

# **Attachment C**

<h2><b>Plan of Management</b></h2>
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## **Plan of Management**

Sex on-premises Site and Liquor Licence

## **Subject Site**

Lots 4, 6 & 7

38 – 46 Oxford Street, Darlinghurst

December 2021

**Town Planning Group Pty Ltd**

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## 1. INTRODUCTION

The Plan of Management regulates the management of the Sex on-premises Venue and related liquor licence, for the premises known as Sydney Sauna at Lot 4 (rear or 4b), 6 & 7, 38-46 Oxford Street, Darlinghurst.

The Plan of Management sets out the operational aspects of the Sex on-premises Venue and liquor licence.

The Plan of Management is completed by the accompanying:

- Waste Management Plan – December 2021
- Sydney Sauna Emergency Management Plan



## 2. SUBJECT SITE

Lots Lot 4, 6 & 7, of Plan of Subdivision SP49764, are located in a commercial building being 38-46 Oxford Street, Darlinghurst. The building is located at the northern side Oxford Street, and is located between Oxford Square and Liverpool Street, approximately 140 metres south-east of the Liverpool and Oxford Street intersection.

The building has a frontage of 32.86 metres to Oxford Street, and a depth of 23.74 metres on the north-western side of the lot, a depth of 38.19 metres of the south-eastern side, and a rear width to Norman Street of 15.94 metres (right of carriageway, within DP613423). The site of the building yields a total area of approximately 730 square metres.

The Sydney Sauna is accessed by a staircase at the eastern end of the Oxford Street frontage, which leads to the Level 1 entrance.



Ariel (Google Maps)



### **3. MANAGEMENT DETAILS**

#### **3.1 Business Name**

Trading Name: Sydney Sauna

Business Name: Subway Vault (NSW) Pty Ltd

#### **3.2 Contact Details**

Address: Level 1, 38-42 Oxford Street, Darlinghurst

Telephone: +61 2 9360 3431

#### **3.3 Business Activity**

The premises is used for a Sex on-premises venue, with associated liquor licence.

#### **3.4 Operating hours**

These hours are:

Monday	10.00am to 1.00am (Tuesday morning)
Tuesday	10.00am to 6.00am (Wednesday morning)
Wednesday	10.00am to 6.00am (Thursday morning)
Thursday	10.00am to 6.00am (Friday morning)
Friday	10.00am to 12.00am (Friday night)
Saturday	24 hours
Sunday	12.00am (midnight) to 6.00am Monday

#### **3.5 Staff Details**

The business employs a Manager, and up to 6 staff during peak business periods operating in shifts. Security Guards are employed per the security requirements of the Plan of Management Section 3.10. All staff work from within the building. The Manager and staff deal with patron issues and incidents.

#### **3.6 Liaison Networks**

Management is in contact with NSW Police, City of Sydney, and NSW Department of Health and ACON.

#### **3.7 Liaison Arrangements**

The business will work with the relevant government agencies, City of Sydney, the Department of the Health and Liquor and Gaming NSW, the NSW Police and ACON through regular inspections as requested, and working with relevant legislation and regulations.



### **3.8 Customer Access**

Customer access is provided by doorway access on Oxford Street, which leads to the customer foyer at First Floor. Customer entry is monitored by security camera, and customers are buzzed in through a secured doorway.

### **3.9 Restricted Entry**

Customers are restricted to 18 years+. All customers are required to provide identification, and each person's details are kept securely.

Any customers who appear under the influence of drugs or alcohol are denied entry.

Persons admitted are at the discretion of Management.

The maximum number of persons (including staff and patrons) permitted in the premises at any one time is 200 persons and 100 persons within the licensed area.

### **3.10 Security and Safety**

To ensure security and safety within the premises at all times:

- (a) Not less than 1 staff member will be on duty on each shift.
- (b) Staff are to immediately leave the premises after each shift.
- (c) Cash is removed by the manager at appropriate banking hours, kept in safe outside of these hours.
- (d) Illegal drugs are forbidden from the premises.
- (e) Alcohol must be consumed within licence restricted area and all procedures must comply with liquor licencing law.
- (f) Drunk, inebriated or drugged patrons will not be admitted.
- (g) Internal security will be provided by an alarm from the Manager's office.
- (h) All parts of the premises are fitted with smoke detector and fire extinguishers.
- (i) Regular health checks are provided by third party provider to clients.
- (j) Security door with buzzer allows patrons into the premises.
- (k) PA system can be used in the event of an emergency or to communicate to patrons.
- (l) The manager/licensee must ensure that all incidents involving staff members (including security personnel) are recorded in the incident register maintained on site, including incidents involving physical contact between staff and patrons, physical restraint of patrons and/or the ejection of patrons from the premises.
  - a. Principal entrance/s and exists;
  - b. All areas within the premises occupied by the public (excluding toilets);
  - c. Staircases in multilevel premises; and
  - d. The area within a 10m radius external to the public entrance(s) to the premise.
- (m) The staffing of security guard(s) is provided as follows:
  - a. A minimum of 1 security on Friday and Saturday nights between 9.30pm to 6.00am the following day.
  - b. A minimum of 1 security when the capacity is over 100 patrons at any time.



- c. A minimum of 2 security when the capacity is over 100 patrons for major events, such as Mardi Gras, New Year's Eve.
- d. Security personnel when provided in condition (a) above shall remain at the premises until 6.00am and shall assist in ensuring that patrons leave quietly.
- e. (c) All licensed security officers whilst employed at the premises are to wear clearly identifiable security attire at all times, with the word "SECURITY" clearly identifiable in bold print at least 100mm high, on the front and back.
- f. (d) When more than one security guard is on duty, security officers and management shall communicate by handheld radios at all times.

### **3.11 Emergency Procedures**

The on duty manger will ensure that he premises will be:

- (a) Evacuated when emergency conditions arise.
- (b) Contact emergency services in the event of an accident or incident warranting their attendance, or evacuation of the premises.

All staff are trained in what to do in an emergency and in emergency evacuation procedures. Each new staff member is provided a one on one induction of procedures.

Fire and smoke alarms are installed within the facility, in case of fire. A PA system is installed within the facility and can be used in the case of emergencies.

An Emergency plan in accordance with *AS3745-2010 Planning for emergencies in facilities* is found as 'Sydney Sauna Emergency Management Plan' and provided to employees to instruct in emergency management.

#### **Evacuation Procedure**

In case of an emergency where it is determined that customers must be evacuated **All staff on duty, and any staff available on premises**, are to assist in the evacuation of customers.

In case of evacuation all staff are to advise customers in the following manor. Staff are to announce on the PA system that customers need to evacuate immediately, walk the venue by foot and advise all customers to move to the closest emergency exit. Staff are also to, if it is deemed safe to do so, turn on any overhead lighting. This can be achieved by turning on all the cleaning lights in all areas.

There are two areas of muster. The Oxford Street pedestrian area, through the front security door and down the stairs and also through the emergency exit next to the café, and the area directly behind the sauna on Norman Street. These areas are the only place customers must be advised to go. Once the safety of all customers can be confirmed, customers on Oxford Street may be moved to the rear of the building to join any other customers.

It is important that once all customers have been evacuated, staff must perform a final inspection through the building to make sure that no person has been left behind. Staff are at no times to put themselves at risk of death or serious injury, also, if there are two staff members on duty, they must perform this task together.





After all relevant emergency services have been called, staff must call the Manager immediately on his mobile number. If you cannot reach the site manager, the General Manager must be called on his mobile number.

Staff are at no times are to leave the premises unless your personal safety is at risk or directed to by emergency service personnel. If you leave the premises or are directed to leave by emergency personnel, the site manager or General Manager must be informed immediately.

### **3.12 Building Upgrading**

All requirements of the BCA will adhered to.

### **3.13 Manager's & Staff's Responsibilities**

The Manager will be responsible for:

- (a) The efficient and orderly supervision of the business, all staff, security and customers at all times;
- (b) Maintaining accurate records of each member of staff's details, hours worked and wages paid;
- (c) Addressing and mediating all staff disputes and disagreements;
- (d) Collecting the customer's fee before access to the premises;
- (e) The safety of staff entering, within and leaving the premises at all times;
- (f) The safe evacuation of staff and customers from the building during emergencies and contacting emergency services immediately upon building evacuation;
- (g) The safety of customer's possessions within the Locker Room;
- (h) The continued medical health of all staff;
- (i) Maintaining staff amenities are properly cleaned and maintained;
- (j) Maintaining daily cleaning of the premises;
- (k) The removal of any unruly, drunk or drug affected customer;
- (l) The daily cleaning of all staff areas, toilets, sex cubicles, bathroom showers/floors/walls, vinyl couches, pools and spas, lubricant dispensers, laundry storage areas, and waste/garbage storage areas and the customer's locker room;
- (m) The maintenance of adequate lighting within the stairway from the street;
- (n) The maintenance of the first floor security door at the front of the premises;
- (o) The provision and maintenance of a security cameras within the premises;
- (p) Requiring proof of identity and age if any customer is suspected of being under age and refusing entry to all under age persons;
- (q) Maintaining compliance with the AIDS Council of NSW (ACON) Code of Practice (Play zone, Sex on premises venue code of practice);
- (r) Maintaining compliance with NSW Health Department's Public Swimming Pool And Spa Pool Advisory Document April 2013;
- (s) Maintaining compliance with BCA for lighting of a Class 6 Building;
- (t) Maintaining compliance with AS 1680.0 for building lighting;
- (u) Maintaining compliance with AS1668.0 & AS/NZS3666.1 for Building Ventilation; and
- (v) Maintaining compliance with AS/NZS4146 Laundry Practise.



The Staff will be responsible for:

- (a) Maintaining personal hygiene at all times;
- (b) Maintaining the cleanliness of all rooms for customer's use;
- (c) Reporting any unsafe working conditions and unacceptable customers behaviour to the Manager at all times;
- (d) Not being affected by drugs or alcohol at work at any time;
- (e) Refusing the service or provision of alcohol to any customer within the premises at their discretion, prior to intoxication or visible signs of intoxication;
- (f) Cleaning body substance spillages;
- (g) Spot cleaning of sex cubicles and couches after use;
- (h) Routine and spot cleaning of all rooms, floors, pools and spas within the premises;
- (i) Providing condoms and lubricants to customers on request;
- (j) Removing used condoms and storing in a safe receptacle until removed after the close of business by the Manager;
- (k) Supplying clean towels, laundry and other pre-requisites to customers and ensuring all soiled materials will be safely and hygienically stored and laundered to the Council's satisfaction and NSW Health Department guidelines;
- (l) Removal and disposal of any sharps detected, in a sharps bin;
- (m) Emergency evacuation of the venue.

The Manager, Staff or Security Guards will be responsible for:

- (a) Maintaining staff safety within the premises;
- (b) Maintaining the orderly behaviour by customers when inside the premises;
- (c) Preventing unruly, drunk or drug affected customers entering the premises;
- (d) Removing unruly, drunk or drug affected customer from the premises; and
- (e) Emergency evacuation of the venue.

### **3.14 Worker' Insurance**

Worker's Compensation Insurance is undertaken.

### **3.15 Health Aspects**

The premises will comply with the Maintaining compliance with the AIDS Council of NSW (ACON) Code of Practice (Play zone, Sex on premises venue code of practice), as follows:

- The business ensures that the premises are always maintained in a clean condition;
- All couches and mattresses in sex activity areas being covered with a waterproof vinyl covering;
- All staff areas, toilets, sex cubicles, bathroom showers/floors/walls, vinyl, couches, pools and spas, lubricant dispensers, laundry storage areas, and waste/garbage storage areas being routinely cleaned every day;
- Staff areas, toilets, sex cubicles, bathroom showers/floors/walls, vinyl couches, pools and spas, lubricant dispensers, laundry storage areas, and waste/garbage storage areas being spot cleaned on an hourly basis;



- Spills of Body substances being attended to by staff wearing gloves and protective clothing using disposable wipes or paper towels with such areas being surface cleaned by water and detergent, rinsed and dried;
- Single use gloves always being used and discarded after use for cleaning spilt body substances;
- Water resistant occlusive dressings being provided where staff or customers experience cuts or abrasions;
- The, toilets and the bathroom being provided with hand washing facilities (e.g., liquid soap and paper towels) and hand basins;
- Fans, light fittings and tops of cupboards being regularly cleaned;
- The premise's air quality complying with the BCA and AS 1668 (Part I - Fire and Smoke Control in Multi-Compartment Buildings & Part 2 - Mechanical Ventilation for Acceptable Indoor Air Quality);
- Clean towels being provided for customer's use;
- All towels and laundry materials being laundered in accordance with AS/NZS 4146:2000 Laundry Practices;
- All spas complying with the NSW Health Department's Public Swimming Pool And Spa Pool Advisory Document April 2013;
- All customers having the right to have consensual sex;
- All customers and staff being provided with information about safe sex by literature in the Literature Room and wall posters throughout the premises;
- Condoms and lubricants being freely available on request at all times;
- Lighting to decipher safe sex information, the location of condoms and lubricants, and for adequate cleaning standards to be maintained;
- A wall mounted sharps bin being provided in a well lit area;
- Staff being provided with training opportunities in infection control, Hepatitis A & B, and sexually transmitted infections;
- Premises being cleaned once a day with spot cleaning on an hourly basis;
- ACON will carry out regular inspections of the premises.

All rooms will have proper lighting for staff to be able to verify the health of suspected customers.

Staff will have regular sexual health checks at the Manager's preferred Medical Centre.

The Manager will regularly liaise with the NSW Police Service, City of Sydney, the NSW Health Department, ACON and sex agencies.

All fire extinguishers will be regularly inspected by the manufacturer and will be readily accessible for use by all staff.

### **3.16 Laundry Aspects & Trade Waste Disposal**

The Manager will collect all soiled towels and laundry at the end of each day's business that will be laundered in accordance with AS/NZS 4146:2000 Laundry Practices.

All towels are stored within the staff access area only, and dispensed to patrons upon entry.



All soiled condoms and waste materials will be managed in accordance with NSW Health Department requirements.

All pools and spas will comply with the NSW Health Department's Public Swimming Pool And Spa Pool Advisory Document April 2013.

### **3.17 Waste Management Plan**

Waste disposal is undertaken in accordance with the '*Waste Management Plan February 2021*'.

The waste management is undertaken through a private contractor, and is done through Bins stored on Winns Lane at the rear of the property, which is collected three times per week. Bins are padlocked and only openable by staff or contractors.

Waste and recycling is to be taken to the bins three times throughout the day 7am, 3:30pm and 11:30pm. This ensures waste is removed promptly from the premises. Waste is stored either in the café waste bin & recycling for kitchen waste, or back of house area for other waste.

- Food waste: Placed in café bin, then sealed garbage bags, for disposal.
- Cans and Plastic Drink containers: Cans are crushed and placed into a recycling bin within the café, along with Plastic drink containers, to maximise bin storage.
- General Waste: Placed in sealed garbage bags and stored in back of house area.
- Cardboard: Flattened and placed in recycling bin in back of house area.
- Glass bottles/broken glass: No glass products are used on the site for beverages due to the nature of the business, with clients barefoot.

The collection of waste and recycling occurs between 7am and 7pm Monday to Saturday inclusive. Sundays and public holidays shall be avoided.

### **3.18 Noise Management**

The site is run to ensure that minimal noise is produced. The Noise level will comply with the requirements of the Development Approval D/2020/552.

Low level background music is played within the facility, which is played so that any normal conversation and this is not audible from outside the facility.

Amplified music noise levels within the premises will be limited to internally.

Patrons are requested by signage and if required by staff to maintain a low level of noise when entering or leaving the facility, as not to disturb nearby persons and tenants.

The manager will ensure that noise is managed not to provide a nuisance to disturbance to nearby owners and occupiers in accordance with the:



- *Environmental Planning and Assessment Act 1979 (and Regulation 2000;)*
- *Liquor Act 2007;*
- *Local Government Act 1993 (s. 125);*
- *Strata Schemes Management Act 1996.*

### **3.19 Signage**

Signage is provided under verandah.

### **3.20 Food, Alcohol, Smoking & Drugs**

#### **Food**

Food is served within the Café, and clients are required to consume prepared food within this area. The café is open during all business hours.

Meals are serviced on plates with cutlery provided. Hot tea and coffee is serviced.

Café area sink is used for dish washing. A secondary basin, directly next to the bar/service area (which is marked as kitchenette on the plan) is used for hand washing of staff only, for hygienic servicing.

A dishwasher, coffee making facilities, and fridges are found within the Café area.

#### **Drugs**

No illegal drugs are permitted on the premises.

#### **Alcohol**

There service of alcohol is permitted at the premises, and to be serviced within the licenced area within the premises indicated on the approved plan.

The hours of operation for the provision of alcohol from the licensed cafe use are restricted to between the following hours:

Monday	10.00am to 1.00am (Tuesday morning)
Tuesday	10.00am to 2.00am (Wednesday morning)
Wednesday	10.00am to 2.00am (Thursday morning)
Thursday	10.00am to 2.00am (Friday morning)
Friday	10.00am to 2.00am (Saturday morning)
Saturday	6.00am to 2.00am (Sunday morning)
Sunday	6.00am to 2.00am (Monday morning)

Notwithstanding (a) above, the use may operate between 2.00am and 6.00am Wednesday to Mondays inclusive for a trial period of one year from the date that this consent becomes operational. Council's



Health and Building Unit is to be informed in writing of the date of commencement of the trial hours. Email notification is to be sent to [liquor@cityofsydney.nsw.gov.au](mailto:liquor@cityofsydney.nsw.gov.au)

A further application may be lodged to continue the operating hours outlined in (b) above not less than 30 days before the end of the trial period. Council's consideration of a proposed continuation and/or extension of the hours permitted by the trial will be based on, among other things, the performance of the operator in relation to the compliance with development consent conditions, any substantiated complaints received and any views expressed by the Police.

The operator must cease providing alcohol at the premises 15 minutes before the required closing time.

The maximum number of persons (including staff and patrons) permitted in the premises at any one time is 200 persons and 100 persons within the licensed area.

The Licensee/Manager ensures that at all times alcohol is served responsibly and in accordance with the *Liquor Act 2007*, the *Liquor Regulations 2008*, and the Plan of Management.

The Licensee/Manager ensures that all staff involved in the sale, service or supply of liquor have undertaken and completed an approved Responsible Service of Alcohol course. The Licensee/Manager will ensure staff are kept up to date with these requirements, and that RSA certificates are kept on premises at all times to be made available for inspection by NSW Police, City of Sydney or regulatory authorities.

Staff are to encourage patrons to drink responsibly. Patrons will be required to leave the premises if they become intoxicated, violent or quarrelsome. Staff will be provided with training to recognise the signs of intoxication and refuse patrons who reach a point prior to intoxication.

Low alcohol beer and non-alcoholic beverages will be available at all times when the premises is open. Drinking water is available at all times and without charge.

Patrons will not be permitted to bring alcohol onto the site.

Staff will monitor for any unsocial behaviour and identify any potential problems and take steps to address such situations prior to any escalation.

Staff will discourage drinking within the locker room area, and a signage installed stating 'no drinking within locker room'.

Polycarbonate or Plastic Glassware is to only be used on premises for the servicing of alcohol.

The Spa area will be monitored through CCTV and regular staff in-person checking/walk through of the area. Staff will monitor patrons for any intoxication.

### **Smoking**

Smoking is only permissible within the designated smoking room.



Signage is placed to ensure cigarette butts are placed within ashtray, within smoking room and cigarette butts disposed appropriately. CCTV is used to monitor behaviour, and the smoking room checked and cleaned regularly.

Signage is in place to ensure users smoke quietly. This smoking area is separate from the Licenced area, and no liquor will be allowed within this area.

### **3.21 House Policy**

The following is the Terms and Conditions of Entry to the premises are displayed on the door and within the premises:

By entering and maintaining on the premises of Sydney Sauna, you agree to be bound by the following conditions of entry:

- 1. Patrons are required to follow all reasonable directions given by Sydney Sauna staff members and abide by any other conditions or warnings displayed in the premises.*
- 2. Sydney Sauna at its sole discretion, may refuse entry to the premises by any person for any reason.*
- 3. Sydney Sauna at its sole discretion, may remove any patron from the premises for any reason what so ever. Reasons for removal may include, but are not limited to indecent behaviour, offensive behaviour, failure to abide by these conditions, acting in an intoxicated, quarrelsome, disorderly or violent manner, acting in a manner that endangers staff or other patrons.*
- 4. Patrons are not permitted to bring alcohol or any other illegal substances into the premises. patrons found to be in possession of or under the influence of alcohol or illegal substances will be removed from the premises and banned from further entry.*
- 5. Use of cameras, photography equipment, video recording equipment or audio recording equipment of any description is strictly prohibited inside the venue or near the entry/exit of the premises.*
- 6. Entry to the premises is only permitted to patrons who agree that they may be searched (including their bags, clothing & possessions) on entry and their continued presence within the premises is only permitted to patrons who agree to be searched (including their bags, clothes, locker or other possessions) whilst on the premises.*
- 7. Patrons are admitted at their own risk. the nature of the premises is such that it contains obvious, inherent and non-obvious risks that may include but are not limited to areas of dim light, wet areas, slippery floors, areas that contain high levels of heat or are capable of causing burns (such as saunas, sauna rocks/heater, spa baths and showers). patrons are required to take care of their own safety.*
- 8. In the event that entry is refused for any reason or a patron is removed from the premises for any reason, no refund will be paid in respect of their patron's entry fee.*



9. *Patrons are notified that closed circuit television surveillance operates in all areas of the premises and is monitored.*
10. *Patrons agree that Sydney Sauna is not liable for any injury, damage, theft, destruction, loss action, demand, debt, expense, liability or cost of any kind caused or suffered by any patron or their property how so ever caused (including by negligence). patrons release and indemnify Sydney Sauna from any claims they may have against us now or in the future.*

### **3.22 Transport**

The Manager or Staff will seek to ensure patrons are aware of alternative forms of transport within the area, and particularly for any drinking patrons.

Staff shall arrange at no cost the calling of a taxi or ride share for any patron wishing to exit the premises.

Patrons will be advised of the nearest taxi rank, walking distance to nearest station or bus stop, if so requested.

Patrons can be provided with direction to the transport website of [www.transportnsw.info](http://www.transportnsw.info) or call 131 500 for information.

### **3.23 Leaving the premises**

A 400mm by 400mm sign will be placed on the entry/exit door requesting customers to exit quietly onto Oxford Street.

Should any customer be noisy on leaving, staff will ask customer to please exit quietly.

### **3.24 Complaint Resolution**

Complaints by patrons, nearby property owners or residents can be made to the Manager, should there be an issue with an identified patron or running of the venue. Measures will be determined by the Manager to best resolve any immediate issues, or review a complaint regarding a previous issue.

The manager/licensee must ensure that all incidents involving staff members (including security personnel) are recorded in the incident register maintained on site, including incidents involving physical contact between staff and patrons, physical restraint of patrons and/or the ejection of patrons from the premises.

A log of the complaints will be taken by staff, security or the Manager, and response provided.

If the complaint is something that the NSW Police, City of Sydney or a regulatory authority should be aware of the Manager, will take steps to make the appropriate authority aware.

### **3.25 Venue Capacity**

The capacity of the venue is at 200 patrons, with the capacity of the licenced area at 100 patrons.





### **3.26 Action Plan**

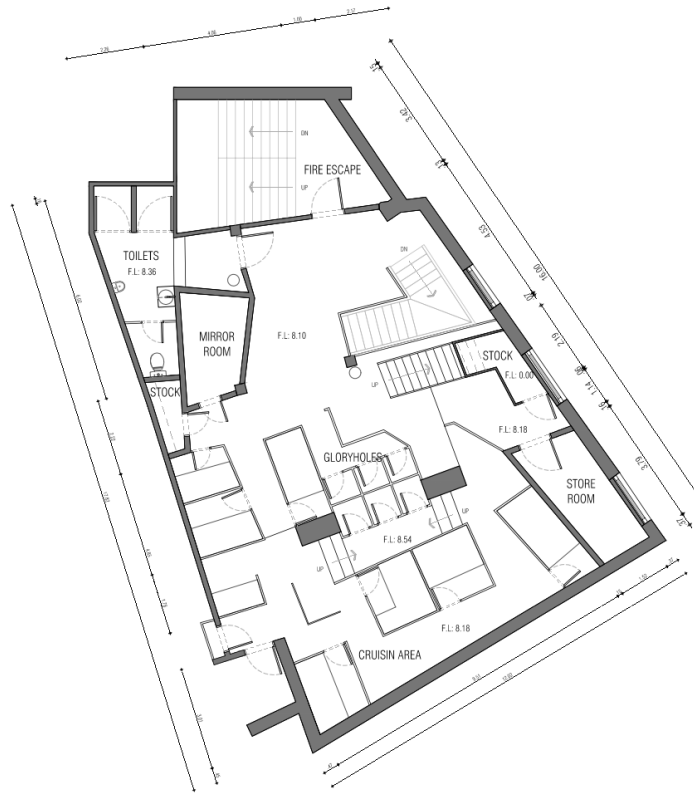
The business will implement the details in this Plan of Management immediately on approval of this development application.



## 4. FLOOR PLANS



First Floor layout (Lot 7) access from Oxford Street via staircase. Licensed area shown.



Upper Ground Floor layout (Lot 6) – accessed from staircase from Lot 7.



Lower Ground Floor layout (rear Lot 4b) – accessed from staircase from Lot 6.



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