply with Council's requirements, the Protection of the Environment (Operations) Act 1997 and NSW Office of Liquor, Gaming and Racing (OLGR).

Key initiatives to minimise noise on terraces during normal hours and after hours include:

- Management and staff intervention;
- Installation of noise locks on doors to the terraces / balconies which

can be used as required;

- Management control will be carried out by the tenant to ensure that the operational noise not be audible to any residential receivers satisfies the requirements by NSW Office Liquor and Gaming, and the City of Sydney DCP after midnight;
- Noise limiting applications on sound systems and equipment;
- Passive Design noise barriers including screens and curtains.

3.5 SIGNAGE

- 1) The Licensee shall be responsible to ensure all signage required under the Liquor Act and Regulation, is displayed and maintained in a prominent position, in accordance with those legislative requirements.

3.6 DELIVERIES

All food and beverage will be delivered via the existing basement area. The basement area will be capable of receiving all goods and managing the waste collection process.

The basement is directly connected to the Back-of-House amenities of Wynyard Place which enables a direct pathway for deliveries, storage and preparation. Ad-hoc event equipment will be managed to ensure minimal disruption.

3.7 WASTE MANAGEMENT

All waste managing will be in accordance with the Waste Management Plan prepared for the proposed development. Waste collection, storage and removal from the site will be managed in accordance with the following principles:

- 1) All waste is to be stored on site in the designated internal waste area;
- 2) Staff will empty bins on a daily basis. Waste will then be collected from the garbage room by a private contractor 7 days per week.
- 3) Waste removal trucks will access the site from the Wynyard Lane level and travel down one level to the loading bays and central waste store areas. The contractors will move the general waste bins or the recyclable waste bins to the loading bays;
- 4) The waste management strategy for the development will be continually evaluated by Building Management, to improve the service provided and to achieve the NSW Government's domestic and commercial waste reduction targets;
- 5) Any rubbish spillage outside the garbage area is to be cleaned immediately by the party responsible.
- 6) The management will ensure that areas surrounding the premises are monitored on a continual basis to ensure that all fire escapes and stairways are kept clear of objects at all times.
- 7) At the start and completion of each business day, a complete patrol will be conducted of the immediate area surrounding the premises to ensure premises is secure, all rubbish is cleared, and the loading dock area is clear and clean.
- 8) As per Sydney City Council's policy the areas will comply with Council's Policy

for Waste Minimisation in New Developments 2005, which requires facilities to minimise and manage waste and recycling generated by the proposal.

3.8 CLEANING & MAINTENANCE

- 1) The Licensee shall ensure Shell House is cleaned daily after close or more frequently as the need arises.
- 2) Cleaning and maintenance regimes to protect and monitor the heritage fabric will be guided by the Tenant Management outline determined in collaboration with OEH and included here.

3.9 MONEY HANDLING

Management will remove money from cash points periodically as appropriate.

All appropriate safety alarms will be installed including back to base security which involves the burglar alarm system being linked to the security company.

3.10 SUSTAINABILITY MEASURES

A full outline of sustainable operational practices that will be employed by the Shell House are summarised in the Development Application.

3.11 STAFF INDUCTION & TRAINING

All staff will be inducted via an online training and induction platform, which records their satisfactory completion of all mandatory modules prior to commencing employment.

All relevant floor staff will have completed a valid RSA certificate prior to commencing employment at Shell House.

Regular staff briefings will be held to discuss the operations of the venue and service of alcohol at Shell House.

As part of the Venue training all staff members are required to read and refer back to the following documents, which will be located within the Back of House.

Staff and Management to be aware of acceptable proof of age documents- NSW Proof of Age Card, Drivers Licence, Passport, NSW Photo Card (or equivalent interstate/ overseas documents).

Shell House Dining is committed to ongoing training of all staff in relation to RSA information, updated venue procedures, initiatives, liquor laws and the significance and history of the site.

RSA on the Frontline refresher training held frequently for all team members to assist in compliance.

Managers and relevant staff members will be made aware of all requirements of the

liquor license, council approvals and the Alcohol Management Plan

Security Staff present must hold a valid RSA certificate and when present are required to carry the valid RSA certificate on themselves.

Managers and Security staff are required to hold a briefing prior to any events to discuss the protocols of handling RSA within the venue.

4.0 SECURITY MEASURES

Please note a full security management plan will be drawn up once pertinent operational details are attained.

4.1 GENERAL MEASURES

- 1) The Security Manager shall require all security personnel employed at Shell House to:
 - I. Be dressed in readily identifiable uniform so that they may be clearly visible to patrons and displaying identification as a security guard.
 - II. Report to the Security Manager and Licensee to obtain a briefing on any specific duties to be addressed before commencing duty.
 - III. Monitor Patrons and bring any issues of note to the Licensee or Management Team.
 - IV. Prevent patrons from removing glass or alcohol from the Shell House.
 - V. Prevent patrons entering the Shell House with alcoholic drinks.
 - VI. In the event of an incident, clearly identify themselves as security belonging to the Shell House and attempt to rectify the problem.

4.2 SECURITY STAFF

Once best practice operational security staffing is confirmed, schedule of security staffing will be implemented in accordance with the Security Management Plan.

4.3 CRIME SCENE PRESERVATION

- 1) Immediately after the person in charge of the licensed premises becomes aware of an incident involving an act of violence causing an injury to a person on the premises or in the immediate vicinity, the person must:
 - I. Take all practical steps to preserve and keep intact the area where the act of violence occurred, retain all material and implements associated with the act of violence in accordance with the Crime Scene Preservation Guidelines issued by the NSW Police; and
 - II. Make direct and personal contact with the Local Area Commander or his/her delegate, and advise the Commander or delegate of the incident; and
 - III. Comply with any directions given by the Commander or delegate to preserve or keep intact the area where the violence occurred.

4.4 CLOSED CIRCUIT TELEVISION (CCTV)

- 1) CCTV cameras must be placed throughout the Shell House, comprising both public and back of house areas. In general, the camera coverage is intended to specifically record images of the following areas:
 - I. all public entrances and exits, whether or not in use at the time;

- II. all public accessible areas within the Shell House excluding toilets;
- 2) The correct time, date and camera identification must be automatically embedded on all recordings and be able to be read when the image is played back on a different system.
- 3) Recordings must be retained for a period of 30 days before being reused or destroyed. The Licensee shall ensure that no person is able to delete or alter any recordings within the 30 day period.
- 4) Immediate access to the CCTV system and the ability to review recordings on the system is to be granted to NSW Police, OLGR Inspectors and other regulatory officers upon request.

4.5 Building Design and Safety Procedures

The building has been designed to ensure the enjoyment and safety of guests. The base build design including lifts and fire stairs will allow patrons to travel between floors as required. Sprinkler protection of common areas will also be in place. All building emergency systems will be periodically tested including lighting and smoke detectors, sprinkler systems and air conditioning systems as part of normal operational procedures.

A range of measures have been implemented into the design to minimise the impact of noise from adjoining neighbours within the building and to surrounding land uses. From an operational perspective, all patron behaviour will be supervised by management and integrated security.

5.0 OTHER RELEVANT MATTERS

Other relevant matters we encounter as we proceed will be included here.

5.1 FIRE SAFETY AND ESSENTIAL SERVICES

- 1) The Licensee shall ensure that all essential services installed at Shell House are certified annually and shall ensure that they remain in good working order at all times.
- 2) In the event of any malfunctioning of any essential service the Licensee shall ensure that it is rectified as quickly as soon as possible.
- 3) The Licensee shall ensure that lists of telephone numbers of all relevant emergency agencies shall be kept in the office.
- 4) In the event of an emergency on the Shell House we will invoke the specific Shell House Evacuation Plan.

Please refer to the BCA Performance Solution Plan & Fire Emergency Plan for further details.

5.2 AMENDMENT TO THIS PLAN

- 1) If, in circumstances where better management or improved amenity outcomes can be achieved by amendments to this Plan such amendments can be made.
- 2) This Plan and its attachments are also subject to legislative changes to the Liquor Act 2007 and Liquor Regulation 2008. Where the publications of L&G are revised or withdrawn from its website or where legislative changes occur from time to time, the Plan is to be taken to reflect those changes.

Version: 2.0

Dated: December 2020